

Recording Requested By  
First American Title Insurance Company

RECORDED AT THE REQUEST OF AND  
WHEN RECORDED RETURN TO:

CITY CLERKS OFFICE  
CITY OF RIVERSIDE  
3900 MAIN STREET  
RIVERSIDE, CA 92522  
PROJECT: PMW-5-923

253192

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

JUN 22 1994

Recorded in Official Records  
of Riverside County, California

Recorder

Fees \$20

15/03E

GRANT OF PERMANENT EASEMENT  
(Driveway)

This Grant of Permanent Easement is made this 9 day of JUNE, 1994, by and between William R. Friis, Trustee for the FRIIS FAMILY TRUST (hereinafter "GRANTOR"), and RIVERSIDE COUNTY FEDERAL CREDIT UNION (hereinafter "GRANTEE").

WHEREAS, the City of Riverside has required this Grant of Permanent Easement as a condition of approval for the above referenced parcel map waiver case.

WHEREAS, GRANTOR is the owner of certain real property in the County of Riverside, State of California, hereinafter referred to as the "Servient Tenement" and more particularly described in Exhibit "A" and depicted on Exhibit "D", which exhibits are attached hereto and by this reference made a part thereof; and

WHEREAS, GRANTEE is the owner of certain real property in the County of Riverside, State of California, hereinafter referred to as the "Dominant Tenement", and more particularly described in Exhibit "B" and depicted on Exhibit "D", which exhibits are attached hereto and by this reference made a part hereof; and

WHEREAS, GRANTEE desires to acquire certain rights in the Servient Tenement;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. For valuable consideration, the sufficiency and receipt of which is hereby acknowledged, GRANTOR hereby grants to GRANTEE, its successors and assigns, a non-exclusive, permanent easement and right-of-way for an existing automobile driveway across, along, on, over, under, through, and within that certain real property in the County of Riverside State of California, described more particularly in Exhibit "C" and depicted on Exhibit "D", which exhibits are attached hereto and by this reference made a part hereof.

2. The easement granted herein is appurtenant to the Dominant Tenement, and is a condition of approval of Parcel Map Waiver (PMW) 5-923 by The City of Riverside.

1950712-22

3. This easement and right-of-way is non-exclusive, and GRANTOR, or its heirs, successors, and assigns may grant another easement or easements across, along, over, under, through, or within this permanent easement and right-of-way provided that such easement or easements do not unreasonably interfere with GRANTEE's use of GRANTEE's easement and right-of-way.

4. GRANTEE covenants to maintain the permanent easement and right-of-way in good repair so that no unreasonable damage will result to the adjacent land of the GRANTOR, its heirs, successors and assigns, from its use.

5. Any use made of the surface of GRANTOR's real property by GRANTOR, its heirs, successors and assigns, shall be done so as not to unreasonably impair, endanger, or interfere with GRANTEE's facilities and easement rights.

6. GRANTEE will defend, indemnify and save GRANTOR free and harmless from and against any and all loss, expense (including attorney's fees) and/or damage incurred or suffered by GRANTOR, caused by the operation, use, maintenance, repair, replacement or removal of GRANTEE's facilities unless such loss, expense or damage is the proximate result of the sole negligence of GRANTOR.

7. The terms and covenants of this easement and right-of-way shall run with the land and bind and inure to the benefit of the respective heirs, successors, executors, administrators and assigns of Grantor and Grantee and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF, this instrument is executed on this, the 9 day of JUNE, 1994.

APPROVED AS TO FORM

*Kathleen M. Gage*  
ASST. CITY ATTORNEY

FRIIS FAMILY TRUST

By *William R. Friis*  
William R. Friis, Trustee

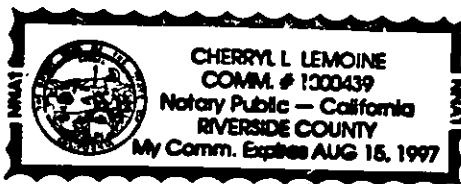
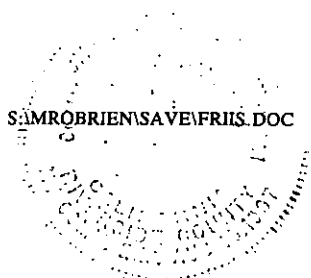
STATE OF CALIFORNIA )  
COUNTY OF Riverside ) SS.

On June 9, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM R. FRIIS, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.

*Cherryl L. Lemoine*  
Notary Public  
in and for Said County and State

(SEAL)



5. Declarants, as the owners of Lot 9, hereby release the City of Riverside, its officers and employees from any and all claims, demands, suits or causes of action that the undersigned and the heirs, successors or assigns of the undersigned may have, now or in the future, arising out of or incurred as a result of the City of Riverside approving the vacation of the alley in the above-referenced case or arising from or as a consequence of any loss of access due to the vacation of said alley.

6. The provisions of this Covenant and Agreement shall be enforceable at law or in equity by the City of Riverside. In the event of any legal or equitable proceeding for the enforcement of or to restrain a violation of this Covenant and Agreement, or any provision hereof, the prevailing party therein shall be entitled to reasonable attorney's fees in addition to any other costs to which such party is entitled.

7. This Covenant and Agreement shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Public Works Director of the City of Riverside, California.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first above written.

  
\_\_\_\_\_  
DAVID C. VARGAS

  
\_\_\_\_\_  
JANINA M. VARGAS

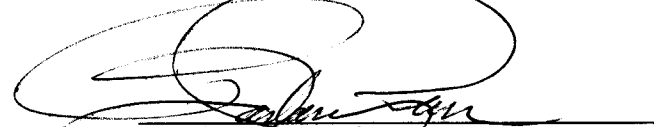
  
\_\_\_\_\_  
WALTER B. HOLTHAUS

  
\_\_\_\_\_  
BESSIE HOLTHAUS

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Public Works Department

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant City Attorney

KMG/sb/jm  
7/12/95

EXHIBIT "A"

THAT PORTION OF BLOCK 13, RANGE 4, OF THE TOWN OF RIVERSIDE AS SHOWN BY MAP RECORDED IN BOOK 7 PAGE 17 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 13, RANGE 4;

THENCE SOUTH 60°51'41" EAST ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 13, RANGE 4, A DISTANCE OF 173.04 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 29°06'59" WEST, A DISTANCE OF 314.12 FEET TO THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THAT PARCEL CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED SEPTEMBER 15, 1972, AS INSTRUMENT NUMBER 123925, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE ALONG SAID PROLONGATION AND NORTHEASTERLY LINE AND CONTINUING ALONG THE BOUNDARY OF SAID PARCEL CONVEYED TO THE CITY OF RIVERSIDE, THE FOLLOWING COURSES;

SOUTH 60°51'46" EAST (RECORDED AS SOUTH 60°52'03" EAST) 117.96 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.50 FEET;

NORTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 82°29'17", A DISTANCE OF 36.71 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 484.00 FEET, A RADIAL BEARING TO SAID BEGINNING OF CURVE BEARS NORTH 66°26'31" WEST;

NORTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 5°33'40", A DISTANCE OF 46.98 FEET;

NORTH 29°07'09" EAST, 232.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 25.00 FEET, A RADIAL BEARING TO SAID BEGINNING OF CURVE BEARS SOUTH 83°57'17" EAST;

NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38°32'03", A DISTANCE OF 16.81 FEET TO THE NORTHEASTERLY LINE OF SAID BLOCK 13, RANGE 4;

THENCE NORTH 60°51'41" WEST ALONG SAID NORTHEASTERLY LINE, 129.88 FEET TO THE TRUE POINT OF BEGINNING.

DESCRIPTION APPROVAL 4/13/94  
  
 SURVEYOR, CITY OF RIVERSIDE by LE

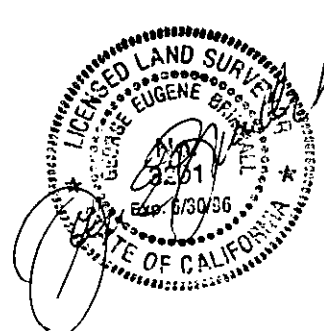


EXHIBIT "B"

THAT PORTION OF BLOCK 13, RANGE 4, OF THE TOWN OF RIVERSIDE AS SHOWN BY MAP RECORDED IN BOOK 7 PAGE 17 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 13, RANGE 4;

THENCE SOUTH 60°51'41" EAST ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 13, RANGE 4, A DISTANCE OF 173.04 FEET;

THENCE SOUTH 29°06'59" WEST, A DISTANCE OF 316.62 FEET TO THE NORTHEASTERLY LINE OF THAT PARCEL CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED APRIL 25, 1985 AS INSTRUMENT NUMBER 87464, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE NORTH 60°51'46" WEST (RECORDED AS NORTH 60°55'00" WEST) ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 117.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 113.00 FEET;

THENCE ALONG SAID CURVE AND NORTHEASTERLY LINE, THROUGH AN ANGLE OF 22°32'27", A DISTANCE OF 44.46 FEET;

THENCE NORTH 20°49'41" WEST (RECORDED AS NORTH 20°52'55" WEST) ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 16.12 FEET TO THE NORTHWESTERLY LINE OF SAID BLOCK 13, RANGE 4;

THENCE NORTH 29°06'44" EAST ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 297.63 FEET TO THE POINT OF BEGINNING.

DESCRIPTION APPROVAL *Cal 1394*  
*M.B. Brown* by *KE*  
 SURVEYOR, CITY OF RIVERSIDE



EXHIBIT "C" (DRIVEWAY)

THAT PORTION OF BLOCK 13, RANGE 4, OF THE TOWN OF RIVERSIDE AS SHOWN BY MAP RECORDED IN BOOK 7 PAGE 17 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 13, RANGE 4;

THENCE SOUTH 60°51'41" EAST ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 13, RANGE 4, A DISTANCE OF 173.04 FEET;

THENCE SOUTH 29°06'59" WEST, A DISTANCE OF 308.12 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 29°06'59" WEST, A DISTANCE OF 6.00 FEET TO THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THAT PARCEL CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED SEPTEMBER 15, 1972, AS INSTRUMENT NUMBER 123925, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 60°51'46" EAST ALONG SAID PROLONGATION, A DISTANCE OF 4.00 FEET;

THENCE NORTH 4°34'02" WEST, A DISTANCE OF 7.21 FEET TO THE TRUE POINT OF BEGINNING.

DESCRIPTION APPROVAL *4/13/94*  
*M.S. R.*  
 SURVEYOR, CITY OF RIVERSIDE by *LF*

