

RESOLUTION NO. 2021-33

A RESOLUTION OF THE CITY COUNCIL/AIRPORT COMMISSION APPROVING A SURVEY AND LEGAL DESCRIPTION OF THE LEASED PREMISES AND THE OPTION AREAS FOR AN APPROVED GROUND LEASE WITH OPTIONS BETWEEN THE CITY OF MARINA AND JOBY AERO, INC FOR A ± 5 -ACRE PORTION OF THE DEVELOPED SOUTH TARMAC WITH TWO OPTIONS TOTALING ± 25 ACRES, LOCATED AT 3200-C IMJIN ROAD.

WHEREAS, on December 17, 2019, the City Council approved Resolution No. 2019-138 approving the Ground Lease with Joby Aero, Inc. for a 217,800 square feet (± 5 gross acres) lease area for the construction of a 55,200 square foot fabric covered industrial structure; and

WHEREAS, also included within the Ground Lease are two Options. The option areas were described as: Option Area No. 1. for an additional 566,280 square feet (± 13 acres) and Option Area No. 2 for an additional 522,720 square feet (± 12 acres); and

WHEREAS, the option areas combined if exercised would support the construction of an approximate 590,000 square foot aircraft manufacturing and assembly hanger building; and

WHEREAS, Section 1.3.2 "Survey and Description" of the Ground Lease requires that the lessee (Joby Aero) submit a survey and legal description of the leased premises and the option areas prepared by a registered civil engineer; and

WHEREAS, the Survey and Legal Description submitted by Joby Aero, Inc. and attached hereto as **Exhibit A** depict and precisely describe the exact square footage being leased to Joby Aero by the Ground Lease and, if exercised, its options; and

WHEREAS, Joby Aero has submitted the attached Survey and Legal Description in conformance with the provisions of the Ground Lease; and

WHEREAS, the Survey and Legal Description have been reviewed by City staff and the City Attorney.

NOW, THEREFORE, BE IT RESOLVED that the City Council/Airport Commission of the City of Marina does hereby:

1. Adopt Resolution No. 2021-, approving a Survey and Legal Description of the leased premises and the option areas for a previously approved Ground Lease with Options between the City of Marina and Joby Aero, Inc. for a ± 5 acre portion of the developed south tarmac, along with two options totaling ± 25 -acres, located at 3200-C Imjin Road.

PASSED AND ADOPTED by the City Council/Airport Commission of the City of Marina at a regular meeting duly held on the 20th day of April 20, 2020, by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

**EXHIBIT B
LEGAL DESCRIPTION
JOBY AVIATION – 5.00 ACRE LEASE PARCEL**

SITUTATE in the City of Marina, County of Monterey, State of California

BEING a portion of Parcel 1 of the Fort Ord Military Reservation, as the same is shown on the Record of Survey Map filed in Volume 19 of Survey, at Page 1, Monterey County Records, also being a portion of Parcel 1 as the same is shown on the Record of Survey Map filed in Volume 19 of Survey, at Page 20, Monterey County Records, and being more particularly described as follows:

BEGINNING at a found lead plug and nail in concrete, tagged RCE 25136, at the southernmost corner of Parcel 2 as the same is shown on the Amended Official Map filed in Volume 19 of Cities & Towns, at Page 22, Monterey County Records, and from which a found 3/4 " iron pipe, tagged RCE 25136, at the easternmost corner of said Parcel 2 as shown on said map, bears North 34° 20' East, 623.00 feet distant; thence South 44°10'16" East a distance of 109.24 feet to the TRUE POINT OF BEGINNING; thence North 34° 20' East, a distance of 947.00 feet; thence South 55° 40' East, a distance of 230.00 feet; thence South 34° 20' West, a distance of 947.00 feet; thence North 55° 40' West, a distance of 230.00 feet to the TRUE POINT OF BEGINNING,

and CONTAINING 5.00 acres.

See Exhibit B, page 2 of 2, attached hereto, and by this reference made a part hereof.

END OF DESCRIPTION



Prepared by: Ifland Survey
March 29, 2021
Job No. G19043

Gary Ifland, LS 7367
Exp. 12/31/2021

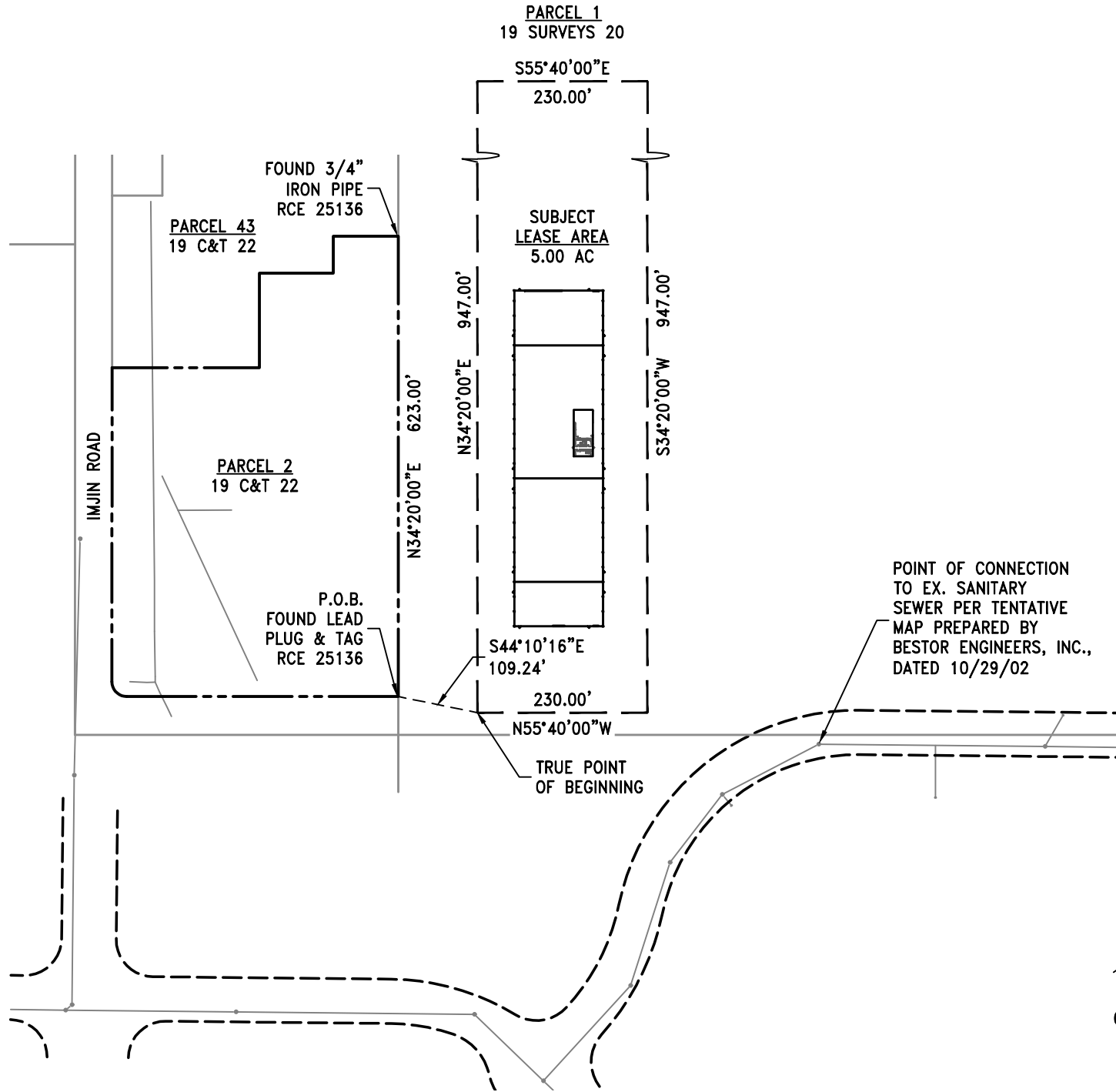
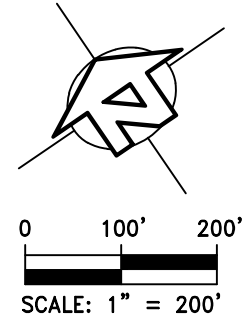


EXHIBIT B



5300 SQUEL AVE. SUITE 101
SANTA CRUZ, CA 95062
TEL (831) 429-0378
FAX (831) 429-0763
www.bestor-engineers.com

IFLAND ENGINEERS
CIVIL ENGINEERING • LAND PLANNING

JOB NO. 19033 APN 031-112-001-000
ADDRESS 3200-C IMJIN ROAD, MARINA, CALIFORNIA
DRAWN JAI DATE 03/29/2021
SCALE 1" = 200' SHEET 2 OF 2

LEGAL DESCRIPTION

JOBY AVIATION – 14.39 ACRE LEASE PARCEL PHASE 1

Situate in the City of Marina, County of Monterey, State of California

Being a portion of Adjusted Parcel 1 of the City of Marina as shown on the “Amended Official Map Amending that Map filed in Volume 19, Cities & Towns, Page 22 showing the creation of Marina Municipal Airport Parcels”, filed in Volume 21, “Cities & Towns”, at Page 34, Records of Monterey County and being more particularly described as follows:

Commencing at a found lead plug and nail in concrete, tagged RCE 25136, at the southernmost corner of Parcel 2 as shown on said map; thence,

South 40°16’51” East, 111.03 feet to the **True Point of Beginning**; thence,

1) South 55°39’21” East, 434.02 feet; thence non-tangentially,

2) Easterly along a curve concave to the South, the center of which bears South 17°55’04” West, 334.53 feet, through a central angle of 12°09’30”, an arc length of 70.99 feet; thence non-tangentially,

3) South 55°50’11” East, 390.47 feet; thence,

4) North 34°22’16” East, 698.14 feet; thence,

5) North 55°39’38” West, 41.02 feet; thence,

6) North 4°20’22” East, 25.97 feet; thence,

7) North 85°39’38” West, 20.50 feet; thence,

8) North 4°20’22” East, 13.18 feet; thence,

9) North 34°20’22” East, 18.46 feet; thence,

10) North 56°19’53” East, 24.20 feet; thence,

11) South 27°04’15” East, 23.51 feet; thence,

12) South 55°39’38” East, 48.07 feet; thence,

13) North 34°20’22” East, 189.43 feet; thence,

14) North 55°40’00” West, 664.09 feet; thence,

15) South 34°20’00” West, 947.00 feet; thence,

16) North 55°40’00” East, 230.00 feet; thence,

17) South 34°20'00" West, 7.68 feet to the **True Point of Beginning**.

Containing 14.39 Acres, more or less.

As shown on Exhibit "A" Plat to accompany legal description attached hereto and made part hereof.

END OF DESCRIPTION

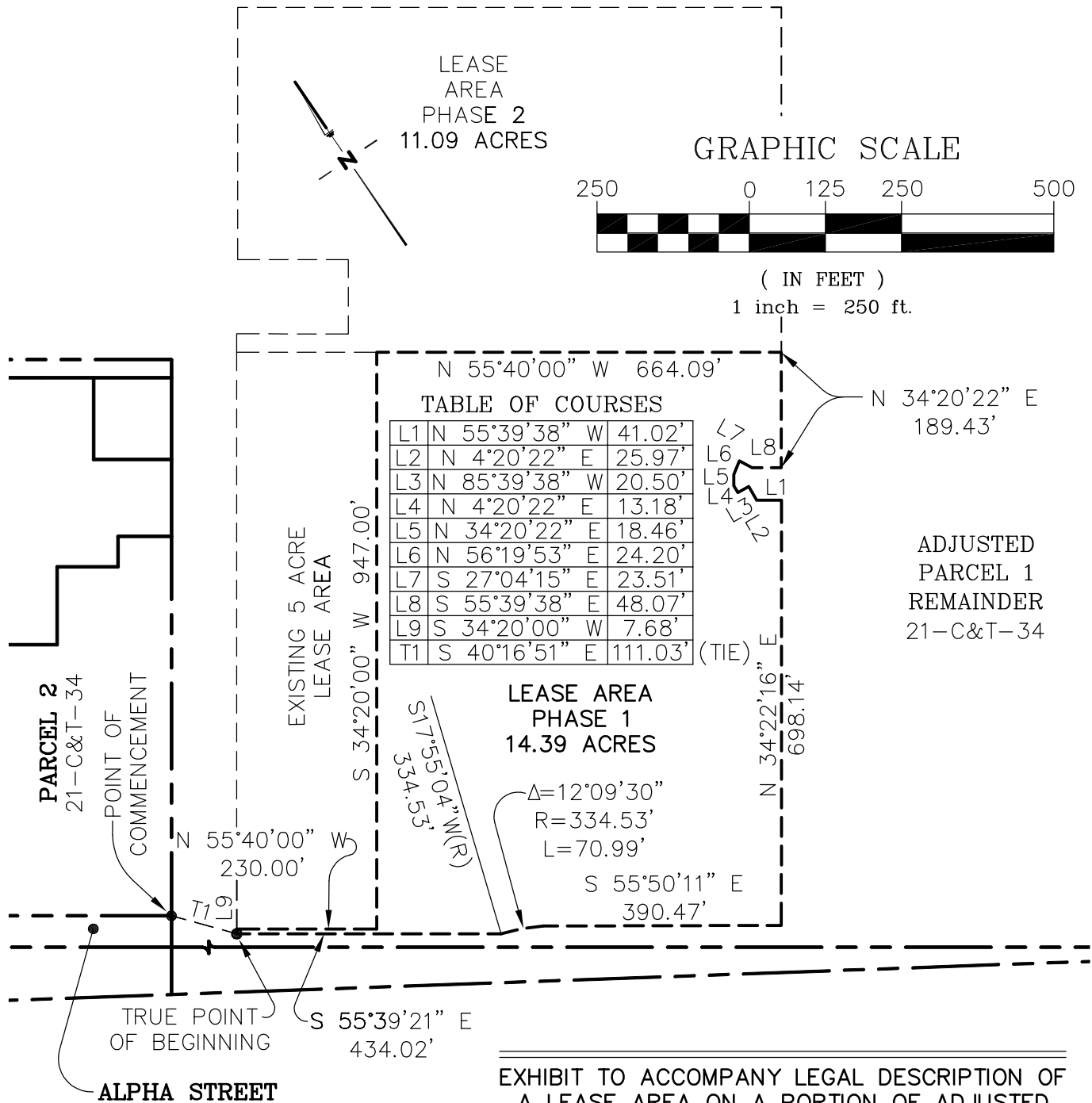
Prepared by: Central Coast Surveyors

April 15, 2021

Job No.: 21-21



EXHIBIT "A"



NOTE:

ALL DISTANCES SHOWN HEREON ARE
EXPRESSED IN FEET AND DECIMALS THEREOF.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF
A LEASE AREA ON A PORTION OF ADJUSTED
PARCEL 1 REMAINDER AS SHOWN ON THE MAP
FILED IN VOL. 21, "CITIES & TOWNS", PAGE 34
OFFICIAL RECORDS OF MONTEREY COUNTY

CITY OF MARINA COUNTY OF MONTEREY STATE OF CALIFORNIA

BY
CENTRAL COAST SURVEYORS

5 HARRIS COURT, SUITE N-11 MONTEREY, CALIFORNIA 93940
Phone: (831) 394-4930 Fax: (831) 394-4931

SCALE: 1" = 250' JOB No. 21-21 APRIL 2021

PREPARER: DRZ

LEGAL DESCRIPTION, JOBY AVIATION – 11.09 ACRE LEASE PARCEL PHASE 2

Situate in the City of Marina, County of Monterey, State of California

Being a portion of Adjusted Parcel 1 of the City of Marina as shown on the “Amended Official Map Amending that Map filed in Volume 19, Cities & Towns, Page 22 showing the creation of Marina Municipal Airport Parcels”, filed in Volume 21, “Cities & Towns”, at Page 34, Records of Monterey County and being more particularly described as follows:

Commencing at a found lead plug and nail in concrete, tagged RCE 25136, at the southernmost corner of Parcel 2 as shown on said map; thence,

North 40°55’59” East, 931.41 feet to the **True Point of Beginning**; thence,

1) South 55°40’00” East, 894.09 feet; thence,

2) North 34°20’22” East, 566.05 feet; thence,

3) North 55°39’38” West, 892.54 feet; thence,

4) South 34°20’22” West, 414.00 feet; thence,

5) South 55°39’38” East, 182.00 feet; thence,

6) South 34°20’22” West, 122.00 feet; thence,

7) North 55°36’51” West, 183.56 feet; thence,

8) South 34°20’00” West, 30.30 feet to the **True Point of Beginning**.

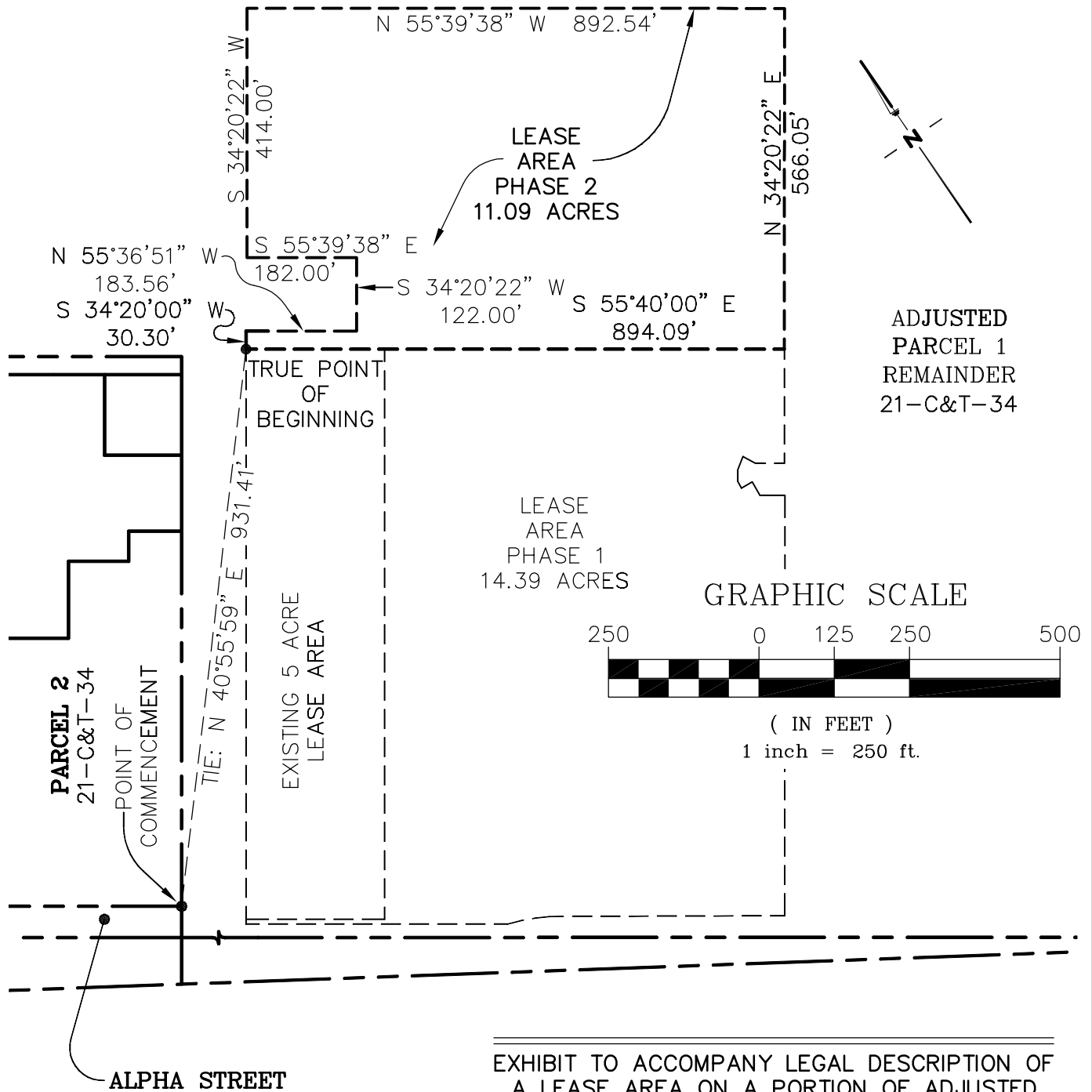
Containing 11.09 Acres, more or less.

As shown on Exhibit “A” Plat to accompany legal description attached hereto and made part hereof.

END OF DESCRIPTION Prepared by: Central Coast Surveyors, April 15, 2021, Job No.: 21-21



EXHIBIT "A"



NOTE:

ALL DISTANCES SHOWN HEREON ARE
EXPRESSED IN FEET AND DECIMALS THEREOF.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF
A LEASE AREA ON A PORTION OF ADJUSTED
PARCEL 1 REMAINDER AS SHOWN ON THE MAP
FILED IN VOL. 21, "CITIES & TOWNS", PAGE 34
OFFICIAL RECORDS OF MONTEREY COUNTY

CITY OF MARINA COUNTY OF MONTEREY STATE OF CALIFORNIA

BY

CENTRAL COAST SURVEYORS

5 HARRIS COURT, SUITE N-11 MONTEREY, CALIFORNIA 93940
Phone: (831) 394-4930 Fax: (831) 394-4931

SCALE: 1" = 250' JOB No. 21-21 APRIL 2021

PREPARER: DRZ

April 9, 2021

Item No: **8f(5)**

Honorable Mayor and Members
of the Marina City Council/Airport Commission

City Council Meeting
of April 20, 2021

**CITY COUNCIL/AIRPORT COMMISSION CONSIDER ADOPTING
RESOLUTION NO. 2021-, APPROVING A SURVEY AND LEGAL
DESCRIPTION OF THE LEASED PREMISES AND THE OPTION AREAS FOR
AN APPROVED GROUND LEASE WITH OPTIONS BETWEEN THE CITY
OF MARINA AND JOBY AERO, INC FOR A ±5 ACRE PORTION OF THE
DEVELOPED SOUTH TARMAC WITH TWO OPTIONS TOTALING ±25
ACRES, LOCATED AT 3200-C IMJIN ROAD,**

REQUEST:

It is requested that the City Council/Airport Commission consider:

1. Adopting Resolution No. 2021-, approving a Survey and Legal Description of the leased premises and the option areas for a previously approved Ground Lease with Options (the “Ground Lease”) between the City of Marina and Joby Aero, Inc. for a ±5 acre portion of the developed south tarmac, along with two options totaling ±25-acres, located at 3200-C Imjin Road.

BACKGROUND:

On December 17, 2019, the City Council approved Resolution No. 2019-138 approving the Ground Lease with Joby Aero, Inc. for a 217,800 square feet (± 5 gross acres) lease area for the construction of a 55,200 square foot fabric covered industrial structure. Also included within the Ground Lease are two Options. The option areas were described as: Option Area No. 1. for an additional 566,280 square feet (±13 acres) and Option Area No. 2. For an additional 522,720 square feet (±12 acres). The option areas combined if exercised would support the construction of an approximate 590,000 square foot aircraft manufacturing and assembly hanger building.

ANALYSIS:

The Ground Lease between the City of Marina and Joby Aero, Inc. approved by the City Council in Resolution No. 2019-138 encompasses an area of ±5 acres with two optional ground lease expansion areas. The Ground Lease with the two option areas total an approximately ±30-acres.

Section 1.3.2 “Survey and Description” of the Ground Lease requires that the lessee (Joby Aero) submit a survey and legal description of the leased premises and the option areas prepared by a registered civil engineer. These documents are to provide the legal description and depiction of the exact square footage being leased by Joby Aero by the Ground Lease and, if exercised, its options.

Joby Aero has submitted the attached survey and legal description of leased premises and the options areas shown on (“**EXHIBIT A**”) in conformance with the provisions of the Ground Lease. This document has been reviewed by City staff. Staff is recommending that the City Council approve the survey and legal description of premises and the option areas and thereby establish the exact metes and bounds and square footage of the leased area and the options provided to Joby Aero by the Ground Lease.

FISCAL IMPACT:

Annual rent revenue to the Airport is presently \$78,408 for the 5-Acre parcel and would increase if both the options are exercised. Building lease rent revenue is recorded to FY 2018-19 Budget, Airport Operations Fund 555, Facilities Rents Building Rents, Account No. 555.000.000.00-5460.220.

CONCLUSION:

This request is submitted for the City Council/Airport Commission consideration and approval.

Respectfully submitted,

Matt Mogensen
Assistant City Manager
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager/Airport Manager
City of Marina