

1 **RESOLUTION NO. 2021-XX**

2 A RESOLUTION OF THE PLANNING COMMISSION OF THE
3 CITY OF RIALTO, CALIFORNIA RECOMMENDING THAT
4 THE CITY COUNCIL APPROVE CONDITIONAL
5 DEVELOPMENT PERMIT NO. 2020-0011 ALLOWING THE
6 DEVELOPMENT AND OPERATION OF A 135,408 SQUARE
7 FOOT INDUSTRIAL STORAGE WAREHOUSE/DISTRIBUTION
8 CENTER BUILDING ON 7.00 GROSS ACRES (6.94 NET ACRES)
9 OF LAND (APNS: 0240-211-21, -23, -29 & -31) LOCATED AT
10 THE NORTHEAST CORNER OF RENAISSANCE PARKWAY
11 AND LAUREL AVENUE.

12 WHEREAS, the applicant, Orbis Real Estate Partners, LLC, proposes to develop and operate
13 a 135,408 square foot industrial storage warehouse/distribution center building (“Project”) on 7.00
14 gross acres (6.94 net acres) of land (APNs: 0240-211-21, -23, -29 & -31) located at the northeast
15 corner of Renaissance Parkway and Laurel Avenue (“Site”); and

16 WHEREAS, the Project will consist of 3,500 square feet of office space on the ground
17 floor, 3,500 square feet of office space on the second floor, and 128,408 square feet of warehouse
18 space with fourteen (14) dock-high loading doors, which will be located on the south side of the
19 building; and

20 WHEREAS, Pursuant to Section 18.66.030CC of the Rialto Municipal Code, the Project
21 requires a Conditional Development Permit, and the applicant has agreed to apply for Conditional
22 Development Permit No. 2020-0011 (“CDP No. 2020-0011”); and

23 WHEREAS, the in conjunction with the Project, the applicant submitted Specific Plan
24 Amendment No. 2020-0003 to change the zoning designation of the Site, as described in the legal
25 description attached as Exhibit A, from Corporate Center (CC) within the Renaissance Specific
26 Plan to Business Center within the Renaissance Specific Plan (“SPA No. 2020-0003”), and SPA
27 No. 2020-0003 is necessary to facilitate the Project; and

28 WHEREAS, in conjunction with the Project, the applicant Tentative Parcel Map No. 2020-
0006, also referred to as Tentative Parcel Map No. 20241, in accordance with the Subdivision Map
Act (Government Code §§ 66410 et seq.), to consolidate the four (4) parcels of land within the

1 Site into one (1) 6.94 net acre parcel of land (“TPM No. 20241”), and TPM No. 20241 is necessary
2 to facilitate the Project; and

3 WHEREAS, in conjunction with the Project, the applicant submitted Precise Plan of
4 Design No. 2020-0015 (“PPD No. 2020-0015”) to facilitate the development of a 135,408 square
5 foot industrial storage warehouse/distribution center building and related improvements on the
6 Site; and

7 WHEREAS, on January 27, 2021, the Planning Commission of the City of Rialto
8 conducted a duly noticed public hearing, as required by law, on CDP No. 2020-0011, SPA No.
9 2020-0003, TPM No. 20241, and PPD No. 2020-0015, took testimony, at which time it received
10 input from staff, the city attorney, and the applicant; heard public testimony; discussed the
11 proposed CDP No. 2020-0011, SPA No. 2020-0003, TPM No. 20241, and PPD No. 2020-0015;
12 and closed the public hearing; and

13 WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

14 NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rialto as
15 follows:

16 SECTION 1. The Planning Commission hereby specifically finds that all of the facts set forth
17 in the recitals above of this Resolution are true and correct and incorporated herein.

18 SECTION 2. Based on substantial evidence presented to the Planning Commission during
19 the public hearing conducted with regard to CDP No. 2020-0011, including written staff reports,
20 verbal testimony, site plans, other documents, and the conditions of approval stated herein, the
21 Planning Commission hereby determines that CDP No. 2020-0011 satisfies the requirements of
22 Section 18.66.020 of the Rialto Municipal Code pertaining to the findings which must be made
23 precedent to granting a conditional development permit, which findings are as follows:

- 24 1. The proposed use is deemed essential or desirable to provide a service or facility
25 which will contribute to the convenience or general well-being of the neighborhood
26 or community; and

27 *This finding is supported by the following facts:*

28 The Site is rectangular-shaped, expansive in size, vacant, and covered only by natural
grasses and shrubs. The Project will develop the highest and best use for the Site, in
accordance with the proposed Business Center (BC) zone of the Renaissance Specific Plan.

1 Additionally, the Project will provide employment opportunities within the City and reduce
2 blight by implementing a use on vacant, unimproved land.

3 2. The proposed use will not be detrimental or injurious to health, safety, or general
4 welfare of persons residing or working in the vicinity; and

5 *This finding is supported by the following facts:*

6 The development of an industrial storage warehouse/distribution center building on the Site
7 is consistent with the proposed Business Center (BC) zone, which conditionally permits
8 the development and operation of storage warehouse/distribution center buildings. To the
9 north of the project site is the SR-210 Freeway, and to the east is approximately 5.85 acres
10 of vacant land. To the south, across Renaissance Parkway, is a 927,696 square foot
11 industrial warehouse building occupied by Distribution Alternatives, a third-party
12 distributor and fulfillment services provider, and to the west is approximately 9.16 acres of
13 vacant land. The proposed zoning of the project site and the zoning of the property to the
14 south is BC, the zoning of the property to the east is Corporate Center (CC) within the
15 Renaissance Specific Plan, and the zoning of the properties to west is Freeway Incubator
16 (FI) within the Renaissance Specific Plan. The Project is consistent with the proposed BC
17 zone and the surrounding land uses. The nearby area is predominantly zoned for and
18 developed with industrial uses, and as a result, there are no sensitive land uses near the
19 project site. The project is not expected to negatively impact any uses with the successful
20 implementation of measures such as landscape buffering, the installation of solid screen
21 walls, and aesthetic building enhancements.

22 3. The site for the proposed use is adequate in size, shape, topography, accessibility and
23 other physical characteristics to accommodate the proposed use in a manner
24 compatible with existing land uses; and

25 *This finding is supported by the following facts:*

26 The Site contains 7.00 gross acres (6.94 net-acres), is rectangular-shaped, fairly level, and
27 adjacent to one (1) public street, which will be able to accommodate the proposed use. The
28 Project will have two (2) points of access – both via Renaissance Parkway. The westerly
driveway on Renaissance Parkway will provide full access for both trucks and passenger
vehicles, and the easterly driveway on Renaissance Parkway will provide right-in/right-out
access for both trucks and passenger vehicles. In addition, the building will have 91
parking spaces, which equals the amount required by Table 3-6 (Parking Standards) of the
Renaissance Specific Plan.

4. The site has adequate access to those utilities and other services required for the
proposed use; and

This finding is supported by the following facts:

1 The Site will have adequate access to all utilities and services required through main water,
2 electric, sewer, and other utility lines that will be hooked up to the Site.

- 3 5. The proposed use will be arranged, designed, constructed, and maintained so as it will
4 not be injurious to property or improvements in the vicinity or otherwise be
5 inharmonious with the General Plan and its objectives, the Renaissance Specific Plan,
6 or any zoning ordinances, and

7 *This finding is supported by the following facts:*

8 As previously stated, the use is consistent with the proposed BC zone. The design of the
9 Project includes a solid concrete screen wall around the truck court such that none of the
10 dock doors will be visible from the public right-of-way, the building will have ninety-one
11 (91) parking spaces, and the Project will have a Floor Area Ratio (FAR) of 44.8 percent,
12 all of which comply with the General Plan, the proposed BC zone, the Renaissance Specific
13 Plan, and the City's Design Guidelines. Additionally, a combined thirty-five (35) foot wide
14 landscaped setback and landscape easement will be provided along the entire frontage of
15 Renaissance Parkway. Landscaping will be abundantly incorporated into the Site, as the
16 landscape coverage for the project is 17.6 percent, which exceeds the minimum required
17 amount of 10.0 percent.

- 18 6. Any potential adverse effects upon the surrounding properties will be minimized to
19 every extent practical and any remaining adverse effects shall be outweighed by the
20 benefits conferred upon the community or neighborhood as a whole.

21 *This finding is supported by the following facts:*

22 The Project's effects will be minimized through the implementation of the Conditions of
23 Approval contained herein, and through the implementation of Conditions of Approval
24 imposed by the Planning Commission on the Precise Plan of Design, such as extensive
25 landscaping, solid screen walls, decorative paving, and enhanced architectural features.
26 The development of a high-quality industrial development will provide additional
27 employment opportunities for residents and visitors to the City. The Project will also serve
28 to develop a piece of land, which has remained undeveloped. The Project is consistent
with the proposed BC zone and the surrounding land uses. The nearby area is
predominantly zoned for and developed with industrial uses, and as a result, there are no
sensitive land uses near the project site. The project is not expected to negatively impact
any uses with the successful implementation of measures such as landscape buffering, the
installation of solid screen walls, and aesthetic building enhancements. Therefore, any
potential adverse effects are outweighed by the benefits conferred upon the community and
neighborhood as a whole.

29 **SECTION 3.** Orbis Real Estate Partners, LLC is hereby granted CDP No. 2020-0011 to
allow the development and operation of a 135,408 square foot industrial storage

1 warehouse/distribution center building on 7.00 gross acres (6.94 net acres) of land (APNs: 0240-211-
2 21, -23, -29 & -31) located at the northeast corner of Renaissance Parkway and Laurel Avenue.

3 SECTION 4. An Addendum to the June 2016 Renaissance Specific Plan Amendment
4 Subsequent Environmental Impact Report (Environmental Assessment Review No. 2020-0015) has
5 been prepared for the Project in accordance with the California Environmental Quality Act (CEQA),
6 and it has been determined that the proposed Project would result in no new significant impacts that
7 were not analyzed in the June 2016 Renaissance Specific Plan Amendment Subsequent
8 Environmental Impact Report (“2016 RSPA SEIR”), nor would the proposed Project cause a
9 substantial increase in the severity of any previously identified environmental impacts. The potential
10 impacts associated with proposed Project would either be the same or less than those described in the
11 2016 RSPA SEIR. In addition, there are no substantial changes to the circumstances under which the
12 proposed Project would be undertaken that would result in new or more severe environmental impacts
13 than previously addressed in the 2016 RSPA SEIR, nor has any new information regarding the
14 potential for new or more severe significant environmental impacts been identified. The Planning
15 Commission hereby recommends that the City Council approve the Addendum to the June 2016
16 Renaissance Specific Plan Amendment Subsequent Environmental Impact Report for the Project.

18 SECTION 5. CDP No. 2020-0011 is granted to Orbis Real Estate Partners, LLC, in
19 accordance with the plans and application on file with the Planning Division, subject to the following
20 conditions:

- 21 1. The approval is granted allowing the development and operation of a 135,408 square foot
22 industrial storage warehouse/distribution center building on 7.00 gross acres (6.94 net
23 acres) of land (APN: 0240-211-21, -23, -29 & -31) located at the northeast corner of
24 Renaissance Parkway and Laurel Avenue, as shown on the plans submitted to the
25 Planning Division on September 17, 2020, as approved by the Planning Commission and
26 City Council. If the Conditions of Approval specified herein are not satisfied or otherwise
27 completed, the project shall be subject to revocation.
- 28 2. City inspectors shall have access to the site to reasonably inspect the site during normal
working hours to assure compliance with these conditions and other codes.
3. The applicant shall indemnify, protect, defend, and hold harmless, the City of Rialto,
and/or any of its officials, officers, employees, agents, departments, agencies, and

1 instrumentalities thereof (collectively, the “City Parties”), from any and all claims,
2 demands, law suits, writs of mandamus, and other actions and proceedings (whether
3 legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative
4 dispute resolutions procedures (including, but not limited to arbitrations, mediations,
5 and other such procedures), (collectively “Actions”), brought against the City, and/or
6 any of its officials, officers, employees, agents, departments, agencies, and
7 instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or
8 annul, the any action of, or any permit or approval issued by, the City and/or any of its
9 officials, officers, employees, agents, departments, agencies, and instrumentalities
10 thereof (including actions approved by the voters of the City), for or concerning the
11 Project (collectively, the “Entitlements”), whether such Actions are brought under the
12 California Environmental Quality Act, the Planning and Zoning Law, the Subdivision
13 Map Act, Code of Civil Procedure Chapter 1085 or 1094.5, the California Public
14 Records Act, or any other state, federal, or local statute, law, ordinance, rule, regulation,
15 or any decision of a court of competent jurisdiction. This condition to indemnify,
16 protect, defend, and hold the City harmless shall include, but not limited to (i) damages,
17 fees and/or costs awarded against the City, if any, and (ii) cost of suit, attorneys’ fees
and other costs, liabilities and expenses incurred in connection with such proceeding
whether incurred by applicant, Property owner, or the City and/or other parties
initiating or bringing such proceeding (collectively, subparts (i) and (ii) are the
“Damages”). Notwithstanding anything to the contrary contained herein, the Applicant
shall not be liable to the City Parties under this indemnity to the extent the Damages
incurred by any of the City Parties in such Action(s) are a result of the City Parties’
fraud, intentional misconduct or gross negligence in connection with issuing the
Entitlements. The applicant shall execute an agreement to indemnify, protect, defend,
and hold the City harmless as stated herein within five (5) days of approval of CDP No.
2020-0011.

18 4. In accordance with the provisions of Government Code Section 66020(d)(1), the
19 imposition of fees, dedications, reservations, or exactions for this Project, if any, are
20 subject to protest by the applicant at the time of approval or conditional approval of the
21 Project or within 90 days after the date of the imposition of the fees, dedications,
22 reservations, or exactions imposed on the Project.

23 5. The Project is approved for storage warehouse/distribution center uses only, which means
24 the building shall be primarily used for the storage of goods and used for the sale or
25 distribution of those goods to their direct customers or retailers. Storage
26 warehouse/distribution center uses do not include uses that combine small freight
27 shipments from many shippers to form a truckload, commonly referred to as Less Than
28 Truckload Shipping (LTL), uses that receive, handle, sort, and/or deliver parcels and mail
from numerous customers, commonly referred to as Parcel Delivery Terminals, or uses
that receive, process, and fulfill numerous customer orders associated with electronic
commerce (“e-commerce” retailers), commonly referred to as Fulfillment Centers.

- 1 6. The tenant(s) within the building shall always conduct operations consistent with the
2 environmental analysis contained within Environmental Assessment Review No. 2020-
3 0015.
- 4 7. The property owner and building tenant(s) shall always abide by all operational mitigation
5 measures contained within the Mitigation Monitoring and Reporting Program associated
6 with Environmental Assessment Review No. 2020-0015.
- 7 8. The Project shall be limited to a maximum of 289 actual passenger car trips and 192 actual
8 truck trips daily, in accordance with Attachment 2 (Trip Generation Estimates) of the
9 Traffic Impact Study prepared for the Project by Kimley-Horn and Associates, Inc. and
10 dated December 2020.
- 11 9. The applicant, landlord, and/or tenant(s) shall require all inbound and outbound truck
12 traffic to enter and exit the site via Renaissance Parkway west of the Site. Additionally,
13 all truck traffic generated by the Project shall follow prescribed truck routes throughout
14 the rest of the City of Rialto. Truck traffic shall not enter or exit the site via Renaissance
15 Parkway Avenue east of the project site to avoid passing by the Renaissance Marketplace
16 and Ayala Drive.
- 17 10. The applicant, landlord, and/or tenant(s) shall require all outbound truck traffic to exit the
18 site via the easterly driveway connected to Renaissance Parkway. Outbound truck traffic
19 shall not use the westerly driveway connected to the intersection of Renaissance Parkway
20 and Laurel Avenue.
- 21 11. The applicant, landlord, and/or tenant(s) shall ensure that all inbound truck traffic that
22 requires temporary queuing or staging do so on-site within either the drive-aisles entering
23 the truck court or within the drive-aisle that wraps around the building. Inbound truck
24 traffic shall not queue or stage on any public street at any time. Activities on-site shall
25 not operate in such a manner that would impact traffic lanes, cause back up (queuing or
26 staging) of vehicles into the public-right-of-way, or create any unsafe conditions. Fire and
27 Police access and passage around trucks queuing or staging on-site shall be feasible at all
28 times and activities shall not block parking areas, access or passage for disabled persons
or emergency response vehicles.
12. The applicant, landlord, and/or tenant(s) shall only park or store truck and trailers within
designated truck/trailer parking spaces adjacent to the dock doors. No truck or trailers
shall be parked or stored within any drive-aisles or passenger vehicle parking areas at any
time.
13. The landlord and/or tenant(s) shall not store any product, goods, materials, etc. outside of
the building at any time, except for trucks, trailers, and vehicles associated with the
operation(s) conducted within the building, without prior approval of a separate
Conditional Development Permit in accordance with Chapter 18.104 (Outdoor Storage
Uses) of the Rialto Municipal Code.

1 14. The privileges granted by the Planning Commission pursuant to approval of this
2 Conditional Development Permit are valid for one (1) year from the effective date of
3 approval. If the applicant fails to commence the project within one year of said
4 effective date, this conditional development permit shall be null and void and any
5 privileges granted hereunder shall terminate automatically. If the applicant or his or
6 her successor in interest commence the project within one year of the effective date of
7 approval, the privileges granted hereunder will continue inured to the property as long
8 as the property is used for the purpose for which the conditional development permit
9 was granted, and such use remains compatible with adjacent property uses.

10 15. Approval of CDP No. 2020-0011 will not become effective until the applicant has signed
11 a statement acknowledging awareness and acceptance of the required conditions of
12 approval contained herein.

13 16. In the event, that any operation on the Site is found to be objectionable or incompatible
14 with the character of the City and its environs due to excessive noise, excessive traffic,
15 loitering, criminal activity or other undesirable characteristics including, but not strictly
16 limited to, uses which are or have become offensive to neighboring property or the goals
17 and objectives of the proposed Business Center (BC) zone of the Renaissance Specific
18 Plan and the City's General Plan, the applicant shall address the issues within forty-eight
19 (48) hours of being notified by the City.

20 17. If the applicant fails to comply with any of the conditions of approval placed upon CDP
21 No. 2020-0011, SPA No. 2020-0003, TPM No. 20241, or PPD No. 2020-0015, the
22 Planning Commission may initiate proceedings to revoke the conditional development
23 permit in accordance with the provisions of Sections 18.66.070 through 18.66.090,
24 inclusive, of the Rialto Municipal Code. Conditional Development Permit No. 2020-
25 0011 may be revoked, suspended or modified in accordance with Section 18.66.070 of
26 the Zoning Ordinance at the discretion of the Planning Commission if:

- 27 a) The use for which such approval was granted has ceased to exist, been
28 subsequently modified, or has been suspended for six (6) months or more;
- b) Any of the express conditions or terms of such permit are violated;
- c) The use for which such approval was granted becomes or is found to be
objectionable or incompatible with the character of the City and its environs
due to excessive noise, excessive traffic, loitering, criminal activity or other
undesirable characteristics including, but not strictly limited to uses which
are or have become offensive to neighboring property or the goals and
objectives of the Business Center (BC) zone of the Renaissance Specific
Plan, and the City's General Plan.

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

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I, Adrianna Martinez, Administrative Assistant of the City of Rialto, do hereby certify that the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Rialto held on the ____th day of ____, 2021.

Upon motion of Planning Commissioner_____, seconded by Planning Commissioner _____, the foregoing Resolution No. ____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this ____th day of ____, 2021.

ADRIANNA MARTINEZ, ADMINISTRATIVE ASSISTANT

LEGAL DESCRIPTION

SPECIFIC PLAN AMENDMENT

LEGAL DESCRIPTION:

FORAPN: 0240-211-23

THAT PORTION OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF THE HIGHWAY AS GRANTED TO THE STATE OF CALIFORNIA IN THE DEED RECORDED AUGUST 28, 1963 IN BOOK 5977 PAGE 798, OFFICIAL RECORDS.

EXCEPT THEREFROM A STRIP OF LAND 30 FEET WIDE OF THE EAST SIDE THEREOF RESERVED FOR ROAD PURPOSES.

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED AUGUST 28, 1963 IN BOOK 5977 PAGE 798, OFFICIAL RECORDS OF SAID COUNTY, BEING ALSO A POINT ON THE WEST LINE OF THE EAST 30 FEET OF SAID EAST HALF; THENCE SOUTH 89° 41' 56" WEST, 96.680 METERS ALONG THE NORTH LINE OF SAID PARCEL TO THE WEST LINE OF SAID EAST HALF; THENCE NORTH 0° 16' 36" WEST, 2.593 METERS ALONG SAID WEST LINE; THENCE NORTH 89° 42' 19" EAST, 91.679 METERS TO THE WEST LINE OF SAID EAST 30 FEET, DISTANT NORTH 0° 17' 48" WEST, 2.583 METERS ALONG SAID WEST LINE FROM SAID NORTHEAST CORNER; THENCE SOUTH 0° 17' 48" EAST, 2.583 METERS ALONG SAID WEST LINE TO SAID CORNER AND THE POINT OF BEGINNING.

FORAPN: 0240-211-29

THE EAST 30 FEET OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF LYING NORTH OF THE STATE HIGHWAY.

EXCEPT THAT PORTION OF SAID LAND, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "PARCEL B" IN DEED TO THE STATE OF CALIFORNIA, RECORDED JUNE 25, 1969 IN BOOK 7256 PAGE 449, OFFICIAL RECORDS OF SAID COUNTY, BEING ALSO A POINT ON THE WEST LINE OF THE EAST 30 FEET OF SAID EAST HALF; THENCE NORTH 0° 17' 48" WEST, 2.583 METERS ALONG SAID WEST LINE; THENCE NORTH 89° 42' 19" EAST, 9.143 METERS TO THE EAST LINE OF SAID EAST HALF, DISTANT NORTH 0° 17' 48" WEST, 2.581 METERS ALONG SAID EAST LINE FROM THE NORTHEAST CORNER OF SAID PARCEL; THENCE SOUTH 0° 17' 48" EAST, 2.581 METERS ALONG SAID EAST LINE TO SAID CORNER; THENCE SOUTH 89° 41' 56" WEST, 9.143 METERS ALONG THE NORTH LINE OF SAID PARCEL TO SAID NORTHWEST CORNER AND THE POINT OF BEGINNING.

FORAPN: 0240-211-21

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, LYING NORTH

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OF THE HIGHWAY AS GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED AUGUST 28, 1963, IN BOOK 5977, PAGE 798, OFFICIAL RECORDS.

EXCEPTING THEREFROM A STRIP OF LAND 32 FEET WIDE OFF THE WEST SIDE THEREOF AS DEEDED TO THE CITY OF RIALTO BY DOCUMENT RECORDED DECEMBER 10, 1985 AS INSTRUMENT NO. 85-313348, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE STATE OF CALIFORNIA BY THE DEED RECORDED DECEMBER 19, 2002 AS INSTRUMENT NO. 2002-691976, OFFICIAL RECORDS.

FOR APN: 0240-211-31

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST 30 FEET OF THE WEST HALF ON THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE STATE OF CALIFORNIA IN THE GRANT DEED RECORDED DECEMBER 13, 2001, AS INSTRUMENT NO. 2001056655 1 OF OFFICIAL RECORDS.

PREPARED BY:



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