

Project Name: East Branch Extension,
Phase II Improvements Project
County: San Bernardino
Parcel No.: EBX-10 and -17,
(APNs 0168-351-05 and
0297-111-07)

AGREEMENT FOR REIMBURSEMENT OF CITY APPRAISAL COSTS

This Agreement for Reimbursement of City Appraisal Costs ("Agreement") is entered into this 7th day of September, 2010 by and between City of Redlands ("City") and the State of California, acting by and through its Department of Water Resources ("State"). City and State are sometimes individually referred to herein as a "Party" and, together, as the "Parties."

RECITALS

WHEREAS, City owns real property identified on the San Bernardino County Assessor's Roll as APNs 0168-351-05, and 0297-111-07 and by DWR as Parcel Nos. EBX-10 Units A, B, C, and EBX-17, shown on Exhibit "A" and Exhibit "B" attached hereto and made a part of this Agreement; and

WHEREAS, as part of its East Branch Extension, Phase I Improvements Project (Project), State intends to construct the East Branch Extension Phase II Pipeline; and

WHEREAS, the Project requires that State acquire all or a portion of the Property; and

WHEREAS, pursuant to Section 1263.025 of the Code of Civil Procedure, City is entitled to be reimbursed up to \$5,000 for the reasonable costs associated with obtaining an appraisal from a state-licensed appraiser; and

WHEREAS, City and State wish to enter into this Agreement to set forth the requirements for reimbursement of expenses associated with the work of an independent State-licensed appraiser to appraise the property for City;

NOW THEREFORE, in consideration of the mutual promise contained herein, City and State agree as follows:

AGREEMENT

1. City's property is shown on the attached Right of Way Appraisal Map which is attached hereto as Exhibits "A" and "B."
2. City may hire a State-licensed appraiser to appraise the Property.
3. City may submit a signed and dated copy of this Agreement to State within ninety (90) days of the earliest of the following dates:

Project Name: East Branch Extension,
Phase II Improvements Project
County: San Bernardino
Parcel No.: EBX-10 and -17,
(APNs 0168-351-05 and
0297-111-07)

- a. The date the selected appraiser requests payment from City for the appraisal; or
 - b. The date that City, or City's designee, remitted full payment to the selected appraiser for the appraisal.
4. Prior to reimbursement, City will provide the following documentation to State:
 - a. A signed and dated copy of this Agreement;
 - b. A Payee Data Record form (STD 204) completed with City's information and signed by City (enclosed);
 - c. Copies of the contract with the state-licensed appraiser (if a contract was made);
 - d. An itemized invoice from the appraiser citing his or her State Appraisal License and indicating the amount charged for the appraisal; and
 - e. A summary of the appraiser's findings.
5. Prior to any reimbursement, State will review all costs associated with City's appraisal. Only reasonable costs up to \$5,000 will be approved.
6. City agrees to indemnify and save State harmless from all liability, loss, cost and obligation on account of or arising out of any work relating to the appraisal being performed by the State-licensed appraiser City has hired.
7. City acknowledges that, in the event the appraisal obtained by City values the Property at an amount higher than that offered by State, City must submit an unabridged copy of the appraisal report when requesting that State revise its offer.
8. This Agreement does not create any rights in any third person, entity, or organization nor may any third party maintain any lawsuit for personal injuries, equitable relief, property damages, or breach of this Agreement.

Project Name: East Branch Extension,
Phase II Improvements Project
County: San Bernardino
Parcel No.: EBX-10 and -17,
(APNs 0168-351-05 and
0297-111-07)

IN WITNESS WHEREOF, the Parties have executed this Agreement.



Pat Gilbreath, Mayor
City of Redlands

Date: September 7, 2010

ATTEST:



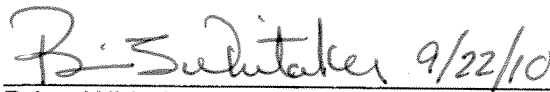
Sam Irwin, City Clerk

Date: 9-7-10

APPROVED:

Recommended for Approval:

STATE OF CALIFORNIA
Department of Water Resources



Brian Whitaker
Right of Way Agent

Date



Paul Farris, Chief
Real Estate Branch
Division of Engineering



for Linus A. Paulus
Senior Land Agent

9/27/10
Date

Date: 9/28/10