

RECORDING REQUESTED BY:)
)
 CITY OF CATHEDRAL CITY AS)
 SUCCESSOR AGENCY TO THE)
 REDEVELOPMENT AGENCY OF)
 THE CITY OF CATHEDRAL CITY)
)
 AND WHEN RECORDED RETURN TO:)
)
 CITY OF CATHEDRAL CITY AS)
 SUCCESSOR AGENCY TO THE)
 REDEVELOPMENT AGENCY OF)
 THE CITY OF CATHEDRAL CITY)
 68-700 Avenida Lalo Guerrero)
 Cathedral City, CA 92234)
 Attn: Agency Secretary)
 APN: _____)

(Space Above for Recorder’s Use)
Exempt from Recording Fees Per Government Code Section 27383

ACKNOWLEDGEMENT AND RELEASE AGREEMENT

PLEASE TAKE NOTICE THAT this ACKNOWLEDGEMENT AND RELEASE AGREEMENT (“Agreement”) is entered into by and among the CITY OF CATHEDRAL CITY, a California municipal corporation (the “City”), the CITY OF CATHEDRAL CITY SOLELY IN ITS ROLE AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF CATHEDRAL CITY, a separate legal entity existing under the Health & Safety Code Section 34173 (“Successor Agency”) and M & M PROPERTY COMPANY, LLC, a California limited liability company (“Developer”), and is dated for reference purposes as of _____, 2015. Collectively said parties may be referred to herein as the “Parties,” or individually as a “Party.”

The former Redevelopment Agency of the City of Cathedral City (the “Redevelopment Agency”) entered into a Disposition and Development Agreement (the “DDA”) with the Developer, dated as of June 22, 2011, a Memorandum of which was recorded as Document No. 2012-0300735 in the Official Records on June 28, 2012, which called for the transfer to the Developer of certain land located in the area covered by the Map for the purposes of developing an automobile dealership (the “Automobile Dealership”) and, on Parcel 1 and Parcel 11 an access road (the “Access Road”), which road would benefit not only the Developer’s land but other parcels as well. In order to facilitate the construction, the Redevelopment Agency advanced funds to the Developer for the development of the Access Road.

The Developer has completed all construction for the Access Road and the development is now complete. As a result of the dissolution of the Redevelopment Agency by action of California State Legislature on February 1, 2012 and the appointment of City of Cathedral City becoming Successor Agency to the Redevelopment Agency, Successor Agency has the authority to act on behalf of the Redevelopment Agency, including for the purpose set forth in this Agreement. The Parties have agreed to enter into a Property Transfer Agreement to set forth certain terms for the transfer of parcels or portions thereof as described on the Map. The Parties have further agreed to enter into a Non-Exclusive Easement Agreement to set forth terms for the Access Road easement and the sharing of maintenance costs for the Access Road. Successor Agency is the current owner of Parcel 6 and Parcel 7 on the Map.

The Parties hereby acknowledge that the funds advanced by the Redevelopment Agency for the construction of the Access Road by the Developer are for the benefit of Parcel 6 and Parcel 7, non-exclusively, and that the Successor Agency, acting on behalf of the Redevelopment Agency, is not entitled to any other reimbursement by the Developer for said funds. The Parties hereby agree to release and hold harmless each other from any and all liability know and or/unknown now or in the future in connection with the development of Parcel 1 and Parcel 11, the access road, and the development of Parcel 2, the automobile dealership showroom and its related facilities.

This Agreement may be executed in any number of counterparts, each of which shall be considered original.

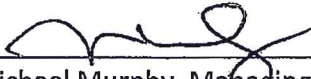
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WHEREFORE, the parties have executed this Agreement intending to be bound thereby.

CITY:
CITY OF CATHEDRAL CITY,
a municipal corporation

DEVELOPER:
M & M PROPERTY COMPANY, LLC,
a California limited liability company

By: _____
Charles P. McClendon, City Manager
Date: _____, 2015

By:  _____
Michael Murphy, Managing Member
Date: 11/23/15, 2015

SUCCESSOR AGENCY:
**CITY OF CATHEDRAL CITY SOLELY
IN ITS ROLE AS SUCCESSOR AGENCY TO
THE FORMER REDEVELOPMENT AGENCY
OF THE CITY OF CATHEDRAL CITY,**
a separate legal entity existing under
the Health & Safety Code

By: _____
Charles P. McClendon,
Executive Director
Date: _____, 2015

Attest:

Gary F. Howell
City Clerk

Approved as to form:

GREEN DE BORTNOWSKY, LLP

Charles R. Green
City Attorney

P:\APPS\WPDATA\CATH\0046-47 Murphy VW\DOC

EXHIBIT "A"
PARCEL MAP NO. 36428

2013-0816671
ORIGINAL

IN THE CITY OF CATHEDRAL CITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PARCEL MAP NO. 36428

BEING A SUBDIVISION OVER PORTIONS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF

VAN SURVEYING

AUGUST, 2012

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Alameda
ON June 11, 2013 BEFORE ME Diana Sreedino, a notary public
(INSERT NAME AND TITLE OF THE OFFICER)

PERSONALLY APPEARED Larry Fournith WHO PROVED TO ME
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEIR
AUTHORIZED CHARACTER(S), AND THAT BY HIS/HER/HEIR 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.

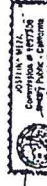


SIGNATURE Diana Sreedino Diana Sreedino
COMMISSION EXPIRES July 23, 2016
MY PRINCIPAL PLACE OF BUSINESS IS ALAMEDA COUNTY, CA.

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF San Diego
ON June 17, 2013 BEFORE ME Josephine Mera, Notary Public
(INSERT NAME AND TITLE OF THE OFFICER)

PERSONALLY APPEARED Wesley Gerard Hinckley WHO PROVED TO ME
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEIR
AUTHORIZED CHARACTER(S), AND THAT BY HIS/HER/HEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR
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PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING
PARAGRAPH IS TRUE AND CORRECT.



SIGNATURE Josephine Mera Josephine Mera
COMMISSION EXPIRES July 10, 2013
MY PRINCIPAL PLACE OF BUSINESS IS Riverside Ca.

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Orange
ON June 24, 2013 BEFORE ME Marilyn R. Smith, Notary Public
(INSERT NAME AND TITLE OF THE OFFICER)

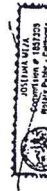
PERSONALLY APPEARED Robert Ladda WHO PROVED TO ME
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEIR
AUTHORIZED CHARACTER(S), AND THAT BY HIS/HER/HEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR
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TRUE AND CORRECT.

SIGNATURE Marilyn R. Smith Marilyn R. Smith
COMMISSION EXPIRES 12-18-14
MY PRINCIPAL PLACE OF BUSINESS IS Fuller, California

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF San Diego
ON June 18, 2013 BEFORE ME Josephine Mera, Notary Public
(INSERT NAME AND TITLE OF THE OFFICER)

PERSONALLY APPEARED DeVeylan Jean DePree WHO PROVED TO ME
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/HEIR
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TRUE AND CORRECT.



SIGNATURE Josephine Mera Josephine Mera
COMMISSION EXPIRES July 10, 2013
MY PRINCIPAL PLACE OF BUSINESS IS Riverside Ca.

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Orange
ON June 18, 2013 BEFORE ME Josephine Mera, Notary Public
(INSERT NAME AND TITLE OF THE OFFICER)

PERSONALLY APPEARED DeVeylan Jean DePree WHO PROVED TO ME
ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
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TRUE AND CORRECT.



SIGNATURE Josephine Mera Josephine Mera
COMMISSION EXPIRES July 10, 2013
MY PRINCIPAL PLACE OF BUSINESS IS Riverside Ca.

TOOLS RECORD

AS REQUIRED BY THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA, THE FOLLOWING TOOLS RECORDS WERE PREPARED:
REPORT PREPARED BY SLADON ENGINEERS, BRETT L. ANDERSON, C 43396, PROJECT NO. 344-11148, DATED AUGUST 31, 2011, FOR PARCELS 1 AND 2
A REPORT PREPARED BY BUEHA ENGINEERS, BRETT L. ANDERSON, C 43396, PROJECT NO. 87-3033-PI, DATED MAY 23, 1991, FOR PARCELS 3 AND 4.
A REPORT PREPARED BY SLADON ENGINEERS, BRETT L. ANDERSON, C 43396, PROJECT NO. 344-12145, DATED OCTOBER 30, 2012, FOR PARCELS 3 THROUGH 10

SIGNATURE CONCESSIONS

PURSUANT TO SECTION 64028 OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND/OR OTHER INTEREST HAVE BEEN OBTAINED:
AN EASEMENT IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY AND TELEPHONE COMPANY FOR POLES AND INCIDENTAL PURPOSES RECORDED 6/10/53 AS BK. 1493, PL. 304, O.R.
AN EASEMENT IN FAVOR OF CALIFORNIA WATER AND TELEPHONE COMPANY FOR POLES AND INCIDENTAL PURPOSES RECORDED 3/29/54 AS BK. 1582, PL. 1, O.R.
AN EASEMENT IN FAVOR OF CALIFORNIA WATER AND TELEPHONE COMPANY FOR POLES AND INCIDENTAL PURPOSES RECORDED 10/14/55 AS BK. 1683, PL. 1, O.R.
AN EASEMENT IN FAVOR OF CALIFORNIA WATER AND TELEPHONE COMPANY FOR POLES AND INCIDENTAL PURPOSES RECORDED 12/16/55 AS BK. 1683, PL. 1, O.R.
AN EASEMENT IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY AND CALIFORNIA WATER AND TELEPHONE COMPANY FOR POLES AND INCIDENTAL PURPOSES RECORDED 10/29/55 AS BK. 1911, PL. 453, O.R.
AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY FOR PIPELINES AND INCIDENTAL PURPOSES RECORDED 1/17/57 AS BK. 2020, PL. 242, O.R.
AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY FOR PIPELINES AND INCIDENTAL PURPOSES RECORDED 11/10/57 AS BK. 2020, PL. 242, O.R.
AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY FOR PIPELINES AND INCIDENTAL PURPOSES RECORDED 11/10/57 AS BK. 2020, PL. 242, O.R.
AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY FOR PIPELINES AND INCIDENTAL PURPOSES RECORDED 4/29/84 AS INSTRUMENT NO. 81888.

(2) UNRECORDED EASEMENTS TO SOUTHERN CALIFORNIA GAS COMPANY FOR PIPE LINES AS DECLARED BY AN EASEMENT OF THE TERMS OF THE SOUTHERN CALIFORNIA GAS COMPANY CONTRACT NO. 10020304-01.
(3) Easements in favor of Southern California Edison Company for public utilities and incidental purposes recorded May 1, 2013 as Instrument No. 2013-0205478 and as Instrument No. 2013-0205479, both of Official Records.

2013-03166 71
ORIGINAL

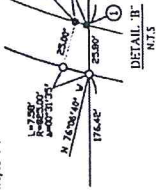
SHEET 3 OF 3 SHEETS

PARCEL MAP NO. 36428

IN THE CITY OF CATHEDRAL CITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 BEING A SUBDIVISION OVER PORTIONS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
 OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN,
 ACCORDING TO THE OFFICIAL PLAN THEREOF
 AUGUST, 2012
 VAN SURVEYING

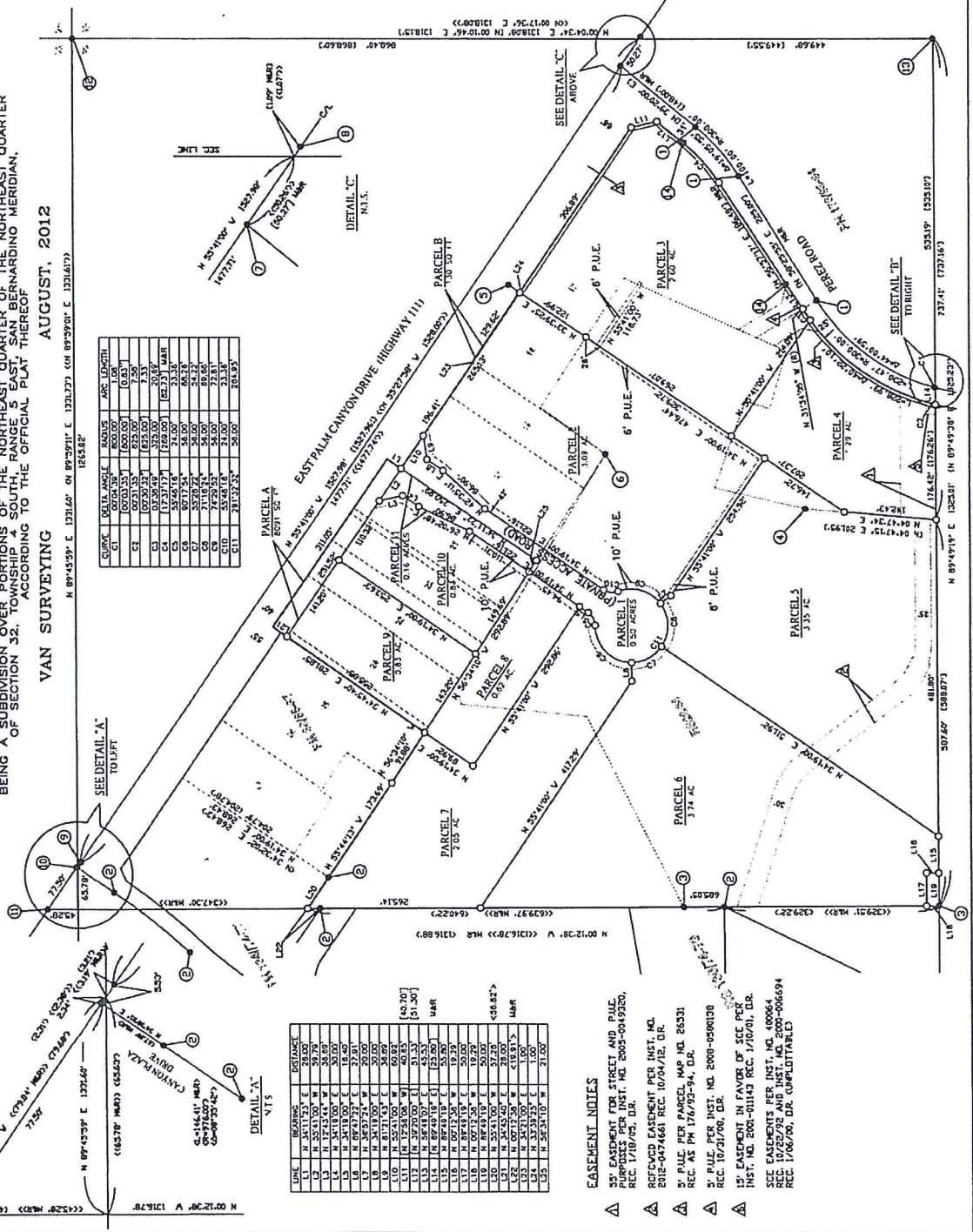
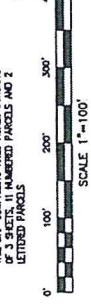
MONUMENT NOTES

- 1 FOUND CORNER MONUMENT FLUSH, STAMPED LS 1146 FOR PM 178/93-84.
- 2 FOUND 1" IRON PIPE FLUSH, WITH PLASTIC PLUS STAMPED REC 2638 FOR PM 134/71-77.
- 3 FOUND 3/4" IRON PIPE FLUSH, WITH TAG STAMPED RC624 FOR RS 120/71-79.
- 4 FOUND 3/4" IRON PIPE, WITH TAG STAMPED LS 4146 FOR PM 178/93-84.
- 5 FOUND 1/4" IRON PIPE, WITH TAG STAMPED LS 4146, NO RECORD, ACC AS PROD OF EASTERLY LINE OF PARCEL 18, PM 38/65-67 AT 0.00' OFFSET.
- 6 FOUND 3/4" IRON PIPE DOWN 0.5', WITH TAG STAMPED RE 6264, NO RECORD, ACC AS SE CORNER OF PARCEL 19, PM 38/65-67.
- 7 FOUND CORNER MONUMENT ON Q.Z. STAMPED LS 3907, ACC AS INTERSECTION PER RS 130/71-79.
- 8 FOUND 1" IRON PIPE DOWN 1.2' H MONUMENT WELL OPEN FOR PM 178/93-84.
- 9 FOUND 2" IRON PIPE DOWN 1.5' H MONUMENT WELL OPEN FOR PM 178/93-84.
- 10 FOUND 1" IRON PIPE DOWN 0.2', OPEN ACC AS INTERSECTION PER PM 134/71-77.
- 11 FOUND SPRIE DOWN 0.1' PER PM 134/71-77 & RS 130/71-79.
- 12 FOUND 3 1/2" BRASS CAP UP Q.Z. STAMPED FOR RS 130/71-79.
- 13 FOUND 2" IRON PIPE UP 0.2', NO RECORD, ACC AS SE COR OF RE 1/4 OF RE 1/4 OF SEC 32.
- 14 FOUND LEAD & TAG FLUSH, STAMPED LS 4146 IN CONCRETE PER PM 178/93-84.



SURVEYOR'S NOTES

- BEARINGS ARE BASED ON THE CONTINENT OF EAST PALM CANON ARE ALSO KNOWN AS HIGHWAY 111 AS SHOWN ON P.L.S. 38/85-87, TAKEN AS: MS594100' W
- INDICATES FOUND CORNER MONUMENT AS NOTED.
 - INDICATES FOUND MONUMENT AS NOTED.
 - INDICATES SET 1" IRON PIPE WITH PLASTIC PLUS STAMPED AS MONUMENT OR TAG, AND TAG STAMPED PL 6508 N CONCRETE AREAS.
 - ↔↔↔ INDICATES RECORD DATA PER PM 134/71-77
 - <---> INDICATES RECORD DATA PER RS 130/71-79
 - (---) INDICATES RECORD DATA PER PM 38/65-67, UNLESS OTHERWISE NOTED.
 - (---) INDICATES RECORD DATA PER PM 178/93-84
 - MAR MARKED MEASURED AND RECORD DATA.
 - P.U.E. PUBLIC UTILITY EASEMENT FOR THIS MAP
 - THIS MAP COMPRISING 19.25 ACRES CONSISTS OF SEVEN (7) NUMBERED PARCELS AND 2 LETTERED PARCELS



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	00°04'35"	800.00'	1.00'
C2	00°04'35"	600.00'	0.81'
C3	02°03'35"	613.00'	7.33'
C4	02°03'35"	232.00'	20.97'
C5	55°04'16"	24.00'	23.33'
C6	00°17'34"	56.00'	65.78'
C7	55°07'24"	56.00'	54.23'
C8	55°07'24"	56.00'	22.81'
C9	55°04'16"	24.00'	23.33'
C10	55°04'16"	24.00'	23.33'
C11	78°32'33"	50.00'	28.93'

LINE	BEARING	DISTANCE
L1	N 35°11'35" E	38.00'
L2	N 12°15'44" E	32.60'
L3	N 5°18'00" E	50.00'
L4	N 68°47'52" E	22.60'
L5	N 38°57'24" W	20.00'
L6	N 31°19'00" W	50.00'
L7	N 25°41'00" W	50.00'
L8	N 25°41'00" W	50.00'
L9	N 25°41'00" W	50.00'
L10	N 55°41'00" W	60.00'
L11	N 38°48'18" E	42.55'
L12	N 89°49'18" E	42.55'
L13	N 89°49'18" E	19.79'
L14	N 89°49'18" E	19.79'
L15	N 89°49'18" E	19.79'
L16	N 31°19'00" W	50.00'
L17	N 31°19'00" W	50.00'
L18	N 31°19'00" W	50.00'
L19	N 31°19'00" W	50.00'
L20	N 31°19'00" W	50.00'
L21	N 31°19'00" W	50.00'
L22	N 31°19'00" W	50.00'
L23	N 31°19'00" W	50.00'
L24	N 31°19'00" W	50.00'
L25	N 31°19'00" W	50.00'

- ### EASEMENT NOTES
- ▲ 5' EASEMENT FOR STREET AND P.U.E. REC. 1/18/05, D.R. 2005-0049260.
 - ▲ 5' EASEMENT FOR STREET AND P.U.E. REC. 1/18/05, D.R. 2005-0049260.
 - ▲ 10' EASEMENT PER INST. NO. 2012-047464 REC. 10/04/12, D.R. 2012-047464.
 - ▲ 5' P.U.E. PER PARCEL MAP NO. 65331 REC. AS PM 170/75-74, D.R. 10/21/06, D.R. 2008-0301038.
 - ▲ 15' EASEMENT IN FAVOR OF SCE PER INST. NO. 2001-01143 REC. 1/10/01, D.R. 2001-01143.
 - ▲ SEE EASEMENTS PER INST. NO. 40006-4 REC. 10/25/92 AND INST. NO. 2000-006694 REC. 1/08/90, D.R. (COMPLETION).