

**REQUEST FOR COMMISSION ACTION**

**SUBJECT: REQUEST FOR REMOVAL OF PROPERTIES FROM AGREEMENT  
REQUIRING STREET IMPROVEMENTS ON CENTER STREET**

**STAFF RECOMMENDATION:**

Staff recommends the Municipal Utilities/Public Works Commission recommend the City Council maintain the current agreement for improvements along Center Street as there are no other sources of funding identified for the improvements and these types of improvements are typically developer responsibilities. In this case, because of an agreement, the responsibility for funding those improvements has been passed onto the property owners.

**BACKGROUND:**

This item is presented to the Municipal Utilities/Public Works Commission (Commission) for discussion and possible recommendation to City Council.

Center Street fronting the properties in the agreement is a 28 foot wide road with rock curb and no sidewalk on either side and is located near Kimberly Elementary School. Because of the slope and existing landscaping, children or pedestrians are forced to walk in the street. The current right of way is 60' with the ultimate curb to curb width of 40'.

Tentative Tract Map No. 8124 was approved by the Planning Commission on May 1, 1973. As a condition of approval for the map, construction of improvements along the property frontages adjacent to Center Street and Elizabeth Street were required. On February 4th, 1981 the property owner of the parcel entered into an agreement, included as Attachment "A", with the City for the future construction of street improvements along Center Street. The terms of the agreement required the property owner, or any future property owners, "to participate in any street improvement program for the block in which the property is located". This agreement was intended to satisfy the Condition of Approval for Tentative Tract Map No. 8124 requiring construction of improvements along Center Street.

The primary parcel was subsequently subdivided into 13 properties by the original property owner when Tract Map No. 8124 was approved by the City Council on August 4th, 1981. Conditions of approval for the tract map included construction of improvements along Elizabeth Street but did not include a requirement for actual construction of improvements along Center Street because the aforementioned agreement satisfied the obligation for construction of improvements along the tract boundary as required under the municipal code.

The reason for the agreement, instead of requiring the developer to actually construct all of the improvements along Center Street, was because the Public Works Director, at the time, intended to adjust the alignment of Center Street to eliminate a sharp bend in the road. This realignment would have involved construction along the frontage of multiple properties and included a small acquisition of right of way. See Attachment "B" for a diagram of the primary parcel and the intended alignment of Center Street. Required improvements per this agreement include construction of sidewalk and street widening and reconstruction of the existing rock curb at 20' from ultimate street centerline along with installation of street trees, street lights and other miscellaneous improvements. Street improvements matching this description have already been constructed east and west of the property encumbered by the Agreement.

The improvements along Center Street described in the agreement have not yet been constructed.

#### **DISCUSSION:**

On January 16, 2018 Ms. Janine McBride the owner of 1564 Elizabeth Street, submitted a request for removal of her property from the agreement. On July 11, 2018, William and Patricia Cloud of 1574 Elizabeth Street, submitted a similar request. Both properties have frontage on Elizabeth Street but no frontage on Center Street but the parcels were created by Tract Map No. 8124. These requests are included as Attachment "C". Staff is seeking input from the Commission to review the requests from the property owners and make appropriate recommendation to the City Council for consideration.

Staff has developed potential alternatives for the Commission's consideration listed as follows:

#### **Alternatives:**

- Commission may recommend Council have the agreement remain as written. The improvements were required as part of Tract Map No. 8124. The improvements have not yet been constructed. The improvements are still warranted as they would connect sidewalk along the northerly side of Center Street. It may be noted that there is no sidewalk on Center Street and staff recommendation is to construct the improvement for the safety of pedestrians including school children.
- Commission may recommend Council cancel the entire agreement. Street improvements along Center Street have not been constructed. The intent of the agreement was to allow for the orderly construction of the improvements at a later date when the widening of Center Street was done as a City project. All throughout the City, construction of improvements is required as properties are developed because the Municipal Code calls for construction of those improvements. If the Commission elects to recommend the cancellation of the

agreement, funding for the improvements have to come from other City sources because it is an obligation of the development.

- Commission may recommend Council exempt all properties not having frontage on Center Street from the agreement and require each of the Center Street properties to only be obligated for 1/13 each of the cost of the Center Street improvements.

If Commission chooses to make this recommendation, this action would shift 9/13 of the projects costs to the City for work which was an obligation of the development and remaining funds have to come from other city funding sources.

**ATTACHMENTS:**

Attachment "A" – Agreement

Attachment "B" – Map of primary parcel for agreement and intended alignment.

Attachment "C" – McBride and Cloud requests

Prepared by:

Reviewed by:

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**DONALD P. YOUNG, P.E.**  
One Stop Permit Center  
Manager

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**SAVAT KHAMPHOU, P.E.**  
Municipal Utilities and Engineering  
Deputy Director

Concurrence by:

Reviewed by:

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**PAUL TOOR, P.E.**  
Municipal Utilities and Engineering  
Director

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**DANIEL McHUGH**  
City Attorney

## **ATTACHMENT "A"**

WHEN RECORDED, RETURN TO:  
City of Redlands  
City Clerk  
P. O. Box 280  
Redlands, Calif. 92373



81-029587

RECORDED IN  
OFFICIAL RECORDS

1981 FEB 10 PM 12: 27

NO FEE  
NO TAX  
A G R E E M E N T

SAN BERNARDINO  
CO., CALIF.

The parties to this agreement, dated this 4<sup>th</sup> day of February, 19 81, are the city of Redlands, a municipal corporation hereinafter called "City" and Yucaipa Investment Inc. and Faloon West Inc. by Robert J. Wagner, including all assignees, heirs, mortgagees, and successors in interest, herein-after called "Applicant".

RECITAL

WHEREAS, Ordinance 1562 requires certain improvements in connection with the division and/or development of real property, and

WHEREAS, the City Council requires that property owners, subdividers, and developers shall conform to the Master Plan of Streets and Highways of the city of Redlands, provide concrete curbs, gutters, sidewalks, paving, drainage structures, street lights, engineering and other requirements in accordance with city specifications, and dedicate to the city such land as is necessary for the location or relocation of public utilities, and street widths as established in the General Plan of the city of Redlands, and

WHEREAS, Ordinance No. 1447 of the city of Redlands has established an Advisory Committee of three persons, including one member each from the City Council, Planning Commission, and Public Works Department, and authorized it to waive any and all requirements for sidewalks, curbs, gutters, paving, drainage structures, street lights, engineering, and other improvements required by city specifications, and dedications, provided that said committee has made a unanimous finding that such an action will not adversely affect the health, safety, and welfare of the public, and further provided that appellant has agreed in writing to participate in any street improvement program for the block in which the property is located, whether privately or publicly initiated; and that such agreement shall be recorded with the County Recorder by the City Clerk.

WHEREAS, the Advisory Committee may, upon unanimous vote of its entire membership, suspend the requirements for street improvements as specified in Exhibit "A", provided, however, that

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applicant shall agree in writing to participate in any street improvement for the Block in which the property is located, whether privately or publicly initiated, and

WHEREAS, the requirements and conditions applicable to development of the applicant's property are attached hereto and identified as EXHIBIT "A".

COVENANTS

Applicant hereby covenants as follows:

1. To participate in any street improvement program for the block, street, or area in which Applicant's property is located, or which affects Applicant's property.
2. That the Applicant's real property to which this agreement applies, and which will be included in any street improvement program for the block, street, or area, is described on Exhibit "B" attached hereto.
3. To pay the sum which is determined by the Director of Public Works to be Applicant's pro rata share of the cost of the street improvement program, and to be subject to the same provisions for payment that apply to all other persons who participate in said improvement program.
4. This agreement shall be binding upon and enforceable against Applicant and all assignees, heirs, mortgagees, and successors in interest, and shall be recorded in the office of the County Recorder.
5. If Applicant(s) or any successor in interest fails to comply with any terms of this agreement or acts contrary to any ordinance of the City of Redlands, the City may bring action to enforce this agreement and said ordinance. Applicant and all successors in interest agree to pay all costs of suit and reasonable attorney's fees for such action.

City hereby covenants as follows:

1. That the Advisory Committee has determined in accordance with Ordinance No. 1447 of the City of Redlands that the provisions of this agreement do not adversely affect the health, safety and welfare of the public; and the City Council of the

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City of Redlands hereby approves and adopts such determination by the Advisory Committee.

2. That the requirements as described in EXHIBIT "A" are hereby suspended provided that Applicant agrees in writing to participate in any street improvement program which includes or affects Applicant's real property, as described in paragraph 2 of Applicant's covenants herein.

CITY OF REDLANDS

By [Signature]  
Mayor

[Signature]  
Applicant

[Signature]  
Applicant

ATTEST:

[Signature]  
City Clerk

APPROVED FOR FORM:

s/ Edward F. Taylor  
City Attorney

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO )

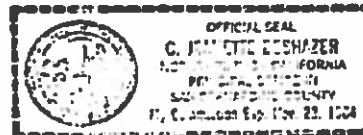
On February 4, 1981, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert J. Wagner

known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

[Signature]  
Notary Public in and for said County and State.

My commission expires 11-22-84



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NT

Engineering Division requirements for off-site improvements covered by this agreement:

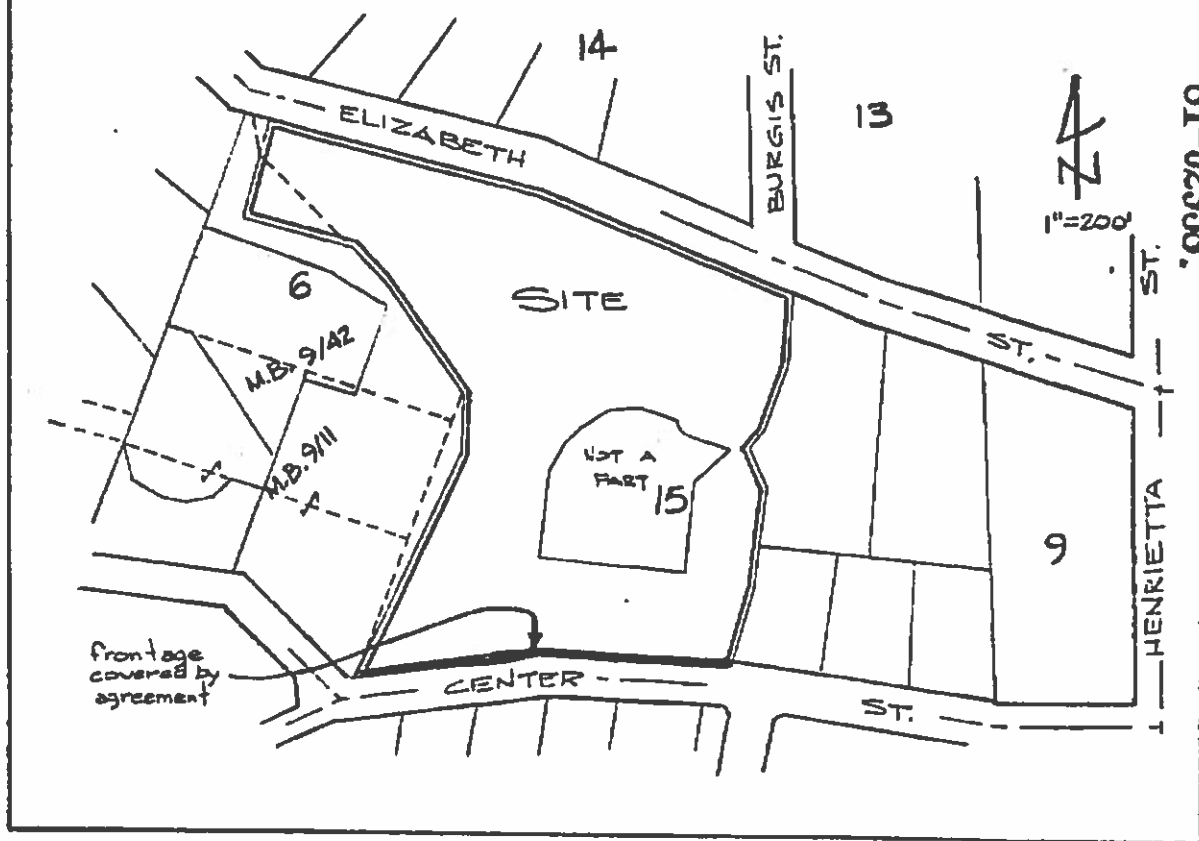
7. Center Street:
  - a. Dedicate 7 feet to provide for a 32 foot half street northerly of street centerline and diligently pursue acquisition and dedication of sufficient right-of-way westerly of tract boundary to complete a smooth curve. City of Redlands shall assist in right-of-way acquisition if necessary.
  - b. Construct standard curb and gutter 20 feet northerly of street centerline.
  - c. Construct standard street section between new curb and street centerline.
  
10. Install 8 mercury vapor or 7 sodium vapor ornamental street lights - PORTION THAT PERTAINS TO CENTER STREET ONLY.

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EXHIBIT "B"  
LEGAL DESCRIPTION

(See attached.)



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DESCRIPTION:

THE LAND REFERRED TO IN THIS REPORT IS SITUATE IN THE STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO, AND IS DESCRIBED AS FOLLOWS:

TRACT NO. 8124 UNRECORDED, BEING A SUBDIVISION OF:

PARCEL NO. 1:

BLOCK NO. 15, SMITH'S SUBDIVISION NO. 2, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 9, PAGE 42 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK, IN THE CENTER-

LINE OF ELIZABETH STREET; THENCE SOUTH  $1^{\circ}25'$  EAST 552.19 FEET (RECORDED DISTANCE 552.40 FEET) ALONG THE EAST LINE OF SAID BLOCK NO. 15, TO A POINT IN THE CENTERLINE OF CENTER STREET; THENCE ALONG THE CENTERLINE OF CENTER STREET, NORTH  $80^{\circ}17'$  WEST 315.0 FEET; THENCE SOUTH  $80^{\circ}12'20''$  WEST 50.38 FEET, (RECORDED NORTH  $85^{\circ}51'$  WEST 50 FEET); THENCE LEAVING CENTER STREET NORTH  $02^{\circ}45'05''$  EAST 140.62, (RECORDED NORTH  $16^{\circ}39'$  EAST 140.00 FEET); THENCE NORTH  $06^{\circ}14'55''$  WEST 63.00 FEET (RECORDED NORTH  $7^{\circ}39'$  EAST); THENCE SOUTH  $83^{\circ}09'05''$  WEST (RECORDED NORTH  $82^{\circ}57'$  WEST) 43.46 FEET; THENCE FOLLOWING ALONG THE WESTERLY EDGE OF A STONE FLUME NORTH  $64^{\circ}48'55''$  WEST (RECORDED NORTH  $50^{\circ}55'$  WEST) 25.00 FEET; THENCE NORTH  $15^{\circ}41'05''$  EAST (RECORDED NORTH  $29^{\circ}35'$  EAST) 83.32 FEET; THENCE NORTH  $10^{\circ}41'05''$  EAST (RECORDED NORTH  $24^{\circ}35'$  EAST) 81.17 FEET; THENCE NORTH  $03^{\circ}31'05''$  EAST (RECORDED NORTH  $17^{\circ}25'$  EAST) 92.78 FEET; THENCE NORTH  $07^{\circ}48'55''$  WEST (RECORDED NORTH  $06^{\circ}05'$  EAST) 134.47 FEET TO THE CENTERLINE OF ELIZABETH STREET; THENCE ALONG THE CENTERLINE OF ELIZABETH STREET SOUTH  $79^{\circ}48'55''$  EAST (RECORDED SOUTH  $65^{\circ}55'$  EAST) 95.00 FEET MORE OR LESS TO A POINT IN THE CENTERLINE OF SAID STREET THAT BEARS NORTH  $71^{\circ}36'$  WEST FROM THE POINT OF BEGINNING; THENCE SOUTH  $71^{\circ}36'$  EAST 165.42 FEET TO THE POINT OF BEGINNING.

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ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTIONS OF ELIZABETH STREET AND BURGIS STREET, AS SHOWN ON SAID MAP OF SMITH'S SUBDIVISION NO. 2; THENCE SOUTH  $79^{\circ}48'55''$  EAST ALONG THE CENTERLINE OF SAID ELIZABETH STREET (RECORDED AS SOUTH  $65^{\circ}55'$  EAST IN THE FOLLOWING CITED DEED) 31.72 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO LLOYD A. LARSON AND MARILYN A. LARSON BY DEED RECORDED AS INSTRUMENT NO. 263, JULY 31, 1970 IN BOOK 7490 PAGE 380, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LARSON PARCEL, SOUTH  $7^{\circ}48'55''$  EAST 134.47 FEET (RECORDED AS SOUTH  $6^{\circ}05'$  WEST 134.59 FEET); THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY SOUTH  $3^{\circ}31'05''$  WEST (RECORDED AS SOUTH  $17^{\circ}25'$  WEST) 92.78 FEET; THENCE CONTINUING SOUTH  $10^{\circ}41'05''$  WEST (RECORDED AS SOUTH  $24^{\circ}35'$  WEST) 11.73 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY OF SAID LARSON PARCEL, SOUTH  $10^{\circ}41'05''$  WEST (RECORDED AS SOUTH  $24^{\circ}35'$  WEST) 33.49 FEET; THENCE LEAVING SAID BOUNDARY LINE NORTH  $39^{\circ}09'00''$  WEST 14.02 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST WHOSE TANGENT BEARS NORTH  $50^{\circ}51'00''$  EAST, AND HAVING A RADIUS OF 47.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $32^{\circ}59'40''$  AN ARC DISTANCE OF 27.07 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE WESTERLY LINE OF SAID BLOCK 15, SAID POINT BEING THE WEST EASTERLY CORNER OF LOT 1 OF MEDLANDS SUBDIVISION, AS PER PLAT RECORDED IN BOOK 9 OF MAPS, PAGE 11, RECORDS OF SAID COUNTY; THENCE SOUTH 5°33'04" WEST ALONG THE WESTERLY LINE OF SAID BLOCK 15, SAID LINE BEING THE EASTERLY LINE OF LOT 1, 3 AND 4 OF SAID MEDLANDS SUBDIVISION (RECORDED AS SOUTH 5°37' WEST) 322.38 FEET TO A POINT WHICH IS NORTH 5°33'04" EAST 74.68 FEET FROM THE SOUTHWEST CORNER OF SAID BLOCK 15, SAID SOUTHWEST CORNER OF BLOCK 15 BEING AN ANGLE POINT IN THE CENTERLINE OF CENTER STREET, AS SHOWN BY SAID MAP OF SMITH'S SUBDIVISION NO. 2; THENCE NORTH 10°55'48" EAST 298.69 FEET; THENCE NORTH 10°52'15" WEST 95.04 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 15, SAID POINT LYING ON THE CENTERLINE OF ELIZABETH STREET, SAID POINT BEING ALSO AN ANGLE POINT IN SAID ELIZABETH STREET, AS SHOWN BY SAID MAP OF SMITH'S SUBDIVISION NO. 2; THENCE SOUTH 21°16'20" EAST ALONG THE WESTERLY LINE OF SAID BLOCK 15 (RECORDED BY SMITH'S SUBDIVISION NO. 2 AS SOUTH 21°36' EAST) 38.29 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID ELIZABETH STREET; THENCE CONTINUING SOUTH 21°16'20" EAST ALONG THE WESTERLY LINE OF SAID BLOCK 15, 51.71 FEET TO AN ANGLE POINT IN THE WESTERLY LINE OF SAID BLOCK 15; THENCE NORTH 2°38'25" EAST AT RIGHT ANGLES TO THE CENTERLINE OF SAID ELIZABETH STREET, 47.28 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID ELIZABETH STREET; THENCE AT RIGHT ANGLES NORTH 57°21'35" WEST PARALLEL WITH THE CENTERLINE OF SAID ELIZABETH STREET, 20.96 FEET TO THE POINT OF BEGINNING.

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ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF ELIZABETH STREET AND BURGIS STREET; THENCE SOUTH 7°48'55" EAST 110.73 FEET TO A TANGENT CURVE; THENCE CURVING TO THE RIGHT WITH A RADIUS OF 316.53 FEET THROUGH A CENTRAL ANGLE OF 11°20'00", AN ARC DISTANCE OF 62.61 FEET; THENCE SOUTH 3°31'05" WEST 57.54 FEET; THENCE AT RIGHT ANGLES NORTH 86°28'55" WEST 60.00 FEET; THENCE AT RIGHT ANGLES SOUTH 3°31'05" WEST 47.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CURVING TO THE RIGHT FROM AN INITIAL TANGENT THAT BEARS NORTH 86°28'55" WEST WITH A RADIUS OF 47.00 FEET THROUGH A CENTRAL ANGLE OF 52°37'39", AN ARC DISTANCE OF 43.17 FEET; THENCE NORTH 84°14'15" WEST 55.86 FEET; THENCE SOUTH 72°01'51" WEST 38.90 FEET; THENCE SOUTH 42°05'55" WEST 30.73 FEET; THENCE SOUTH 33°20'50" WEST 32.56 FEET; THENCE SOUTH 16°48'30" WEST 53.08 FEET; THENCE SOUTH 5°50'20" EAST 124.64 FEET; THENCE NORTH 82°33'03" EAST 198.55 FEET; THENCE NORTH 7°26'57" WEST 130.00 FEET; THENCE NORTH 35°25'12" EAST 65.22 FEET TO A POINT ON A CURVE; THENCE CURVING TO THE RIGHT FROM AN INITIAL TANGENT THAT BEARS SOUTH 87°25'20" WEST WITH A RADIUS OF 47.00 FEET THROUGH A CENTRAL ANGLE OF 6°05'45", AN ARC DISTANCE OF 5.00 FEET; THENCE NORTH 86°28'55" WEST 43.00 FEET TO THE POINT OF BEGINNING.

RECORDED'S MEMO:  
POOR RECORD IS DUE TO  
QUALITY OF ORIGINAL DOCUMENT

PARCEL NO. 2:

ALL THAT PORTION OF LOTS 15 OF SMITH'S SUBDIVISION NO. 2, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 9 OF MAPS, PAGE 42, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTIONS OF ELIZABETH STREET AND BURGIS STREET, AS SHOWN ON SAID MAP OF SMITH'S SUBDIVISION NO. 2; THENCE SOUTH 72°48'55" EAST ALONG THE CENTERLINE OF SAID ELIZABETH STREET (RECORDED AS SOUTH 65°55' EAST IN THE FOLLOWING CITED DEED) 31.72 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO LLOYD A. LARSON AND MARILYN A. LARSON BY DEED RECORDED AS INSTRUMENT NO. 263, JULY 31, 1970, IN BOOK 7490 PAGE 380, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LARSON PARCEL, SOUTH 7°48'55" EAST 134.47 FEET (RECORDED AS SOUTH 6°05' WEST, 134.59 FEET); THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, SOUTH 3°31'05" WEST (RECORDED AS SOUTH 17°25' WEST) 92.78 FEET; THENCE CONTINUING SOUTH 10°41'05" WEST (RECORDED AS SOUTH 24°35' WEST) 45.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY OF SAID LARSON PARCEL, SOUTH 10°41'05" WEST (RECORDED AS SOUTH 24°35' WEST) 35.95 FEET; THENCE CONTINUING SOUTH 15°41'05" WEST (RECORDED AS SOUTH 29°35' WEST) 83.32 FEET; THENCE SOUTH 64°48'55" EAST (RECORDED AS SOUTH 50°55' EAST) 25.00 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF SAID LARSON PARCEL; THENCE ALONG SAID SOUTH LINE NORTH 85°09'05" EAST (RECORDED AS SOUTH 82°57' EAST) 43.45 FEET TO AN ANGLE POINT THEREIN; THENCE LEAVING SAID SOUTH LINE, NORTH 7°27'57" WEST 91.40 FEET; THENCE NORTH 32°09'00" WEST 39.17 FEET TO THE TRUE POINT OF BEGINNING.

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PARCEL NO. 3:

THAT PORTION OF LOT 1 OF MEDLANDS SUBDIVISION IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 9 OF MAPS, PAGE 11, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 1, SAID POINT LYING ON THE CENTERLINE OF ELIZABETH STREET, SAID POINT BEING ALSO AN ANGLE POINT IN THE CENTERLINE OF SAID ELIZABETH STREET, AS SHOWN BY SAID MAP OF MEDLANDS SUBDIVISION AND ALSO SHOWN BY SMITH'S SUBDIVISION NO. 2, AS PER PLAT RECORDED IN BOOK 9 OF MAPS, PAGE 42, RECORDS OF SAID COUNTY; THENCE SOUTH 21°16'20" EAST ALONG THE EASTERLY LINE OF SAID LOT 1 (RECORDED AS SOUTH 21°36' EAST BY SAID MAP OF MEDLANDS SUBDIVISION) 90.00 FEET TO AN ANGLE POINT THEREIN, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 2°38'25" WEST AT RIGHT ANGLES TO THE CENTERLINE OF SAID ELIZABETH STREET 91.73 FEET; THENCE AT RIGHT ANGLES PARALLEL WITH THE CENTERLINE OF SAID ELIZABETH STREET, SOUTH 87°21'35" EAST 149.17 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 1; THENCE NORTH 55°46'20" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1 (RECORDED AS SOUTH 56°06' EAST BY SAID MEDLANDS SUBDIVISION) 175.11 FEET TO THE POINT OF BEGINNING.

CONTINUED.....

RECORDER'S NOTE:  
BOOK RECORD IS DUE TO  
QUALITY OF ORIGINAL DOCUMENT

PARCEL NO. 4:

ALL THAT PORTION OF BLOCK 10 OF SMITH'S SUBDIVISION, NO. 2, IN THE CITY OF REDLANDS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 9 OF MAPS, PAGE 42, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF ELIZABETH STREET AND BURGIS STREET; THENCE SOUTH 7°43'55" EAST 110.73 FEET TO A TANGENT CURVE; THENCE CURVING TO THE RIGHT WITH A RADIUS OF 315.53 FEET THROUGH A CENTRAL ANGLE OF 11°20'00", AN ARC DISTANCE OF 62.61 FEET; THENCE SOUTH 3°31'05" WEST 57.54 FEET; THENCE AT RIGHT ANGLES NORTH 86°28'55" WEST 60.00 FEET; THENCE AT RIGHT ANGLES SOUTH 3°31'05" WEST 47.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CURVING TO THE RIGHT FROM AN INITIAL TANGENT THAT BEARS NORTH 85° 21'55" WEST WITH A RADIUS OF 47.00 FEET THROUGH A CENTRAL ANGLE OF 52°37'39", AN ARC DISTANCE OF 43.17 FEET; THENCE NORTH 84°14'15" WEST 55.86 FEET; THENCE SOUTH 72°01'51" WEST 38.90 FEET; THENCE SOUTH 42°05'55" WEST 30.73 FEET; THENCE SOUTH 33°20'50" WEST 32.56 FEET; THENCE SOUTH 16°40'30" WEST 53.08 FEET; THENCE SOUTH 5°50'20" EAST 124.64 FEET; THENCE NORTH 82°33'03" EAST 198.55 FEET; THENCE NORTH 7°26'57" WEST 130.00 FEET; THENCE NORTH 35°25'12" EAST 65.22 FEET TO A POINT ON A CURVE; THENCE CURVING TO THE RIGHT FROM AN INITIAL TANGENT THAT BEARS SOUTH 87° 25'20" WEST WITH A RADIUS OF 47.00 FEET THROUGH A CENTRAL ANGLE OF 6°05'45" AN ARC DISTANCE OF 5.00 FEET; THENCE NORTH 86°28' 55" WEST 43.00 FEET TO THE POINT OF BEGINNING.

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TAX BOND NOTE: THE COUNTY OF SAN BERNARDINO WILL REQUIRE A BOND IN THE SUM OF \$3,575.00 CASH OR \$4,775.00 SURETY TO GUARANTEE PAYMENT OF THE 1973-74 TAX ASSESSMENTS WHICH ARE NOW A LIEN BUT WILL NOT BE PAYABLE UNTIL NOVEMBER 1, 1973.

TRUST DEED NOTE: UNLESS THE DEED OF TRUST SHOWN AS ITEMS NO. 4 AND 5 ARE RECONVEYED OF RECORD THE COUNTY OF SAN BERNARDINO WILL REQUIRE THAT THE TRUSTEE JOIN IN THE EXECUTION OF THE OWNER'S CERTIFICATE ON THE MAP OF PROPOSED TRACT NO. B124. TITLE INSURANCE AND TRUST COMPANY, A CALIFORNIA CORPORATION, AND EQUITABLE TRUST COMPANY, A CALIFORNIA CORPORATION, WILL REQUIRE WRITTEN AUTHORIZATION FROM THE BENEFICIARY FOR SIGNING SAID MAP.

RECORDED'S MARK:  
FOUR RECORD IS DUE TO  
QUALITY OF ORIGINAL DOCUMENT

END OF DOCUMENT

## **ATTACHMENT "B"**

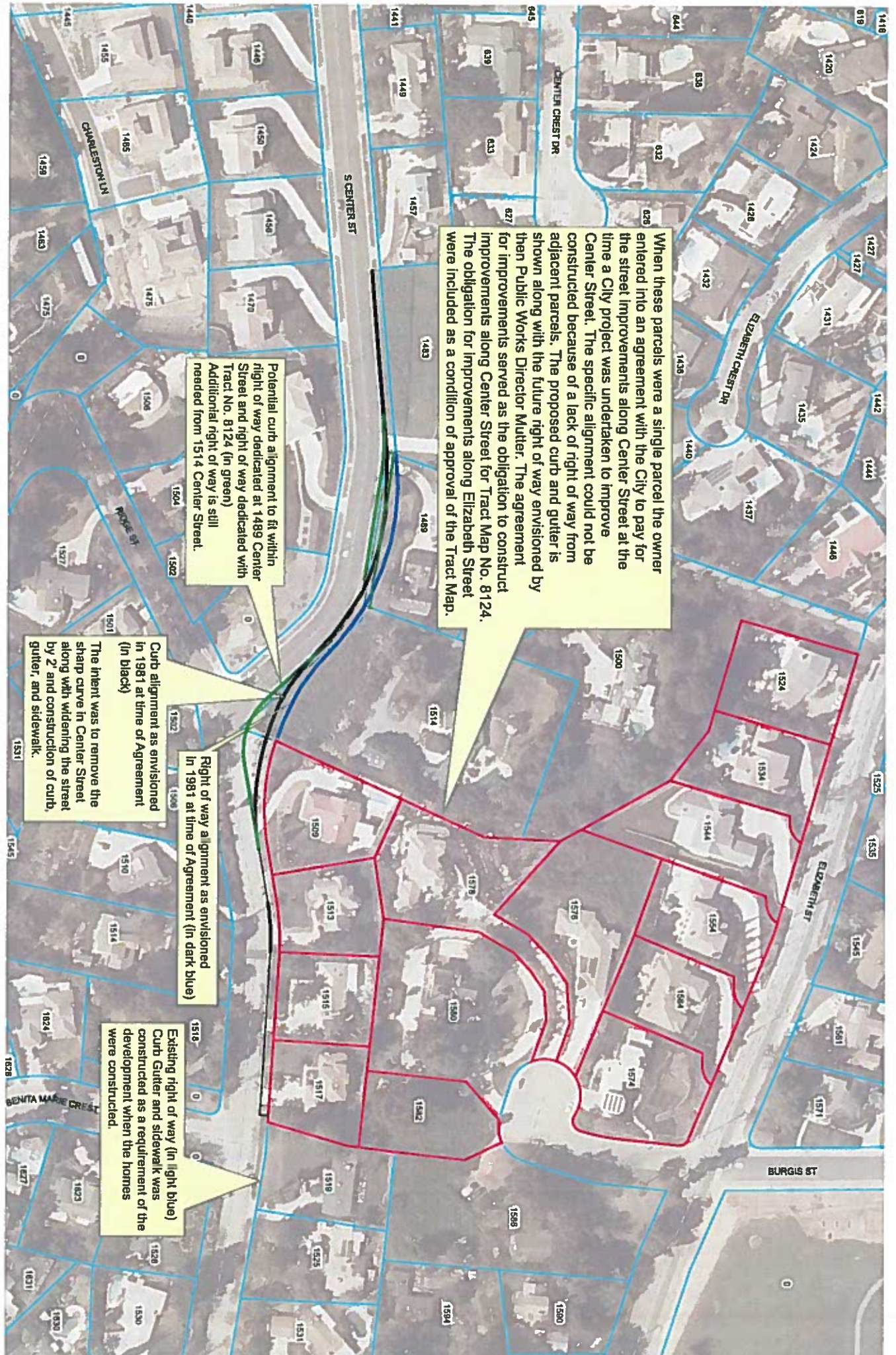
When these parcels were a single parcel the owner entered into an agreement with the City to pay for the street improvements along Center Street at the time a City project was undertaken to improve Center Street. The specific alignment could not be constructed because of a lack of right of way from adjacent parcels. The proposed curb and gutter is shown along with the future right of way envisioned by then Public Works Director Mutter. The agreement for improvements served as the obligation to construct improvements along Center Street for Tract Map No. 8124. The obligation for improvements along Elizabeth Street were included as a condition of approval of the Tract Map.

Potential curb alignment to fit within right of way dedicated at 1489 Center Street and right of way dedicated with Tract No. 8124 (in green)  
Additional right of way is still needed from 1514 Center Street.

Curb alignment as envisioned in 1981 at time of Agreement (in black)  
The intent was to remove the sharp curve in Center Street along with widening the street by 2' and construction of curb, gutter, and sidewalk.

Right of way alignment as envisioned in 1981 at time of Agreement (in dark blue)

Existing right of way (in light blue)  
Curb Gutter and sidewalk was constructed as a requirement of the development when the homes were constructed.



**ATTACHMENT "C"**



• • • • • • • • • •

From: [REDACTED]  
Date: Tue, Jan 16, 2018 at 11:31 AM  
Subject: Fwd: Regarding [REDACTED] 1564 Elizabeth Street Redlands  
To: [REDACTED]

Hi Toni,

It was so great to see you at the East Valley Association of Realtors induction I have attached what is attached to my home at 1564 Elizabeth Street Redlands, Ca 92373 You can see what I emailed to Don Young back in September. I feel strongly that when I was building my home in 2002 that if the city required other things from me it should have been handled then I put in my own side walk as required at time of build I should not be responsible for side walks on Center street those homes on Center street were built custom also and at the time they didn't make them put in a side walk Why I do not know but I do know that I should not be responsible in any way for this and want this lien Released from my property at not cost to me. This really frustrated me that the city would attach this to my home after I built it and gave them a lot of money to build my home and wasn't aware that this was attached to my property until I ordered a pre-lim because I was thinking about maybe selling my home at some point. Please see what you can do! If you and the mayor can be my advocate I would greatly appreciate it.

[REDACTED]  
**Re/Max Advantage**  
Direct [REDACTED] / Cell [REDACTED]  
[REDACTED]  
**#01329464**

RECEIVED

JUL 12 2018

11 July 2018

REDLANDS CITY CLERK

Mayor Paul Foster

Re: Redlands City ordinance 1562, dated 4 February 1981.

Street improvements on Elizabeth and Center streets.



We are writing to ask for your support in removing our property located at 1574 Elizabeth Street from the above City ordinance. We have recently been informed that our property is a part of this City ordinance. We were not made aware of this City ordinance when we purchased our property. When the property was subdivided in the past, the then owner bypassed doing the street improvements which were requested of him by the City of Redlands.

We now know that the City ordinance says we are each partially responsible for paying for the improvements to the properties on Center street which should have been done by the subdividing owner previously. All the homeowners on Elizabeth street have personally paid for their own street improvements as the City requested during the building process. We, with another owner of 3 vacant lots next to ours, personally paid over \$100,000 to put in the Elizabeth street cul-de-sac and underground improvements and utilities. We paid approximately \$60,000 plus of that figure for the improvements plus all city permits.

We, along with our neighbors, feel that since we have done our street improvements as the City required, we should not have to be paying for improvements to properties located on Center street. The burden should fall to the property owners on Center street to pay for their street improvements not us on Elizabeth street.

We request to be removed from this ordinance as we have already paid our fair share and done our own street improvements. Please feel free to contact us or tour the area.

Thank you

[REDACTED]  
1574 Elizabeth Street, Redlands, California 92373  
[REDACTED]