September 1, 2015

Ref: 4-0.0 Calloway Drive, S343XROID
Co. Road No. 4083

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED EASEMENT DEED AND RIGHT-OF-WAY CONTRACT FROM
JESSICA DE PALMA PROVIDING APPROXIMATELY 1,463 SQUARE FEET
OF HER PROPERTY FOR THE IMPROVEMENT OF CALLOWAY DRIVE,
BAKERSFIELD (S.D. #3)
(Fiscal Impact: $55,000; Road Fund; Budgeted; Discretionary)

Attached are the Easement Deed and four counterpart originals of the Right-of-Way contract from Jessica De Palma. This is for the purchase of approximately 1,463 square feet of her property for the amount of $55,000. This right-of-way is necessary for the widening of Calloway Drive at Rosedale Highway for a Community Development project.

County Counsel has reviewed and approved the Easement Deed and Right-of-Way contract as to form.

Therefore, IT IS RECOMMENDED that your Board accept this Easement Deed, authorize the Chairman to sign the Right-of-Way contract, authorize the Auditor-Controller to make payment in the amount of $55,000 to Jessica De Palma, and deliver to Public Works Department, Attention: Tim Green.

Sincerely,

Craig M. Pope
Director
# AGREEMENT AT A GLANCE

**Proposed Vendor Name:**
Chicago Title

<table>
<thead>
<tr>
<th>Requesting Department Contact Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dept Name: Public Works</td>
</tr>
<tr>
<td>Contact: Lynn Brooks</td>
</tr>
<tr>
<td>Phone: (661) 862-8872</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Necessity for Board’s approval (check all boxes that apply):</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Establish a new agreement</td>
</tr>
<tr>
<td>☐ Amendment to existing agreement</td>
</tr>
<tr>
<td>Agreement number:</td>
</tr>
<tr>
<td>Brief explanation:</td>
</tr>
<tr>
<td>☐ Dollar amount is beyond Purchasing Agent’s authority</td>
</tr>
<tr>
<td>☐ County Counsel cannot approve terms and conditions – explain in body of Board letter</td>
</tr>
<tr>
<td>☐ Sole source – no competitive process can be performed</td>
</tr>
<tr>
<td>☐ Purchasing Agent has given concurrence</td>
</tr>
<tr>
<td>☑ Purchasing Agent has not given concurrence – explain in body of Board letter</td>
</tr>
<tr>
<td>☐ Retroactive agreement</td>
</tr>
<tr>
<td>☐ Date retroactive to:</td>
</tr>
<tr>
<td>☐ Reason for delay in approval:</td>
</tr>
<tr>
<td>☐ Emergency situation</td>
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<tr>
<td>Brief explanation:</td>
</tr>
<tr>
<td>☐ Other:</td>
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</table>

<table>
<thead>
<tr>
<th>Type of Agreement:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Personal/Professional Services</td>
</tr>
<tr>
<td>☐ Construction Project</td>
</tr>
<tr>
<td>☐ Equipment / Software</td>
</tr>
<tr>
<td>☐ Training</td>
</tr>
<tr>
<td>☐ Grant</td>
</tr>
<tr>
<td>☐ State</td>
</tr>
<tr>
<td>☐ Lease</td>
</tr>
<tr>
<td>☐ Joint Powers</td>
</tr>
<tr>
<td>☐ Memorandum of Understanding</td>
</tr>
<tr>
<td>☑ Other Right of Way</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Brief description of services being contracted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,463 Square Feet for Community Development and Calloway Drive Widening Project</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Impact: $55,000.00 ; Source of Funds: Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Budgeted</td>
</tr>
<tr>
<td>☐ Not Budgeted</td>
</tr>
<tr>
<td>☑ Discretionary</td>
</tr>
<tr>
<td>☐ Mandated</td>
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</table>

<table>
<thead>
<tr>
<th>Term of Agreement From: To:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Provision for Extensions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Yes Please explain:</td>
</tr>
<tr>
<td>☑ No</td>
</tr>
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<table>
<thead>
<tr>
<th>Basis of compensation/cost:</th>
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</thead>
<tbody>
<tr>
<td>☑ Low bid</td>
</tr>
<tr>
<td>☐ RFP – Date of Award:</td>
</tr>
<tr>
<td>☐ Utilize another governmental agency or Buying Alliance award – Agency:</td>
</tr>
<tr>
<td>☑ Other: Formal Appraisal</td>
</tr>
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I verify that all information above is accurate to the best of my knowledge.

**Department Head**

**Date:**

August 19, 2015
FREE RECORDING REQUESTED
PURSUANT TO GOVERNMENT
CODE SECTION 8103

RECORD AT REQUEST OF AND
RETURN TO:
Clerk of the Board of Supervisors
1115 Truxtun Avenue
Bakersfield, California 93301

APN 368-111-08

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JESSICA DE PALMA, AN UNMARRIED WOMAN

Hereby Grant(s) to the County of Kern, a political subdivision of the State of California, an easement of right of way for public highway purposes over and across those certain parcels of land in said County of Kern, State of California, and more particularly described as follows, to wit:

SEE ATTACHED "EXHIBIT A & B"

Date  August 6, 2015  By:  Jessica De Palma

The undersigned, claiming some right, title or interest in or to the above described real property consents to the making of the foregoing Easement Deed and consents to the recordation thereof.

Washington Mutual Bank, FA

By:  Michael Samuels

Its:  VICE PRESIDENT

Name:  Michael Samuels
EXHIBIT “A”
PARCEL “E”, APN 368-111-08, CALLOWAY DRIVE
ACQUISITION OF LAND (FROM DACUDAO & BARUIZ)
LEGAL DESCRIPTION

PARCEL “E”
BEING THAT PORTION OF LOT 8 OF THE SALES MAP OF LANDS OF JB HAGGIN FILED
AUGUST 20, 1890, IN THE OFFICE OF THE KERN COUNTY RECORDER LOCATED IN THE
NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 29 SOUTH, RANGE 27 EAST,
M.D.M., COUNTY OF KERN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29, SAID POINT ALSO
BEING ON THE CENTERLINE OF CALLOWAY DRIVE; THENCE SOUTH 00°51'15" WEST,
ALONG THE WEST LINE OF SAID SECTION AND THE CENTERLINE OF CALLOWAY
DRIVE, A DISTANCE OF 451.35 FEET TO THE NORTHERLY LINE OF THE SOUTHERLY
210.00 FEET OF THE NORTH HALF OF SAID LOT 8; THENCE SOUTH 89°09'05"EAST,
ALONG SAID NORTHERLY LINE, A DISTANCE OF 32.52 FEET TO THE NORTHEAST
CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN GRANT DEED
RECORDED JUNE 30, 1998 AS DOCUMENT NO. 0198087514, OFFICIAL RECORDS, IN THE
OFFICE OF THE KERN COUNTY RECORDER; THENCE ALONG THE FOLLOWING FIVE (5)
COURSES:

1) DEPARTING SAID PARCEL, SOUTH 89°09'05"EAST, CONTINUING ALONG SAID
NORTHERLY LINE, A DISTANCE OF 26.91 FEET; THENCE

2) SOUTH 01°53'45" WEST, A DISTANCE OF 65.01 FEET TO THE NORTHERLY
LINE OF THE SOUTHERLY 145.00 FEET OF THE NORTH HALF OF SAID LOT 8;
THENCE

3) NORTH 89°09'05" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF
18.13 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF
LAND IN SAID GRANT DEED AND TO THE BEGINNING OF A NON-TANGENT
CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 2,040.50 FEET, FROM
WHICH POINT A RADIAL LINE BEARS SOUTH 84°40'10" WEST; THENCE

4) NORTHERLY ALONG SAID CURVE AND ALONG THE EASTERNLY LINE OF SAID
PARCEL, THROUGH A CENTRAL ANGLE OF 00°57'11", AN ARC DISTANCE OF
33.94 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE
EASTERLY, HAVING A RADIUS OF 1,959.50 FEET; THENCE

5) NORTHERLY ALONG SAID CURVE AND CONTINUING ALONG SAID EASTERNLY
LINE, THROUGH A CENTRAL ANGLE OF 00°55'16", AN ARC DISTANCE OF
31.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,483 SQUARE FEET, MORE OR LESS.

McINTOSH & ASSOCIATES

661-834-4814 • 661-834-0972
2001 Wheelan Court • Bakersfield, CA 93309

P:\PROJECTS\13098.00-NCMENG\LEGALS\13098EM01_E-BARUIZ_ACQUISITION.DOC JM 2/7/2014
EXHIBIT "B"

CURVE TABLE

<table>
<thead>
<tr>
<th>CURVE</th>
<th>RADIUS</th>
<th>LENGTH</th>
<th>TANGENT</th>
<th>DELTA</th>
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<tbody>
<tr>
<td>C1</td>
<td>2040.50</td>
<td>33.94'</td>
<td>16.97'</td>
<td>000'57''11&quot;</td>
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<tr>
<td>C2</td>
<td>1959.50</td>
<td>31.50'</td>
<td>15.75'</td>
<td>000'55''16&quot;</td>
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ACQUISITION PARCEL "E" 1,463 SF

GRANT DEED
DOC. NO. 0205320882, O.R.

LINE TABLE

<table>
<thead>
<tr>
<th>LINE</th>
<th>BEARING</th>
<th>DISTANCE</th>
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<tbody>
<tr>
<td>L1</td>
<td>S89°09'05&quot;E</td>
<td>25.91'</td>
</tr>
<tr>
<td>L2</td>
<td>N89°09'05&quot;W</td>
<td>18.13'</td>
</tr>
</tbody>
</table>

EASEMENT LEGEND:

1. 30' PUBLIC RIGHT-OF-WAY PER PARCEL
   MAP NO. 3285, P.M. BK. 15, PG. 152.
2. GRANT DEED DOC. NO. 0198087514, O.R.
3. COUNTY OF KERN ROAD RIGHT-OF-WAY
   PER DOC. NO. 0198185764, O.R.

DACUDAO & BARUZ
N.W. 1/4 SEC. 29, T.29S., R.27E., M.D.M.
RIGHT-OF-WAY ACQUISITION

M. S. W. 2/3 COR. SEC. 29,
T.29S., R.27E., M.D.M.
K.C.S. CONG. MON. W./
BRASS PLATE AND NAIL
IN LAMPHOLE

F.L. 59.00'

SEE DETAIL "A"
GRANT DEED
DOC. NO. 0205323271, O.R.

RADIAL TABLE

<table>
<thead>
<tr>
<th>RADIAL</th>
<th>BEARING</th>
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<tbody>
<tr>
<td>R1</td>
<td>S84°40'10&quot;W</td>
</tr>
<tr>
<td>R2</td>
<td>N83°42'59&quot;E</td>
</tr>
<tr>
<td>R3</td>
<td>S84°38'15&quot;W</td>
</tr>
</tbody>
</table>

SCALE: 1" = 30'

PREPARED BY:
MCINTOSH & ASSOCIATES
3201 WILSON CT., BAKERSFIELD, CA 93306 (661) 323-4844

JOB NO. 13-098
DATE: 02/07/14
FILE NO. 13098M01
DONE BY: E81
AREA: SEE DIG.
State of ARIZONA
County of MARICOPA

On AUGUST 6, 2015 before me, TAIWAH N. SMITH, Notary Public, personally appeared MICHAEL SAMUELS, VICE PRESIDENT, CHASE BANK, N.A. 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: [Signature]

TAIWAH N. SMITH
Notary Public - Arizona
Maricopa County
My Comm. Expires Feb 9, 2016
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATEMENT

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 Kern

On August 10, 2015 before me, ___________ Heather Stentery Notary Public

Name of Signer:

Jessica DePalm

Who personally appeared before 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

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Right of Way Contract

Document Date: 8-10-15

Number of Pages: 8

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer’s Name:

☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other:

Signer Is Representing:

Signer’s Name:

☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other:

Signer Is Representing:

©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907
Form W-9
Request for Taxpayer Identification Number and Certification

Name (as shown on your income tax return)

Jessica E. DePalma

Business name, if different from above

Check appropriate box:

☑️ Individual

☐ Sole proprietor

☐ Corporation

☐ Partnership

☐ Other

☐ Exempt from backup withholding

Print or type, on page 2

Address (number, street, and apt. or suite no.)
PO Box 11976

City, state, and ZIP code
Bakersfield, CA 93389

List account number(s) here (optional)

Part I  Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II  Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and

2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and

3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here
Signature of U.S. person

Jessica E. DePalma

Date
08/10/2015

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester’s form if it is substantially similar to this Form W-9.

For federal tax purposes you are considered a person if you are:

• An individual who is a citizen or resident of the United States,

• A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or

• Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

Cat. No. 10281X
Form W-9 (Rev. 1-2005)