

**AGREEMENT BETWEEN
THE COUNTY OF MONTEREY
AND THE CITY OF SALINAS
HARRIS ROAD**

THIS AGREEMENT is made and entered into this 21st day of May 2013 by and between the County of Monterey, a political subdivision of the State of California, herein after called "County," and the City of Salinas, a municipal corporation in the State of California, hereinafter called "City."

RECITALS

WHEREAS, Harris Road lies in the jurisdiction of the County of Monterey and the City of Salinas, as shown in Exhibit A.

WHEREAS, the existing roadway condition on Harris Road is in need of rehabilitation and repair.

WHEREAS, the County's Public Works Department intends to rehabilitate Harris Road with hot mix asphalt to extend the pavement life and improve ride quality (herein after "Project").

WHEREAS, the total Project cost is estimated to be \$3,000,000; including design, construction, construction management, and all soft costs for a fully completed project.

WHEREAS, the Project limits are approximately from Railroad Avenue to Abbott Street.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows

- The County will be the lead agency and serve as the Project Manager to include project design and construction management. The City will cooperate with the County in performance of this Project.
- The City authorizes the County's Public Works Department and any of its contractors and subcontractors to perform roadway improvements for the Project in the City right of way.
- The County will defend, indemnify and hold harmless City, its officers, employees and agents from claims stemming from the construction activities of the Project from the time the County occupies the project site through substantial completion, defined as final inspection by the County Director of Public Works or his designee and the City Engineer or his designee.
- County will flow down the indemnification requirements to the contractor performing the work to provide indemnification for the City.


- The City is responsible for maintenance of the roadway in the City right of way when the Project is completed as depicted on Exhibit A. County is responsible for maintenance of the roadway in the County right of way as depicted on Exhibit A.
- The City is to pay the County \$400,000 as total payment for the entire project to cover the portion of improvements in the City right of way; and the City will not dedicate additional funds to this project. The County accepts this amount as total contribution from the City for the entire project to include project design, construction, construction administration, and all soft costs.
- The City and the County shall each be responsible for their own respective administrative and project management costs. For the purposes of this section, the term "administrative and project management costs" shall mean costs relating to staff time and other internal costs incurred by the City and the County in carrying out this Project that are not costs incurred by independent contractors related to the Project.
- The City shall deliver the funds to the County within ninety (90) days following the County's written notification of the award to the City.
- The County shall notify the City in writing as to the award of the construction contract for the Project.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized representatives as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CITY OF SALINAS

BY: _____
 CHAIR - MONTEREY COUNTY
 BOARD OF SUPERVISORS

BY: 
 MAYOR

DATE: _____

DATE: 5-8-13

APPROVED AS TO FORM AND
 LEGALITY

APPROVED AS TO FORM

BY: 
 DEPUTY COUNTY COUNSEL

BY: 
 CITY ATTORNEY

DATE: 5-13-13

DATE: MAY 7, 2013

EXHIBIT "A"
LEGAL DESCRIPTION FOR
SALINAS AG-INDUSTRIAL CENTER ANNEXATION

Real property situate in the County of Monterey, State of California, lying within the Rancho Llano de Buena Vista, being portions of Abbott Street and Harris Road, together with a portion of Parcel "D" as shown on the Record of Survey filed in Vol. 4 of Surveys at Pg. 85, Monterey County Records, also together with a portion of the Lands conveyed from Spréckels Sugar Company to N.P. Johansen et ux, by deed dated December 13, 1934 and recorded in Volume 421, Official Records of Monterey County, at Page 144, described as follows:

Area "A"

Beginning at the most southerly corner of the Lands shown on that certain Map entitled "Map of Industrial Annex No. 7, Annexed to Salinas, Monterey County, California, 1964", filed in Vol. 8 of Cities & Towns, Pg. 26, Monterey County Records, thence Northeasterly along the City Limits Boundary.

- 1) N 24°09'02" E, 2,937.69 feet (N23°44'E, 2,971.93 feet per City Limits Boundary) to the southwesterly line of the "Salinas Valley Memorial Hospital Foundation Reorganization, October, 1991", filed in Reel 2701, Page 867, Official Records of Monterey County; thence along said line
- 2) S 61°45'20" E, 787.02 feet (S62°07'E, 786.84 feet per City Limits Boundary) to a point on the City Limits Boundary as shown on that certain Map entitled "Map of Industrial Annex No. 2, Annexed to Salinas, Monterey County, California, May, 1952", filed in Vol. 5 of Cities & Towns, Pg. 87, Monterey County Records; thence along said City Limits Boundary the following three (3) courses:
 - 3) S 24°09'02" W, 85.55 feet (S23°44'W, 86.48 feet per City Limits Boundary); thence
 - 4) S 61°45'20" E, 120.57 feet (S 62°07' E, 120.0 feet per City Limits Boundary); thence
 - 5) N 24°09'02" E, 153.36 feet (N 23°44' E, 153.29 feet per City Limits Boundary) to a point on the City Limits Boundary as shown on that certain Map entitled "Map of Industrial Annex No. 5, Annexed to Salinas, Monterey County, California, July, 1963", filed in Vol. 7 of Cities & Towns, Pg. 95, Monterey County Records; thence along said City Limits Boundary the following five (5) courses:
 - 6) S 61°45'20" E, 210.41 feet (S 61°45' E, 209.09 feet per City Limits Boundary); thence
 - 7) Along the arc of a tangent curve to the right, having a radius of 1720.00 feet, through a central angle of 11°11'00", an arc distance of 335.72 feet; thence
 - 8) S 50°34'20" E, 236.83 feet (S 50°34' E, 237.75 feet per City Limits Boundary); thence
 - 9) S 47°35'13" E, 2,749.46 feet (S 47°36' E, 2,748.70 feet per City Limits Boundary); thence
 - 10) S 36°17'49" W, 1,035.75 feet (S 36°17' W, 1,035.69 feet per City Limits Boundary); thence leaving said City Limits Boundary
 - 11) N 47°36'00" W, 17.21 feet; thence along the southeasterly line of Harris Road

- 12) S 36°17'49" W, 966.27 feet; thence
- 13) N 53°42'11" W, 65.00 feet to the most southerly corner of said Parcel "D"; thence along the southwesterly line of said Parcel "D" and the prolongation thereof
- 14) N 65°57'28" W, 3,783.86 feet to the Point of Beginning.

Area "B"

Beginning at the intersection of the southwesterly line of the Union Pacific Railroad right-of-way and the City Limits Boundary as shown on that certain Map entitled "Map of Industrial Annex No. 2, Annexed to Salinas, Monterey County, California, May, 1952", filed in Vol. 5 of Cities & Towns, Pg. 87, Monterey County Records; thence along said Railroad right-of-way and the northeasterly line of Abbott Street

- 1) S 47°35'13" E, 3,254.39 feet; thence
- 2) S 47°36'00" E, 1,015.08 feet; thence
- 3) S 42°24'00" W, 90.00 feet to the southwesterly line of Abbott Street and the city limits line as shown on that certain Map entitled "Map of Industrial Annex No. 5, Annexed to Salinas, Monterey County, California, 1963", filed in Vol. 7 of Cities & Towns, Pg. 95, Monterey County Records; thence along said City Limits Boundary the following four (4) courses:
 - 4) N 47°36'00" W, 1,015.08 feet (N 47°36' W, 1,306.83 feet per City Limits Boundary); thence
 - 5) N 47°35'13" W, 3,007.10 feet (N 47°36' W, 2,714.52 feet per City Limits Boundary); thence
 - 6) N 50°34'20" W, 242.31 feet (N 50°34' W, 243.19 feet per City Limits Boundary); thence
 - 7) N 39°26'04" E, 102.76 feet (N 39°20' E, 90 feet per City Limits Boundary) to the Point of Beginning.

Area "A" containing 243.56 acres, Area "B" containing 8.85 acres: Total computed acreage containing 252.41 acres, more or less.

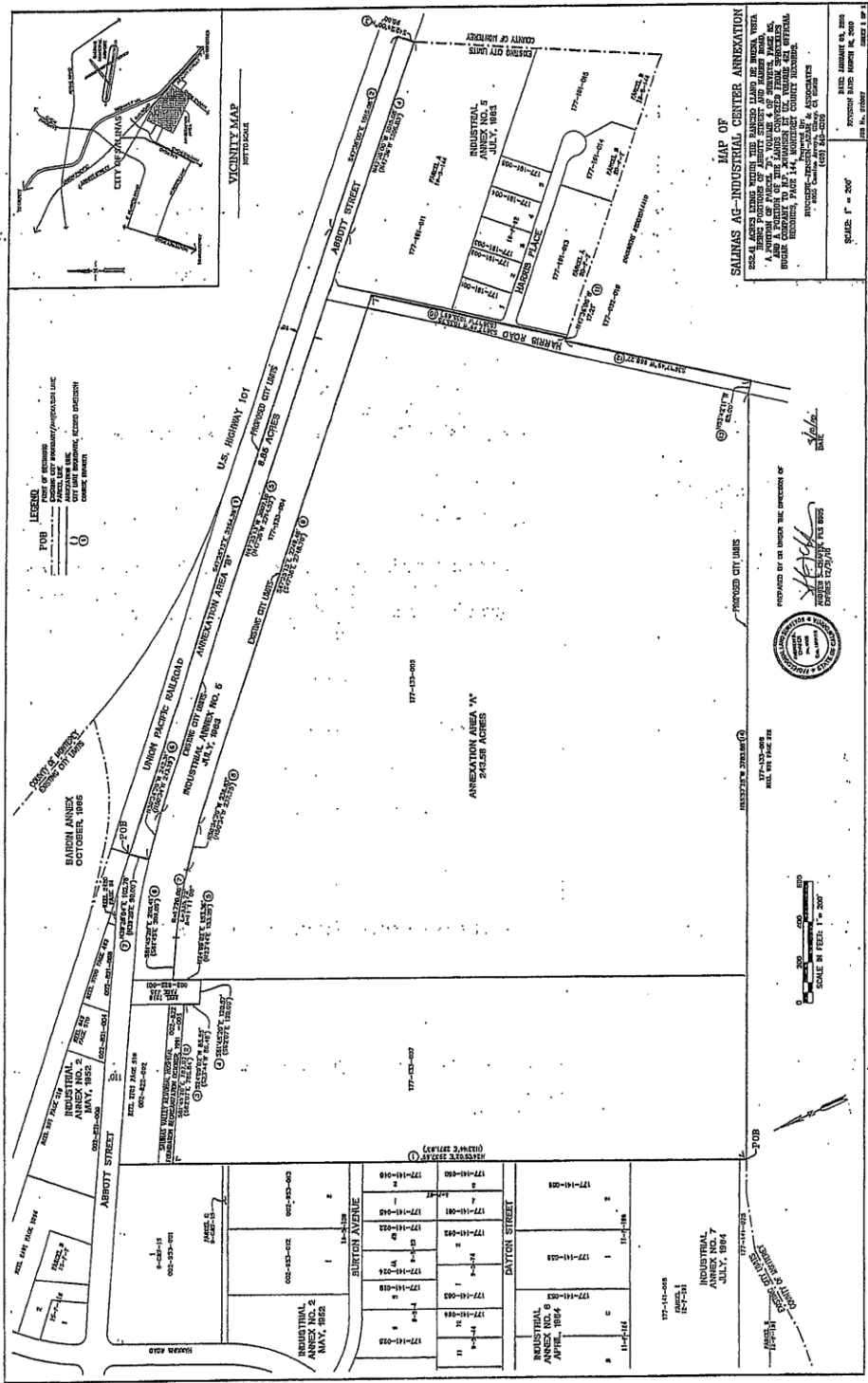
END OF DESCRIPTION

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



Andrew S. Chafer
 Andrew S. Chafer, PLS 8005
 Expires 12/31/2010

3/10/10
 Date



MAP OF SALINAS AG-INDUSTRIAL CENTER ANNEXATION

THIS MAP SHOWS THE BOUNDARIES OF THE SALINAS AG-INDUSTRIAL CENTER ANNEXATION AS A RESULT OF AN ORDER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY, CALIFORNIA, DATED JULY 14, 1984. THE ANNEXATION IS SUBJECT TO THE PROVISIONS OF THE COUNTY ORDINANCE, CHAPTER 114, ARTICLE 10, DATED JULY 14, 1984.

SCALE: 1" = 200'

DATE: JANUARY 10, 1985
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

INDUSTRIAL ANNEX NO.	DATE	ACRES
INDUSTRIAL ANNEX NO. 1	APRIL, 1984	11
INDUSTRIAL ANNEX NO. 2	MAY, 1982	1
INDUSTRIAL ANNEX NO. 3	MAY, 1982	1
INDUSTRIAL ANNEX NO. 4	MAY, 1982	1
INDUSTRIAL ANNEX NO. 5	JULY, 1984	1
INDUSTRIAL ANNEX NO. 6	AUGUST, 1984	1

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 APRIL, 1984
 11 ACRES

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INDUSTRIAL ANNEX NO. 5
 JULY, 1984
 1 ACRES

INDUSTRIAL ANNEX NO. 6
 AUGUST, 1984
 1 ACRES