

## CITY OF RIVERSIDE

and

G. O. NEWMAN BK. 290 - P. 109

This Agreement, made July 20, 1909, by and between the City of Riverside, a municipal corporation, party of the first part, and G. O. Newman, party of the second part.

Witnesseth: That Whereas, G. O. Newman, deeded to the City of Riverside certain land for a public highway for what is now the traveled portion of Fourteenth Street on the northerly portion of this property, as described in a deed dated October 25, 1899, and recorded in Volume 109 of Deeds, at page 63, records of San Bernardino County, State of California, and

Whereas, in said deed there was a reservation made to the effect that in case the original line of Fourteenth Street was ever maintained by the City of Riverside, that the land deeded in said deed should revert to said G. O. Newman; and

Whereas, it seems from the best evidence obtained that at the time of said G. O. Newman giving said City said deed he was promised that said Fourteenth Street would be filled on the original line within a reasonable time, which statement said G. O. Newman expected to have incorporated in said deed and the absence of which statement was noticed by him and called to the attention of the then City Attorney, W. J. McIntyre, and

Whereas the deed of said land to said city to enable the traffic to get from Fourteen and Main Streets around on the northerly portion of said Newman's property and thence to the brick school and Walnut Street; and

Whereas it was a further accomodation on account of allowing the street car track to be laid thereon at a time when street car facilities were very much desired to connect the business portion of the town with Brockton Avenue and the lower end of the Valley;

and

Whereas said Fourteenth Street has not been filled by said City on the original line, there being quite an arroyo across said original line on the northerly portion of said G. O. Newman's property and

Whereas the said City of Riverside is desirous of making an extension of Magnolia Avenue from the corner of Main and Fourteenth Streets through the property of said G. O. Newman, principally in lot 5 S. C. C. A. Lands and partly in lots 4 and 154 of said S. C. C. A. Lands, and thence by making a fill across the Tequesquite arroyo and connecting with Cypress Avenue near North Street, and thence down the valley by a line shown on a map in the City Engineers office.

Now Therefore, for and in consideration of the sum of one (\$1.00) dollar, paid to said G. O. Newman by said City of Riverside, the receipt of which is hereby acknowledged, and other good and valuable consideration the said G. O. Newman has given to said City of Riverside a deed to said proposed extension of Magnolia Avenue, as shown by a plat attached to said deed of July 20th, 1909. In further consideration of receiving said deed from said G. O. Newman and in recognition of the promises made to him at the time of his giving the said deed of October 25, 1889 above referred to the said City of Riverside does hereby agree to fill the said original line of Fourteenth Street from Main Street west to the canal of the Riverside Water Company the full width of the street, allowing for the slope of the fill, and to fill said original line on said Fourteenth Street from said canal west the same width as the balance of said Fourteenth Street west of the canal, allowing for the slope of the fill; this fill to be made within three (3) years from date of this document

and to be the bottom of the said canal in case said canal has not been abandoned by the Riverside Water Company, at the time the fill is made, in which event a crossing will be made across said canal, there being under discussion between the City of Riverside and the Riverside Water Company a proposition to do away with said canal, in which case the grade can be lowered to at least the bottom of said canal.

The City agrees to vacate its right to the now traveled part of 14th Street, when fill is made.

This agreement is made by the City of Riverside, authorizing the Mayor to sign it at its meeting held Tuesday July 20 1909.

In Witness Whereof, the parties here to have set their hands and seals, the day and year first above written.

City of Riverside,

By S. C. Evans, Mayor

G. O. Newman.

Recorded Aug. 6, 1909