

No Recording Fees or Documentary Transfer Tax
Government Code § 27383
Rev & Tax Code § 11922

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

**This document was electronically submitted
to the County of Riverside for recording**
Received by: NORMA #248

COACHELLA VALLEY WATER DISTRICT
Post Office Box 1058
Coachella, California 92236

APN: 674-670-023

(Space above this line is for Recorders Use)

FILE: 0421,1 TR 29771

TRA: 019-184

0655.

DTT: -0-

GRANT OF EASEMENT
(Access)

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, **MONTAGE AT MISSION HILLS, a California Non Profit Mutual Benefit Corporation** (“Grantor” or “collectively Grantor”) hereby grants to **COACHELLA VALLEY WATER DISTRICT, a public agency of the State of California**, its successors and assigns (“Grantee”), a permanent, nonexclusive easement for ingress, egress for access and necessary devices and appurtenances (“Access”), upon, over and across that certain real property in the County of Riverside, State of California, as described in **Exhibit “A”** and depicted on **Exhibit “B”** attached hereto (“Easement Area”). The Easement Area is a portion of a larger legal parcel owned by Grantor, more particularly described in **Exhibit “C”** attached hereto (the “Servient Tenement”). The Easement Area described herein is appurtenant to real property owned by Grantee, more particularly described in **Exhibit “D”** attached hereto (the “Dominant Tenement”).

The easement rights described herein include the right to construct and maintain the Access, including any appurtenances associated therewith. The Access may, but is not required to be improved with concrete or any other paved surface. Improvement and periodic repair of the Access by Grantee will be for Grantee’s sole benefit and does not create a duty or obligation of any type to third parties, including Grantor or any persons claiming rights under Grantor, for death, personal injury or property damage allegedly resulting from the condition of the Access. Grantee shall have the right to limit use of the Access by means of gates and wall secured by locks or other access control devices.

Grantee, in its exercise of the rights provided by this easement, shall not be liable to Grantor or parties claiming under Grantor for any damage to or destruction of improvements within the Easement Area installed by Grantor or parties claiming under Grantor.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

GRANTOR

MONTAGE AT MISSION HILLS, a California
Non Profit Mutual Benefit Corporation

Date August 2, 2023

By 

Tony Michaelis

Its: President

Doc. No. 040534-1-031

ENG RW-016
(Rev. 10/19/16)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

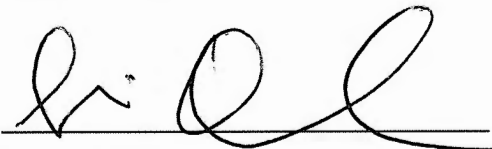
State of California
County of LOS ANGELES)

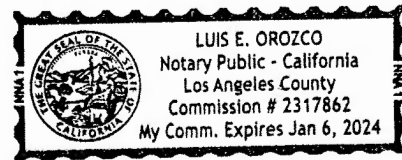
On 02 AUGUST 2023 before me, LUIS E. OROZCO
(insert name and title of the officer)

personally appeared TONY MICHAELIS
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



**EXHIBIT "A"
LEGAL DESCRIPTION
ACCESS EASEMENT**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF CATHEDRAL CITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT "F", ALSO BEING THE SOUTHEAST CORNER OF LOT "S", AS SHOWN ON TRACT MAP NO. 29771, ON FILE IN MAP BOOK 311, PAGES 46 THROUGH 53, INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY;

THENCE ALONG THE WEST LINE OF SAID LOT "F" AND EAST LINE OF SAID LOT "S", NORTH 00°37'10" EAST, 36.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID LOT LINE, NORTH 00°37'10" EAST, 23.00 FEET;

THENCE LEAVING SAID LOT LINE, SOUTH 83°38'40" EAST, 20.10 FEET TO A POINT ON THE EAST LINE OF SAID LOT "F";

THENCE ALONG SAID EAST LINE, SOUTH 00°37'10" WEST, 20.95 FEET;

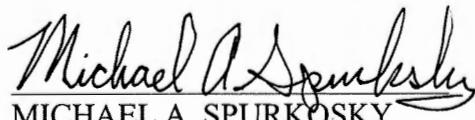
THENCE LEAVING SAID EAST LINE, NORTH 89°30'05" WEST, 20 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 439 SQUARE FEET, MORE OR LESS.

EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE PART HEREOF.

SUBJECT TO ALL COVENANTS, RIGHTS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF THE COACHELLA VALLEY WATER DISTRICT.

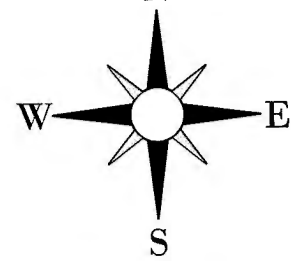

MICHAEL A. SPURKOSKY
P.L.S. 8273

7/13/2023
DATE



EXHIBIT "B" ACCESS EASEMENT

N SHEET 1 OF 1



SCALE: 1" = 10'

APN: 674-670-024

TM 29771
MB 311/46-53

LOT "S"
CVWD WELL SITE

P.O.B.

N00°37'10"E
23.00'

S83°38'40"E
20.10'

S00°37'10"W
20.95'

20.00'

N89°30'05"W

LOT "F"

N00°37'10"E
36.00'

APN: 674-670-023

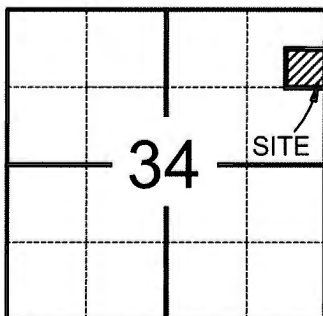
P.O.C.
SW COR
LOT "F"

DAVALL DRIVE

GERALD FORD DR.

TM 9490-1
MB 95/3-4

DATE PALM DR.



34

SITE

DAVALL DR.

FRANK SINATRA DR.

T4S R5E



ESMT CONTAINS ±439 SQ. FT.



07/13/2023

PARCEL PLAT DEPICTION
RIVERSIDE COUNTY, CALIFORNIA

A PORTION OF THE NE 1/4 OF SECTION 34,
T.4S., R.5E., S.B.M.

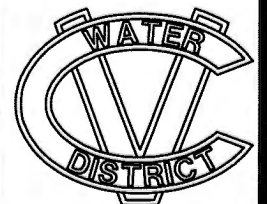


EXHIBIT "C"
LEGAL DESCRIPTION
SERVIENT TENEMENT

A PORTION OF THAT REAL PROPERTY IN THE CITY OF CATHEDRAL CITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS DESCRIBED IN COMMON AREA GRANT DEED RECORDED JUNE 29, 2023, AS DOCUMENT NO. 2023-0189717, OFFICIAL RECORDS OF SAID COUNTY AND STATE, LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT "F" OF TRACT MAP NO. 29771, AS SHOWN ON BY MAP ON FILE IN BOOK 311, PAGES 46 THROUGH 53, INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY.

CONTAINS 0.16 ACRES, MORE OR LESS.

APN: 674-670-023

EXHIBIT "D"
LEGAL DESCRIPTION
DOMINANT TENEMENT

ALL THAT REAL PROPERTY IN THE CITY OF CATHEDRAL CITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT "S" OF TRACT MAP NO. 29771, AS SHOWN ON BY MAP ON FILE IN BOOK 311, PAGES 46 THROUGH 53, INCLUSIVE OF MAPS, RECORDS OF RIVERSIDE COUNTY.

CONTAINS 0.51 ACRES, MORE OR LESS.

APN: 674-670-024

Recording requested by and
when recorded return to:

Coachella Valley Water District
Post Office Box 1058
Coachella, California 92236

RESOLUTION

It was moved by Director Nelson, seconded by Director Pack, and carried unanimously that the General Manager, or his/her designee is hereby authorized, on behalf of COACHELLA VALLEY WATER DISTRICT, to accept offers of dedication of easements and to execute the applicable acceptance certificate or acceptance resolution, which may be required to be conveyed to CVWD for real property underlying Facilities. Said transfers and conveyances may be required to be provided through dedication by final parcel/tract map or dedication by separate instrument/document. Such dedication requirements may be imposed under the discretion of the General Manager, or his/her designee, pursuant to the applicable rules and regulations of CVWD.


As of the effective date of Resolution 2015-23, the provisions of this Resolution shall be deemed to supersede, and otherwise be controlling, over Resolution 78-248. As a result, the Board hereby consolidates into this one Resolution the authority for accepting offers of dedication of fee title and easements, and the execution of the applicable acceptance certificate or acceptance resolution, which may be required to be provided to CVWD.

STATE OF CALIFORNIA)
COACHELLA VALLEY WATER DISTRICT) ss.
OFFICE OF THE CLERK OF THE BOARD)


I, MARICELA CABRAL, Deputy Clerk of the Board of Directors of the Coachella Valley Water District, DO HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by said Board at a regular meeting thereof duly held and convened at its office at Palm Desert, California, on the 10th day of February, 2015, at which meeting all Directors were present and acting throughout.

I further certify that by authority of said Resolution I accept and consent to the recording of the attached Grant of Easement to Coachella Valley Water District, dated August 2, 2023, executed by Tony Michaelis, President, Montage at Mission Hills, concerning a portion of the northeast quarter of section 34, township 04 south, range 05 east, San Bernardino Base and Meridian, for domestic water access easement purposes.

Dated this 23rd day of August, 2023.


Maricela Cabral
Deputy Clerk of the Board

ATTEST


Julia Breyer
Executive Assistant
Coachella Valley Water District

APN: 674-670-023
040534-1-031



PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

Website: www.riversideacr.com

DOCUMENTARY TRANSFER TAX AFFIDAVIT

WARNING

ANY PERSON WHO MAKES ANY MATERIAL MISREPRESENTATION OF FACT FOR THE PURPOSE OF AVOIDING ALL OR ANY PART OF THE DOCUMENTARY TRANSFER TAX IS GUILTY OF A MISDEMEANOR UNDER SECTION 5 OF ORDINANCE 516 OF THE COUNTY OF RIVERSIDE AND IS SUBJECT TO PROSECUTION FOR SUCH OFFENSE.

ASSESSOR'S PARCEL NO. 674 -- 670 --023
Property Address: Davall Dr in Montage, Rancho Mirage
I declare that the documentary transfer tax for this transaction is: \$-0-

If this transaction is exempt from Documentary Transfer Tax, the reason must be identified below.

I CLAIM THAT THIS TRANSACTION IS EXEMPT FROM DOCUMENTARY TRANSFER TAX BECAUSE: (The Sections listed below are taken from the Revenue and Taxation Code with the exception of items 9 and 10 which are taken from Riverside County Ordinance 516). Please check one or explain in "Other".

- 1. Section 11911. The consideration or value of the property, exclusive of any liens and encumbrances is \$100.00 or less and there is no additional consideration received by the grantor.
2. Section 11911. The conveyance transfers to a revocable living trust by the grantor or from a revocable living trust to a beneficiary.
3. Section 11921. The conveyance was given to secure a debt.
4. X Section 11922. The conveyance is to a governmental entity or political subdivision.
5. Section 11925. The transfer is between individuals and a legal entity or partnership, or between legal entities and does not change the proportional interests held.
6. Section 11926. The conveyance is to a grantee who is the foreclosing beneficiary and the consideration paid by the foreclosing beneficiary does not exceed the unpaid debt.
7. Section 11927. The conveyance relates to a dissolution of marriage or legal separation.
8. Section 11930. The conveyance is an inter vivos gift* or a transfer by death.
9. Section 8. The easement is not perpetual, permanent, or for life.
10. Section 9. The document is a lease for a term of less than (35) years (including written options.)
11. Other (Include explanation and legal authority)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 23rd day of AUGUST, 2023 at Palm Desert, CA
City State

Signature of Affiant
Coachella Valley Water District
Name of Firm (if applicable)

J. M. Barrett, General Manager
Printed Name of Affiant
75515 Hovley Lane East, Palm Desert, CA 92211
Address of Affiant (including City, State, and Zip Code)
760-398-2651
Telephone Number of Affiant (including area code)

This form is subject to the California Public Records Act (Government Code 6250 et. seq.)

For Recorder's Use:

Affix PCOR Label Here