COUNTY OF SAN BERNARDINO
REAL ESTATE PUBLIC AUCTION

Auction Date: Tuesday September 16, 2014 at 11:00 am	**Opening Bid:** $9,000,000
Location: Fontana Lewis Library and Technology Center 8437 Sierra Avenue, Fontana	**Bid Deposit Amount:** $300,000 *cashier's check only*

- **31.66 acres (gross) of vacant land bisected by a concrete flood control channel. Property consists of 11.67 acres to the west and 19.99 acres to the east (gross acreage)**
- **Portion of APN 0228-091-07**
- **Located within the Westgate Specific Plan, southeast of the SH 210 and I-15 Interchange, south of Victoria Street, north of Baseline Avenue, in the City of Fontana.**

For more information or to obtain a bid package please contact:

Jennifer Goodell
County of San Bernardino
Real Estate Services Department
909-387-5114 or jgoodell@res.sbcounty.gov

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- Legal Descriptions and Plats
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- Etiwanda Disposal Site Disclosure
- Draft Purchase and Sale Agreement

BID PACKAGE TO PURCHASE REAL PROPERTY

PUBLIC AUCTION DATE: September 16, 2014

The information contained in this package was obtained from sources deemed reliable, but is **NOT** guaranteed, and is furnished solely as an aid to prospective buyers.

MINIMUM BID - $9,000,000

BIDDING PROCEDURES:

1. Complete the Bid Package to Purchase Real Property.

2. Enclose the completed form and the required deposit of $300,000 by certified or cashier's check in an envelope using the address and identification at the bottom of this page. **NO CASH DEPOSIT WILL BE ACCEPTED.**

3. Make deposit payable to: **ESCROW**

4. The bidder's name and mailing address should be shown on the upper left-hand corner of the envelope.

5. **ENVELOPES NOT PROPERLY MARKED, OR OPENED PRIOR TO THE SALE MAY BE DISQUALIFIED.**

6. **Send by certified mail, or hand deliver with check and Bid to Purchase Real Property to arrive not later than 5:00 p.m., September 15, 2014** to:

   County of San Bernardino
   Real Estate Services Department
   Attn: Jennifer Goodell
   385 N. Arrowhead Avenue, 3rd Floor
   San Bernardino, CA 92415-0180

   OR hand deliver to bid opening not later than 11:00 a.m., September 16, 2014 at the auction to be held at:

   Fontana Lewis Library and Technology Center
   8437 Sierra Avenue
   Fontana, CA 92335

7. Bids must be made by a principal desiring to purchase the property or by an agent bearing a notarized authorization or power of attorney, signed by the principal, authorizing the agent to act on the principal's behalf.

8. Minor irregularities in these procedures may be waived at the sole option of the Real Estate Services Department when such irregularities are not in conflict with law.

9. Oral bids will be accepted in accordance with Government Code Section 25531 outlined on the last page of this bid package.

SEALED BID:
To be opened at 11:00 a.m.
Auction Date: September 16, 2014
File No.: 3800 2748
Location of Auction:
Fontana Lewis Library and
Technology Center
8437 Sierra Avenue
Fontana, CA 92335

County of San Bernardino
Real Estate Services Department (RESD)
Attn: Jennifer Goodell, Real Property Agent II
385 N. Arrowhead Ave., 3rd Floor
San Bernardino, CA 92415-0180
Direct Line: (909) 387-5114
jgoodell@res.sbcounty.gov

BID TO PURCHASE REAL PROPERTY

PROPERTY APN(s): 0228-091-07 (portion)

MINIMUM BID: $9,000,000

REQUIRED DEPOST: $300,000 (submit with bid)

TERMS:

1) The successful bidder will be required to enter into a purchase and sale agreement provided by the County of San Bernardino.

2) A due diligence period of sixty (60) days will commence upon the approval and execution of the purchase and sale agreement by both parties.

3) The deposit will become non-refundable upon the expiration of the due diligence period.

4) The Buyer will have a maximum of twelve (12) months to complete the escrow/entitlement period beginning the day escrow is opened, unless otherwise extended by both parties.

5) A one-time six (6) month escrow extension may be exercised by the Buyer upon payment of a non-refundable $150,000 escrow extension fee that shall be applied toward the purchase price.

This sale is subject to the approval of the San Bernardino County Board of Supervisors. Buyer to pay all escrow and title fees and will be required to enter into a Purchase and Sale Agreement upon acceptance of the bid. A copy of the form of the PURCHASE AND SALE AGREEMENT is available for review upon request.

BIDDING PROCEDURE

In accordance with California Government Code Section 25531, "Oral Bids", the following will apply:

> "Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least five percent, the highest written proposal which is made by a responsible person, such highest oral bid shall be finally accepted."

PLEASE COMPLETE THE BID INFORMATION BELOW

Name of Bidder:_____

Buyer Vesting on Title: _____

Address: _____

Phone Number: _____

Bid Amount: $_____

Bidder Signature: _____

***Please submit with the required $300,000 deposit in the form of a certified or cashier's check**

stewart title of california, inc.

Stewart Title of California, Inc
7065 Indiana Avenue, Suite 100
Riverside, CA 92506
(951) 276-2700 Phone

PRELIMINARY REPORT

Order Number : 271490
Title Unit Number : 7436

Buyer/Borrower Name: :
Seller Name: : San Bernardino Co. Flood Control

In response to the above referenced application for a Policy of Title Insurance, Stewart Title of California, Inc. hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referenced to as an Exception on Schedule B or not excluded from coverage pursuant to the printed Schedules, Conditions, and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limits of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters, which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report, (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance a binder or commitment should be requested.

Dated as of: April 17, 2014 at 7:30 a.m.

Update No. 2

Norm Burdick, Title Officer

When replying, please contact Norm Burdick, Title Officer

PRELIMINARY REPORT

The form of Policy of Title Insurance contemplated by this report is:

☐ California Land Title Association Standard Coverage Policy

☐ American Land Title Association Owners Policy

☐ American Land Title Association Residential Title Insurance Policy

☐ American Land Title Association Loan Policy

☐ CLTA/ALTA Homeowners Policy

☐ ALTA Short Form Residential Loan Policy (06/16/07)

☐ 2006 ALTA Loan Policy

SCHEDULE A

The estate or interest in the land hereinafter described or referred to covered by this report is:

Fee

Title to said estate or interest at the date hereof is vested in:

San Bernardino County Flood Control District, a public body corporate

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of San Bernardino, Unincorporated Area, and described as follows:

All that portion of the west half of the southwest quarter of Section 34, Township 1 north, Range 6 west, San Bernardino Base and Meridian, in the City of Fontana, County of San Bernardino, State of California, lying north of the Pacific Electric Railway Right of Way;

Excepting therefrom that portion conveyed to the State of California in deed recorded January 14, 1990 as Instrument No. 90-234201 and July 17, 2007 as Instrument No. 07-420465 of Official Records.

APN 0228-091-07-0

(End of Legal Description)

SCHEDULE B

At the date hereof, exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy or policies would be as follows:

Taxes:

A. General and special city and/or county taxes, bonds or assessments which may become due on said land, if and when title to said land is no longer vested in a governmental or quasi-governmental agency. Tax parcel(s) for said land are currently shown as 0228-091-07-0.

B. Assessments, if any, for Community Facility Districts affecting said land which may exist by virtue of assessment maps or notices filed by said districts. Said assessments are collected with the County Taxes.

C. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California.

Exceptions:

1. Water rights, claims or title to water in or under said land, whether or not shown by the public records.

2. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.

3. Reservations and exceptions in the Patent recorded April 26, 1890 in Book C, Page(s) 469 of Patents.

4. The fact that the ownership of said land does not include any rights of access to the state freeway, said rights having been relinquished together with a waiver of any claims for damages, in the deed from San Bernardino County Flood Control District, to the State of California, recorded June 14, 1990 as Instrument No. 90-234201 of Official Records.

5. A waiver in favor of the State of California of any claims for damages to said land by the reasons of location, construction, landscaping or maintenance shown in connection with a highway contiguous thereto, contained in the deed from San Bernardino County Flood Control District.

(End of Exceptions)

NOTES AND REQUIREMENTS

None

CALIFORNIA "GOOD FUNDS" LAW

California Insurance Code Section 12413.1 regulates the disbursement of escrow and sub-escrow funds by title companies. The law requires that funds be deposited in the title company escrow account and available for withdrawal prior to disbursement. Funds received by Stewart Title of California, Inc. via wire transfer may be disbursed upon receipt. Funds received via cashier's checks or teller checks drawn on a California Bank may be disbursed on the next business day after the day of deposit. If funds are received by any other means, recording and/or disbursement may be delayed, and you should contact your title or escrow officer. All escrow and sub-escrow funds received will be deposited with other escrow funds in one or more non-interest bearing escrow accounts in a financial institution selected by Stewart Title of California, Inc.. Stewart Title of California, Inc. may receive certain direct or indirect benefits from the financial institution by reason of the deposit of such funds or the maintenance of such accounts with the financial institution, and Stewart Title of California, Inc. shall have no obligation to account to the depositing party in any manner for the value of, or to pay to such party, any benefit received by Stewart Title of California, Inc.. Such benefits shall be deemed additional compensation to Stewart Title of California, Inc. for its services in connection with the escrow or sub-escrow.

If any check submitted is dishonored upon presentation for payment, you are authorized to notify all principals and/or their respective agents of such nonpayment.

Wire Instructions

If you anticipate having funds wired to Stewart Title of California, Inc., our wiring information is as follows:

Additional Note: Direct wire transfers to:

Union Bank of California
1980 Saturn Street
Monterey Park, CA 91755

Routing Number: 122000496
Credit to Stewart Title of California, Inc.
Sub-Escrow Trust Account
Account Number: 9120050750
Reference Order Number: 271490
Title Unit Number: 2794
Title Officer Name: Norm Burdick

When instructing the financial institution to wire funds, it is very important that you reference Stewart Title of California, Inc.'s order number.

Should you have any questions in this regard please contact your title officer immediately.

Description: San Bernardino, CA Assessor Map 228.9 Page: 1 of 1
Order: 0 Comment:

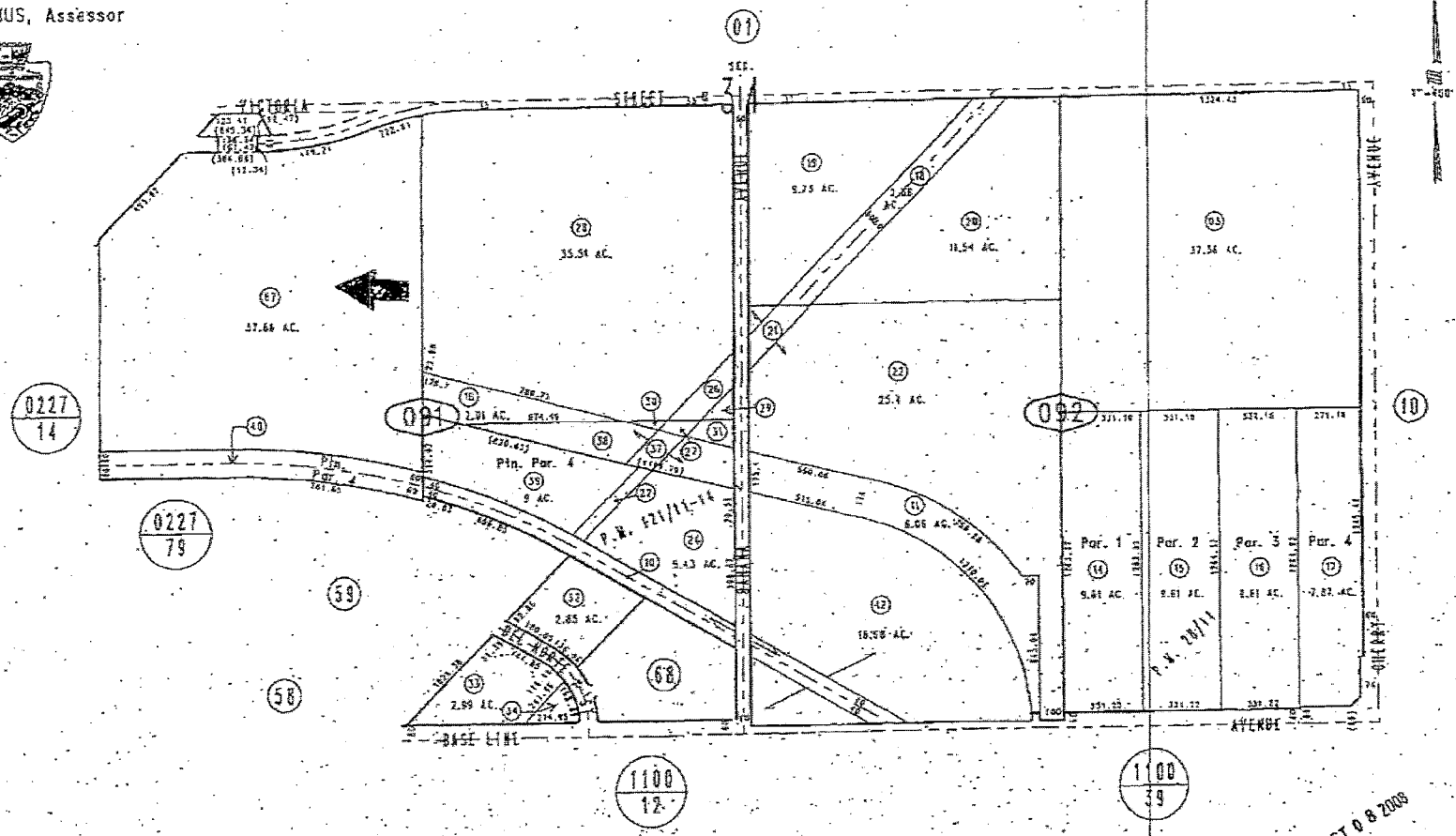
THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

POSTMUS, Assessor

S.1/2 Sec.34, T.1N.,R.6W., S.B.B.&M.

City of Fontana
Tax Rate Area
10007

0228-09



OCT 0 8 2008

Assessor's Map
Book 0228 Page 09
San Bernardino County.

February 2004.

Pin. Parcel Map No. 10520, P.M. 121/11-14
Parcel Map No. 1957, P.M. 28/13

IMPORTANT: This is not a plat or survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance hereon.

STEWART TITLE

Legal Descriptions and Plats

EXHIBIT "A"

A portion of that part of the West half of the Southwest quarter of Section 34, Township 1 North, Range 6 West, San Bernardino Meridian, said part being that parcel of land, described as Parcel 1 in deed to the San Bernardino County Flood Control District, recorded June 30, 1941, in Book 1482, page 444, Official Records of said County, said portion being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 34;

Thence North 00°18'35" East, along the West line of said Section 34, a distance of 1,235.82 feet to the intersection point of the West line of said Section 34 with the Northerly line of the Pacific Electric Railway Right-of-Way, as described in document recorded March 19, 1913 in Book of Deeds 523, Page 114, Records of said County, said point being the Southwest corner of Said Flood Control parcel and said point also being the **POINT OF BEGINNING;**

Thence South 89°50'07" East, along said Northerly line, a distance of 438.33 feet;

Thence leaving said Northerly line, North 18°50'18" East, a distance of 59.81 feet;

Thence North 01°50'35" East, a distance of 1,029.30 feet;

Thence North 27°54'42" West, a distance of 149.46 feet, to a point on the Southerly line of that parcel granted to the State of California, described in deed recorded on June 14, 1990, as Instrument # 90-234201, Official Records of said County;

Thence along said Southerly line, North 89°43'34" West, a distance of 68.81 feet to an angle point in said Southerly line;

Thence continuing along said Southerly line, South 44°40'17" West, a distance of 493.98 feet to a point on the West line of said Section 34, said point being the most Southwesterly corner of said State parcel;

Thence South 00°18'35" West, along said West line, a distance of 865.23 feet to the **POINT OF BEGINNING.**

Containing 508,560 square feet (11.67 acres more or less)

Job No.
961801
Prepared By
SG

This legal description was prepared by me or under my direction.

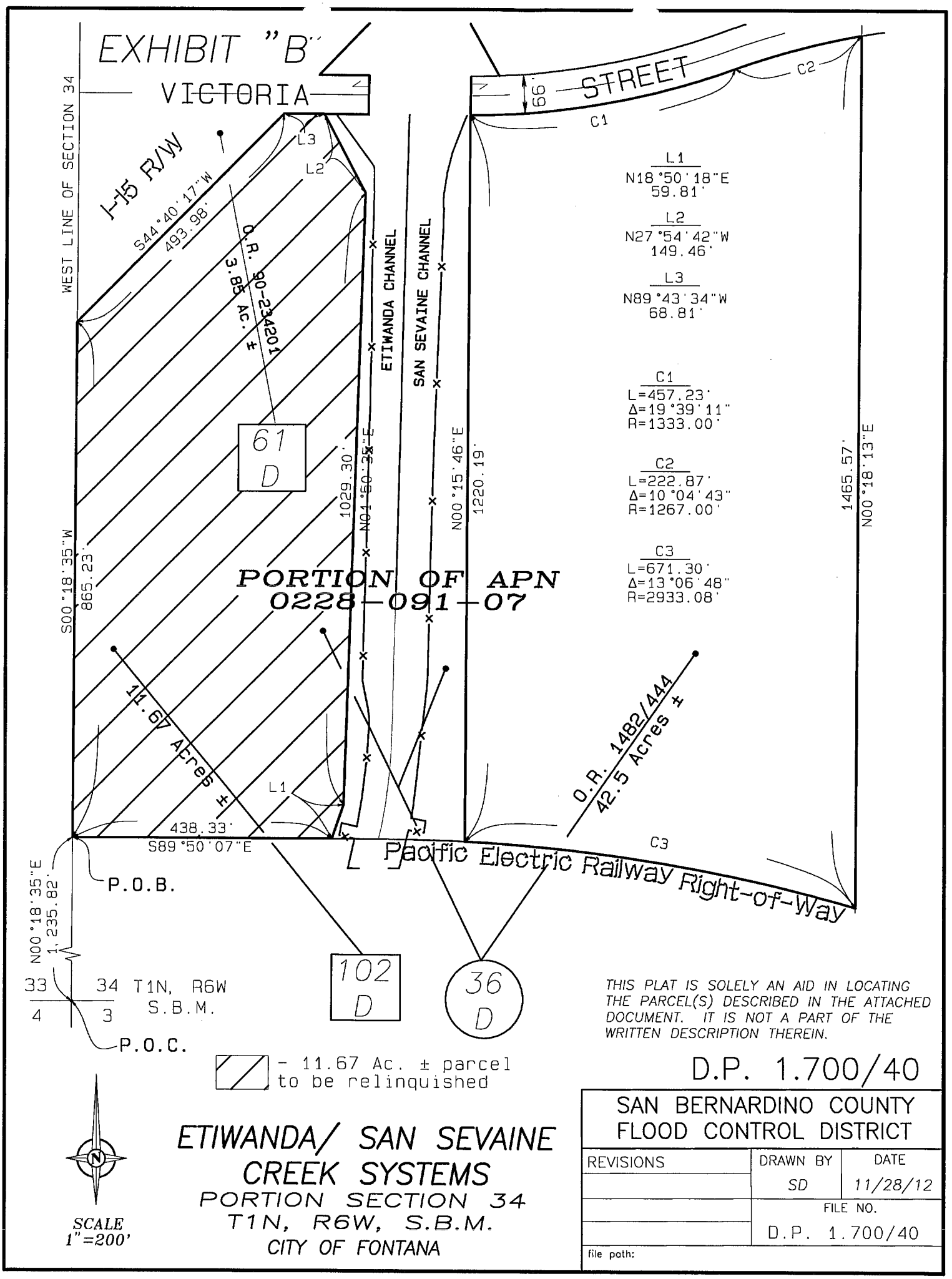
By: Thomas R. Williams

Thomas R. Williams, P.L.S. # 8059

Date: 11/28/12

PROFESSIONAL LAND SURVEYOR
THOMAS R. WILLIAMS
EXPIRATION DATE
12/31/13
LS 8059
STATE OF CALIFORNIA

Etiwanda Creek Channel
Parcel 102
1D090/09002
A.P.N. 0228-091-07 (Ptn.)
11/28/2012



THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

D.P. 1.700/40

ETIWANDA/ SAN SEVAINE CREEK SYSTEMS

PORTION SECTION 34
T1N, R6W, S.B.M.
CITY OF FONTANA

SAN BERNARDINO COUNTY
FLOOD CONTROL DISTRICT

REVISIONS	DRAWN BY	DATE
	SD	11/28/12
	FILE NO.	
	D.P. 1.700/40	

file path:

EXHIBIT "A"

A portion of that part of the West half of the Southwest quarter of Section 34, Township 1 North, Range 6 West, San Bernardino Meridian, said part being that parcel of land, described as Parcel 1 in deed to the San Bernardino County Flood Control District, recorded June 30, 1941, in Book 1482, page 444, Official Records of said County, said portion being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 34;

Thence North 00°18'35" East, along the West line of said Section 34, a distance of 1,235.82 feet to the intersection point of the West line of said Section 34 with the Northerly line of the Pacific Electric Railway Right-of-Way as described in document recorded March 19, 1913 in Book of Deeds 523, Page 114, Records of said County;

Thence along said Northly line, South 89°50'07" East, a distance of 484.11 feet, to the beginning of a tangent curve, concave Southerly, having a radius of 11,527.42 feet;

Thence Easterly along said curve, and said Northerly line, through a central angle of 00°09'00", an arc distance of 30.18 feet, to the beginning of a compound curve, concave Southerly, having a radius of 5,797.85 feet;

Thence Easterly along said curve, and said Northerly line, through a central angle of 00°18'00", an arc distance of 30.36, feet to the beginning of a compound curve, concave Southerly, having a radius of 3,888.00 feet;

Thence Easterly along said curve, and said Northerly line, through a central angle of 00°27'00", an arc distance of 30.54 feet to the beginning of a compound curve, concave Southerly, having a radius of 2,933.08 feet;

Thence Easterly along said curve, and said Northerly line, through a central angle of 01°43'09", an arc distance of 88.00 feet to the **POINT OF BEGINNING;**

Thence continuing Easterly along said curve, and said Northerly line, through a central angle of 13°06'45", an arc distance of 671.25 feet to a point of intersection with the Easterly line of said Flood Control District parcel;

Thence leaving said Northerly line, and along said Easterly line, North 00°18'18" East, a distance of 1,465.56 feet, to a point on the Southerly line of that parcel of land granted to the State of California, described in deed recorded on June 14, 1990, as Instrument # 90-234201, Official Records of said County, said point also being the beginning of a non-tangent curve, concave Southeasterly, having a radius of 1267.00 feet, a radial line through said point bears North 09°49'04" West;

EXHIBIT "A"

Thence Southwesterly along said curve, and said Southerly line, through a central angle of 10°04'41", an arc distance of 222.86 feet, to the beginning of a reverse curve, concave Northwesterly, having a radius; of 1,333.00 feet;

Thence Southwesterly along said reverse curve, and said Southerly line, through a central angle of 19°39'12", an arc distance of 457.24 feet, to an angle point in said State lands;

Thence leaving said Southerly line, South 00°15'46" West, a distance of 1,220.23 to the **POINT OF BEGINNING.**

Containing 870,922 square feet (19.99 acres more or less)

Job No.
961801
Prepared By
SG

This legal description was prepared by me or under my direction.

By: Thomas R. Williams

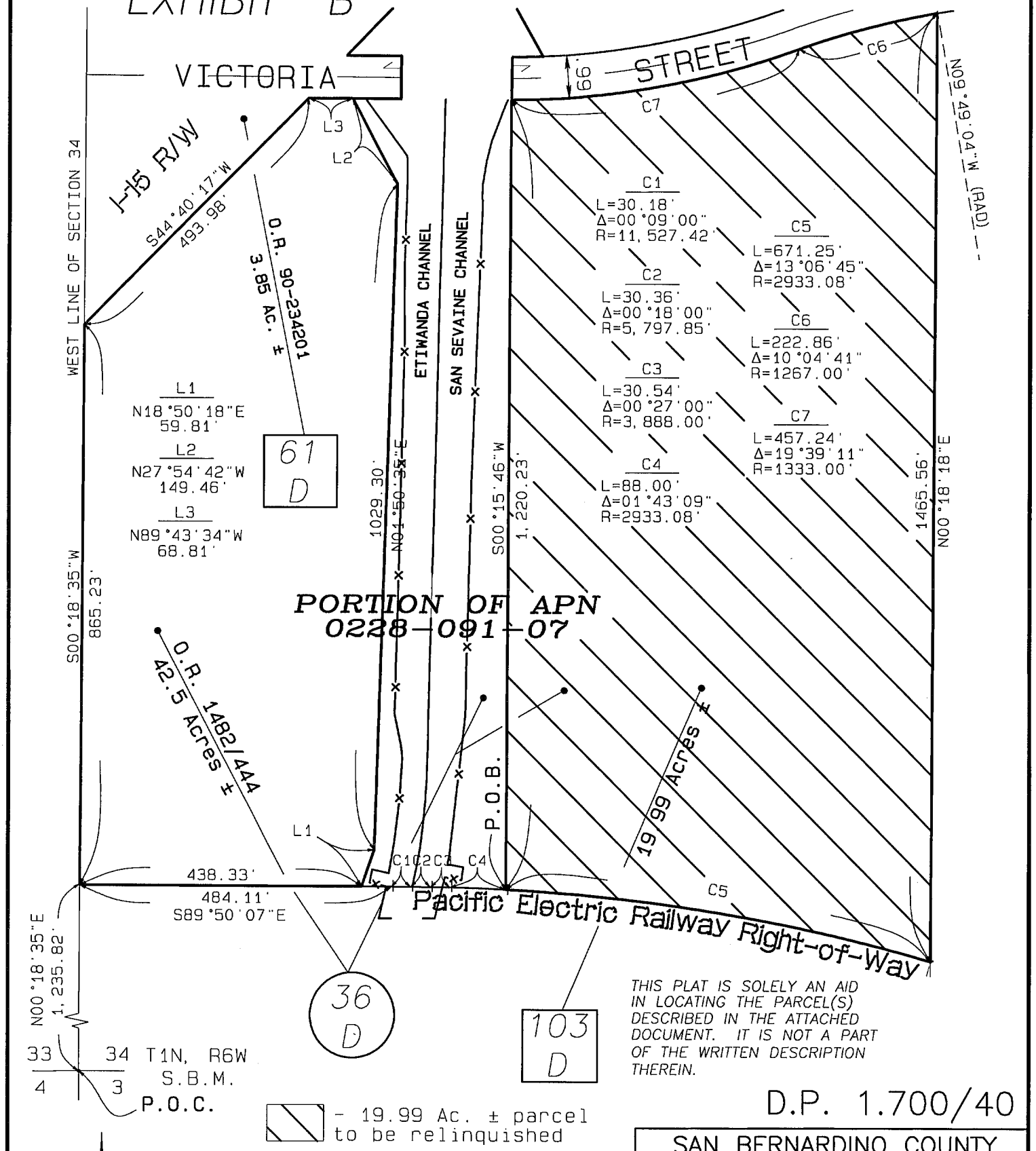
Thomas R. Williams, P.L.S. # 8059

Date: 11/28/12

PROFESSIONAL LAND SURVEYOR
THOMAS R. WILLIAMS
EXPIRATION DATE
12/31/13
LS 8059
STATE OF CALIFORNIA

Etiwanda Creek Channel
Parcel 103
1D090/09003
A.P.N. 0228-091-07 (Ptn.)
11/28/2012

EXHIBIT "B"



THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

D.P. 1.700/40

ETIWANDA/ SAN SEVAINE CREEK SYSTEMS

PORTION SECTION 34
T1N, R6W, S.B.M.
CITY OF FONTANA

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT		
REVISIONS	DRAWN BY	DATE
	S.A.G.	09/23/09
	FILE NO.	
	D.P. 1.700/40	
file path:		

Proposed Amendment to the Westgate Specific Plan

Westgate Specific Plan

Land Use Plan

CITY OF FONTANA, CA

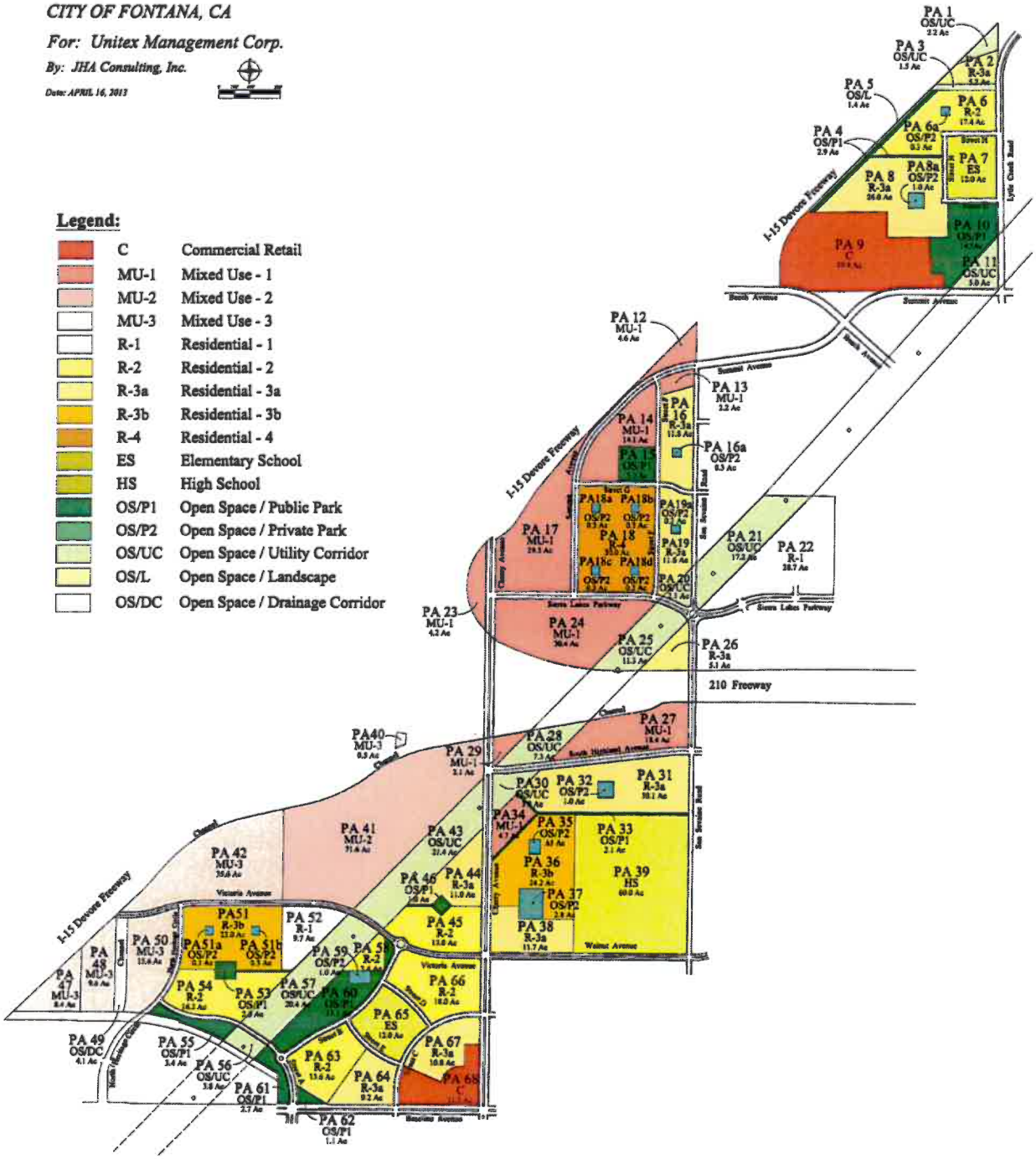
For: Unitex Management Corp.

By: JHA Consulting, Inc.

Date: APRIL 16, 2013

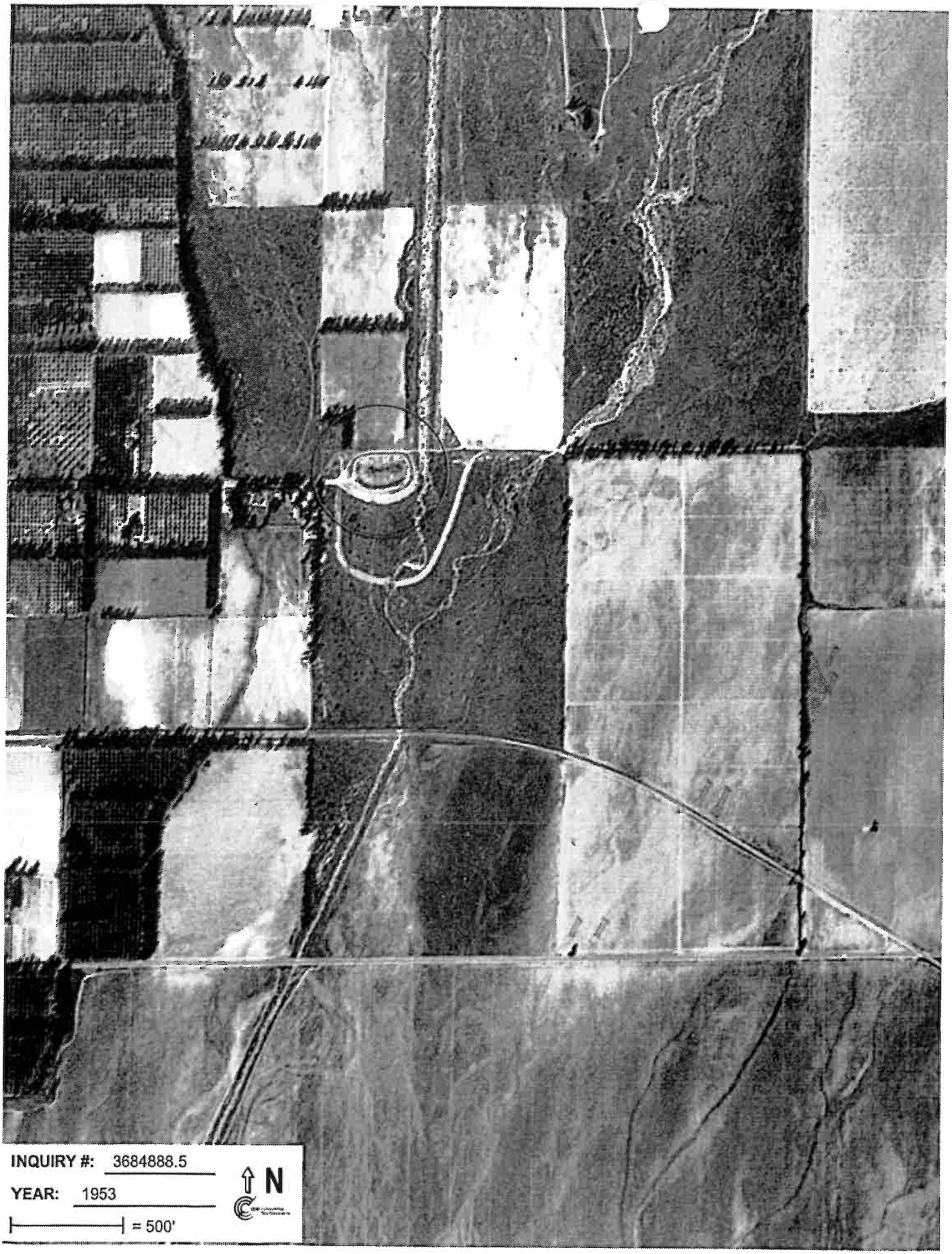
Legend:

	C	Commercial Retail
	MU-1	Mixed Use - 1
	MU-2	Mixed Use - 2
	MU-3	Mixed Use - 3
	R-1	Residential - 1
	R-2	Residential - 2
	R-3a	Residential - 3a
	R-3b	Residential - 3b
	R-4	Residential - 4
	ES	Elementary School
	HS	High School
	OS/P1	Open Space / Public Park
	OS/P2	Open Space / Private Park
	OS/UC	Open Space / Utility Corridor
	OS/L	Open Space / Landscape
	OS/DC	Open Space / Drainage Corridor



Etiwanda Disposal Site Disclosure

The subject property is located in an area that is in close proximity to the former Etiwanda Disposal Site. The solid waste disposal site appears to have been located south of Victoria Street and just west of and contiguous to the District's property in an area where the 210 Freeway now stands. This site was closed in the 1960's and additional information on file with the County regarding this site is attached.


INQUIRY #: 3684888.5
YEAR: 1953
= 500'
N

"Etiwanda Disposal Site"
INQUIRY #: 3684888.5
YEAR: 1966
= 500'
N

INQUIRY #: 3684888.5
YEAR: 1976
= 500'
N

INQUIRY #: 3684888.5
YEAR: 1990
= 500'
N

INQUIRY #: 3684888.5
YEAR: 1994
= 500'
N

Rubbish Dump

MAY 1947
RECEIVED
San Bernardino
Co. Health Dept.

Etiwanda Calif.
May 19 - 1947
Spence
County Health
Officer I am writing you
in regard to the Dump
Pit at Etiwanda they
are filling it up with
Brush and logs and old
Oranges you Kneed some
One to clean it up
in a little while we cant
get to it I will consider
the job you can find
me Back of the store in
a tent west of the store
my Address is
Over

January 29, 1948

Hon. Board of Supervisors,
County of San Bernardino.

Gentlemen:

Following is a report by the County Health Department and the Planning Director on the proposed location of a public dump by M. H. Moore at a point approximately 1/2 mile north of Highland Avenue, and one-fourth mile west of the Day Creek Flood Channel.

This location is outside of the newly constructed interception ditch constructed for Day Creek area, and has a few small washes on it which it was proposed by the Applicant to fill. The road to the property is rocky, and not easily traversed, and the general public would not drive the necessary distance to the proposed dumping ground. The applicant does not propose to run a collection truck or trucks, but merely hopes to make sufficient collections from individuals to support the dump and pay him for his time and trouble.

The proposed site is surrounded by land that was cleared a great many years ago, but which has since grown over with the usual wash-land brush. The State Division of Forestry advises against any dump location in this area, due to the fire hazard to the brush-covered conservation land which completely surrounds the site, and which brush-land is a potential hazard to the mountain slopes to the north.

A community need is not shown, as there is a central dump provided for the Etiwanda community. Due to the location, the amount of dumping would not justify the operation, and would merely add a policing problem along the road to the dump.

Therefore, it is recommended that the application be DENIED on the basis of the above findings.

Respectfully submitted,

COUNTY HEALTH DEPARTMENT:

L. D. SPENCE, Chief Sanitary Inspector

HAROLD ZENZ, County Planning Director

Dec. County Health Dept-L.D.Spence
cc- W.W.Skinner, State Forestry
3870 Sierra Way, San Bdno.

HZ:bmr

INTER-OFFICE MEMO

DATE Nov. 12, 1952.

FROM Administrative Services.

TO N. V. Ward, County Flood Control District

cc: Highway Dept.
Health Dept.

SUBJECT Cooperative Dump ground--Flood Basin development.

The conference held this day on the proposal presented by you on the Etiwanda dump-conservation basin development is summarized as follows, and this memo should furnish the basic working pattern for future operations, all as agreed today.

Returned is the sketch of the Etiwanda Dump which illustrates the dual-purpose operations that can be most economically developed, and which sketch shall be the pattern for future proposals.

1. Dual-purpose dumps and basins shall be designated by the Flood Control District and sketchs prepared for the Highway and Health Departments.
2. Material placement in each of the dumps shall be coordinated by the Health Department in each case, with combustibles being separated as far as possible, and placed where designated for easiest future disposal.
3. Oil and sewage basins are to be located in dumps only where approval in advance by the Flood Control Engineer is obtained. Health Department control and maintenance is to follow each of such disposal basins.

This guided use of waste material should pay off well in future basin maintenance and construction, and each of the cooperating departments are thanked for their part in developing this plan.

Harold Kern.

November 16, 1955

B. D. Alvarado
P. O. Box 95
Etiwanda, Calif.

Dear Sir:

This letter will serve as your authorization to assume duties as caretaker of the Etiwanda dump, located at the east end of Victoria Avenue, Etiwanda.

We will expect you to direct users of the site to the specific area selected by you for dumping and to discourage the dumping of garbage and dead animals. Burning of the dump is under control and direction of the State Division of Forestry through the Etiwanda Station.

In return for your services, you are hereby granted exclusive salvage rights to any and all salvable material dumped on the site.

This agreement will remain in force until cancelled either by you or by the County.

Sincerely,

RICHARD E. ELLIOTT, R. S.
Director of Sanitation

RKE:tw

cc: State Forestry, Etiwanda

LETTER AGREEMENT

Bernardino Alvarado
Po Box 95
Etiwanda, Calif.

Dear Sir:

This letter agreement is your authority to act as caretaker at the Etiwanda Dump, and gives you the exclusive salvage rights at this site. You may display this letter agreement as evidence of your exclusive salvage rights.

It is understood and agreed that you are acting in the capacity of an independent contractor, and that the County assumes no liability for your acts.

In exchange for the exclusive salvage rights granted you herein you will maintain the disposal site for the County in as neat and orderly a fashion as possible. Salvage materials stored at the disposal site will be kept to a minimum of or removed daily unless you contract with the County to maintain a salvage yard fence.

Good public relations and courteous treatment of the public using this disposal site is essential to this contract, and failure to exercise good judgment in the treatment of the public will be cause for termination of this agreement.

In the event you are no longer caretaker, for any reason, all salvage material you have stored at the site will be removed within 30 days from the County property; and any material not removed within the 30 days will become the property of the County.

This agreement shall continue as long as you properly maintain the disposal site or notify the County that you wish to relinquish the right.

This letter agreement supersedes and voids any caretaker and salvage rights previously granted for the disposal site marker above.

Very truly yours,

M. A. NICHOLAS,
Road Commissioner

By J. R. Hiller
J. R. Hiller, Rubbish
Disposal Superintendent

I hereby agree, as an independent contractor, to perform the functions of caretaker and accept the exclusive salvage rights herein granted.

Bernardino Alvarado

Dick - Ret to Mr. Mikesell
McDougall
Hudson
MOII
6-11353

Etiwanda, California
6878 Etiwanda Ave.
October 30, 1956

Mr. Daniel B. Mikesell, Supervisor
811 W. Granada Ct.
Ontario, California

Dear Mr. Mikesell:

I am writing you concerning the possibility of having the "public dump", on Victoria Avenue, moved to some other location on property owned by the San Bernardino County Flood Control District.

The Flood Control office has indicated that it would like to have the site relocated, as every load of material hauled into the present site will eventually have to be moved, in order to create a spreading pond for flood water. The debris could be used to fill uneven ground or re-inforce dikes, instead of filling the present area.

I am a co-owner of Lots 10 and 15 Block "G", Etiwanda Colony Lands. This property is zoned R-1 but the present dump is a nuisance and is depressing to property values. I suggest that the land owned by the Flood Control District east of lots 10 and 15 be used for a combined park or recreation area in conjunction with water conservation. The Etiwanda Area will need a public park as the R-1 property developes.

I sincerely hope that a new site can be found in sections 21, 27 or 28 T1N R6W in the A-1 or M-1 zones, for this necessary but unwelcome dump. Several years ago the Etiwanda Water Co. gave the County of San Bernardino several acres in these sections, for Flood Control purposes. I don't believe it would now be amiss to provide the people in this area, a new dump site that would fit into the present land use pattern in a more satisfactory way than the present location.

I hope that the Flood Control Department, Health Department Park Department and Planning Commission can find a more suitable site in the very near future.

Thank you for your attention in this matter.

Very truly yours,

Robert L. Hickcox

Robert L. Hickcox

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I am a co-owner of Lots 10 and 11 Block "C", Etiwanda Colony Lands. This property is zoned R-1 but the present dump is a nuisance and is depressing to property values. I suggest that the land owned by the Flood Control District east of lots 10 and 15 be used for a combined park or recreation area in conjunction with water conservation. The Etiwanda area will need a public park as the R-1 property develops.

I sincerely hope that a new site can be found in sections 21, 27 or 28 T1N R6W in the A-1 or M-1 zones, for this necessary but unwelcome dump. Several years ago the Etiwanda Water Co. gave the County of San Bernardino several acres in these sections, for Flood Control purposes. I don't believe it would now be amiss to provide the people in this area a new dump site that would fit into the present land use pattern in a more satisfactory way that the present location.

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Very truly yours,

S/ Robert L. Hickcox

Etiwanda

PERMIT RB No. D 7436

PERMITTEE PLEASE NOTE
The reverse side of this permit contains information on the laws and rules relating to the use of fire. Permittee should be familiar with such laws and rules before the start of any burning.

STATE OF CALIFORNIA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FORESTRY

RURAL BURNING PERMIT

(Pub. Res. Code Sec. 4153)

FOR ADMINISTRATIVE USE ONLY
Ranger Unit SAN BERNARDINO
Application Dated 1-2 19 61

NAME JOHN R. HILLER, RUBBISH DISPOSAL SUPERINTENDANT
COUNTY OF SAN BERNARDINO, RUBBISH DISPOSAL

Mailing Address 825 E. 3RD STREET SAN BERNARDINO, CALIF.

is hereby permitted to ____ (Blast) XX (Burn) COUNTY DUMPS, LOCATIONS LISTED BELOW (Name kind of material) on land at/near DEVORE, MENTONE, YUCAIPA, ETIWANDA, PHELAN, HESPERIA AND BELL MTN. DUMPS (Give location by street, road, or other identity) located in — of Sec. —

Twp. — R. —, County of SAN BERNARDINO State of California, during the period JANUARY 1, 19 61 to DECEMBER 31, 19 61, subject to the following terms:

1. This permit is valid only on land owned or legally controlled by the permittee.
2. The permittee shall comply with all fire laws, ordinances, and regulations.
3. No burning shall be undertaken unless weather conditions (particularly the wind) are such that they can reasonably be considered safe.
4. This permit is now and hereafter suspended at all times of critical fire weather conditions as declared by the State Forester and posted at the office issuing this permit, or by proclamation of the Governor pursuant to Sec. 4128, Pub. Res. Code. Such suspension does not extend the above dates for burning.
5. Unless the burning operation authorized by this permit is confined to an incinerator adequately screened to prevent the escape of sparks or burning material and located in an area cleared of inflammable vegetation, it shall be:
   (a) Attended by at least one able-bodied adult person at all times.
   (b) Confined within cleared firebreaks or barriers adequate to prevent it from escaping control.
   (c) Regulated in size at all times to insure proper control by the number of adult persons attending it.
6. Any county ordinance or fire district regulation prescribing burning hours and conditions shall be observed as indicated hereafter:

County ordinance (fire district regulation) No. 793 burning shall be confined to hours ____ A.M. P.M. to ____ A.M. P.M. Other requirements: OPEN HOURS, DAY LIGHT BURNING PREFFERED, NIGHT BURNING ONLY AS LAST RESORT

7. ~~At the location of each blasting operation or the use of fireworks authorized by this permit, at least one able-bodied adult person shall be in attendance and remain on watch for fire for at least one hour after explosives have been detonated or fireworks discharged.~~
8. This permit does not relieve the permittee of any duty to use reasonable and ordinary care to prevent damage to the property of others or injury to persons as prescribed by law.
9. When this permit authorizes the burning of inflammable material incident to the processing of forest products, such burning shall be conducted in accordance with the legal standards described in Sec. 4161, Pub. Res. Code.
10. This permit is not transferable or assignable and does not survive to an executor or administrator.

Additional ~~[illegible]~~ SAFEGUARDS: REQUEST AND OBTAIN PERMISSION FROM NEAREST C.D.F. FIRE STATION BEFORE BURNING. ALL DUMPS NOT MANNED BY CARETAKER, BURNING TO BE SUPERVISED BY MAINTANENACE MAN WITH DOZER OR PICK-UP PUMPER. NO BURNING SUBJECT TO RULES AND REGULATIONS OF THE AIR POLLUTION CONTROL DISTRICT, San Bernardino County, California BURNING DURING ACTUAL OR PREDICTED SANTANA WIND CONDITIONS.

NOTE TO PERMITTEE: PLEASE READ THE REVERSE SIDE OF THIS FORM. IT CONTAINS INFORMATION ON THE LAWS AND RULES RELATING TO FIRE.

I have read and understand the terms of this permit.

Signed X John R. Hiller

Mail Address

Telephone

X PERMIT NOT VALID UNLESS SIGNED.

This permit issued 25 day of JANUARY 19 61, under authority of Sec. 4153, Pub. Res. Code.

F. H. RAYMOND, State Forester

By [signature], Agent

Title F. F. FOREMAN/DISPATCHER

Issuing Office SAN BERNARDINO

ORIGINAL (BLUE) TO PERMITTEE; DUPLICATE (PINK) TO RANGER; TRIPLICATE (BUFF) REMAINS IN BOOK

FORM LE-5

77481 6-59 200M

INTER-OFFICE MEMO

DATE January 30, 1961

FROM W. W. SKINNER, County Fire Warden

TO JOHN R. HILLER, Rubbish Disposal Supt.

SUBJECT FIRE PREVENTION
County Dumps

X-Ref. Law Enforcement - Burning Permits

1. Attached please find Burning Permit #D-7436 issued to cover your operations for 1961. Please sign both original and copy and return the copy (pink) together with the application to this office.

2. Your attention is called to the conditions requiring permission before burning. C.D.F. personnel have been instructed to base their permission or refusal to burn on Fire Safety factors only without regard to A.P.C.D. alerts. Clearance from A.P.C.D. should be obtained by your office.

3. Also attached for your information and guidance are inspection reports covering the Valley dumps. Inspection of the desert area dumps will be made as soon as time permits.

4. With regard to the Morongo Dump, this is located within Fire Protection District and should be handled by contact with them. C.D.F. personnel will act in an advisory capacity if requested.

W. W. SKINNER
County Fire Warden

WWS:JLJ:knf
cc: Administrative Services
M.A.Nicholas, County Engr.
J.H.Fairweather, A.P.C.D.
Fire Prevention Bureau
Dispatcher

Purchase and Sale Agreement

The Purchase and Sale Agreement is currently unavailable.