

SOUTHERN PACIFIC COMPANY—Pacific Lines
(Approved as to Form by General Solicitor)
June 13, 1934

1085

ROAD OR HIGHWAY

1085

WHERE NO CROSSING OF TRACKS IS INVOLVED

This Indenture, made the 6th day of May, 1935, between SOUTHERN PACIFIC COMPANY, a corporation of the State of Kentucky, and Its Lessor,

SOUTHERN PACIFIC RAILROAD COMPANY, a corporation, herein collectively termed first party, and the CITY OF RIVERSIDE, a municipal corporation of the State of California,

second party.

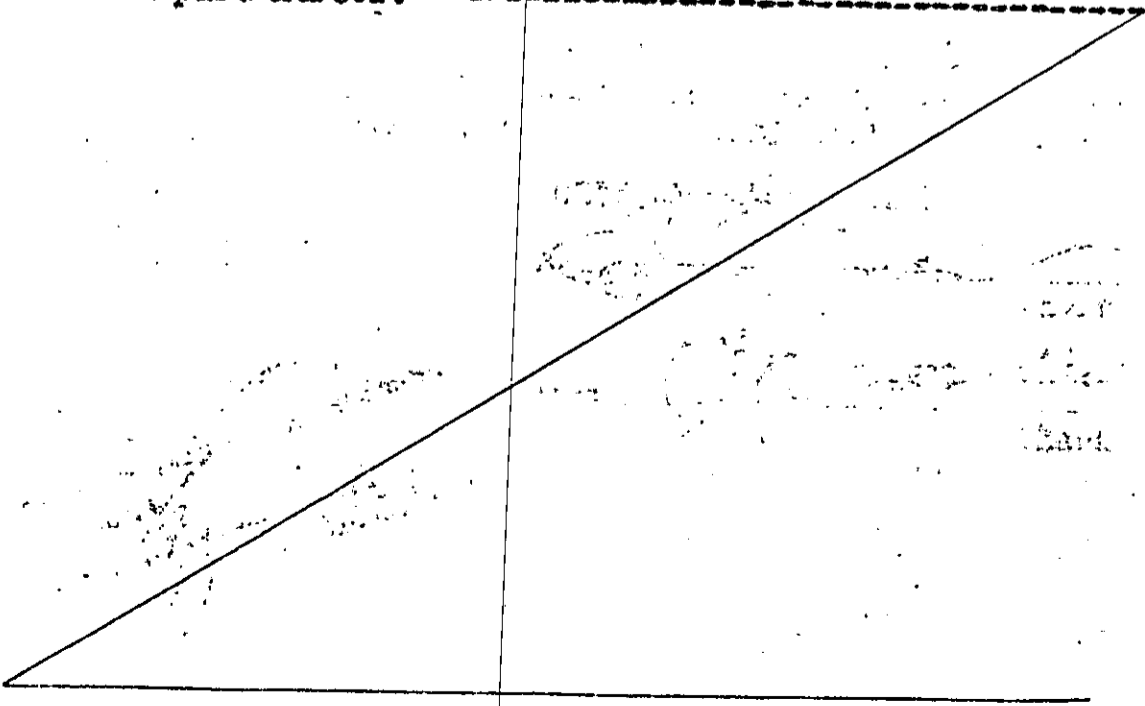
Witnesseth: That first party hereby grants to second party (subject to the conditions hereinafter contained) the right to construct and maintain a highway upon and across the certain parcel of land situated in the County of - - Riverside - - - State of - - California - - - and lying within the railroad right of way and property of first party, and described as follows, to-wit:

A piece or parcel of land situate in the City of Riverside and being all that portion of Lots 10, 11 and 12 of the Oppenheimers Subdivision of Block 1 Range 7 City of Riverside as per map recorded on page 70 in Book 3 of Maps, Records of San Bernardino County described as follows:

BEGINNING at the northwesterly corner of said Lot 12; thence easterly along the northerly line of said Lot 12 a distance of 150.00 feet; thence southwestery along a curve concave to the southeast, tangent to the northerly line of said Lot 12 at its point of beginning and having a radius of 150 feet a distance of 235.62 feet measured along the arc of said curve to a point in the westerly line of said Lot 10; thence northerly along the westerly line of said Lots 10, 11 and 12 a distance of 150.00 feet to the point of beginning.

The piece or parcel of land herein described being shown colored red on plat C.E.K. 1941-a hereto attached and made a part hereof.

OK. as to description
W. H. ...



1085

This grant is subject and subordinate to the prior and continuing right and obligation of first party and its successors to use and maintain its entire railroad right of way and property in performance of its public duty as a common carrier, and is also subject to the right and power of first party and its successors in interest or ownership of the said railroad right of way and property to use the said lands hereinabove described, or any and all parts thereof, for all purposes which are consistent with the enjoyment of the easment for highway purposes herein granted to second party.

And should second party, its successors or assigns, at any time abandon the use of the said land or any part thereof, or fail at any time to use the same for said purpose for a continuous period of one year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and first party shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of the said land, or the part thereof the use of which is so discontinued or abandoned.

The second party shall keep the said highway in good condition and repair on the premises hereinabove described as long as the same shall be maintained thereon.

In consideration of this grant second party further agrees to reimburse first party for any and all assessments which may be levied by order of any authorized, lawful body against the property of first party (and which may have been paid by first party) to defray any part of the cost or expense incurred by second party in connection with the construction and/or maintenance of said highway.

This instrument is subject to all valid and existing contracts, leases, liens or encumbrances or claims of title which may affect the said property, and the word GRANT as used herein shall not be construed as a covenant against the existence of any thereof.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized, the day and year first above written. (In Triplicate)

SOUTHERN PACIFIC COMPANY,

By *[Signature]*
Vice President

Attest *[Signature]*
Assistant Secretary

SOUTHERN PACIFIC RAILROAD COMPANY,

By *[Signature]*
Second Vice President

Attest *[Signature]*
Assistant Secretary.

CITY OF RIVERSIDE,

By *[Signature]*
Mayor

Attest *[Signature]*
Clerk

COUNTERSIGNED
F. L. McCAFFERTY
Auditor
General *[Signature]* (24)
Per *[Signature]*

The above instrument approved
as to form
[Signature]
ATTORNEY OF THE
CITY OF RIVERSIDE, CALIF.

as to form
by General Solicitor
August 7, 1934.

L-3527

NOTARIAL ACKNOWLEDGMENT

SOUTHERN PACIFIC COMPANY

SOUTHERN PACIFIC RAILROAD COMPANY

STATE OF CALIFORNIA,

CITY AND COUNTY OF SAN FRANCISCO. } SS.

On this 20th day of May,

1935, before me FRANK HARVEY, a Notary Public in and for

said City and County of San Francisco, State of California, personally

appeared J. H. DYER and G. L. KING,

known to me to be the VICE PRESIDENT and ASSISTANT SECRETARY,

respectively, of SOUTHERN PACIFIC COMPANY, one of the corporations that

executed the within instrument, and known to me to be the persons who

executed the within instrument on behalf of Southern Pacific Company;

and each of them acknowledged to me that such corporation executed the

same; and personally appeared G. L. KING and

D. P. EWING, known to me to be the SECOND VICE

PRESIDENT and ASSISTANT SECRETARY, respectively, of SOUTHERN PACIFIC

RAILROAD COMPANY, one of the corporations that executed the within

instrument, and known to me to be the persons who executed the within

instrument on behalf of Southern Pacific Railroad Company; and each of

them acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal, at my office, in the said City and County of San Francisco,
State of California, on the day and year in this certificate first above
written.

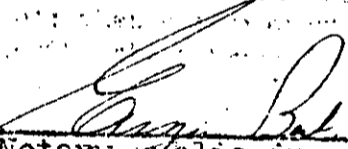
Frank Harvey
Notary Public in and for the City and
County of San Francisco, State of
California.

STATE OF CALIFORNIA,)
) SS. ()
COUNTY OF RIVERSIDE.)

On this 10th day of September, 1935,
before me Eugene Best, a Notary Public in and for
the County of Riverside, State of California, personally ap-
peared E. B. Criddle and G. Albert Mills,

known to me to be the Mayor and Clerk, respectively, of the
City of Riverside, the municipal corporation that executed the
within instrument, and known to me to be the persons who executed
the within instrument on behalf of the City of Riverside, and
each of them acknowledged to me that such municipal corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, at my office, in the said County of
Riverside, State of California, on the day and year in this
certificate first above written.



Notary Public in and for the
County of Riverside, State of
California.

E. G. Albert Mills, the duly elected, qualified and acting City
Clerk of the City of Riverside, California, hereby certify that the
Resolution was duly and regularly introduced and adopted by the Council
of the City of Riverside, California, on the 10th day of September, 1935.

Attest: My hand and seal of office, this 10th day of September, 1935.

Agent: Councilman, City of Riverside, California, Walter...

1 RESOLUTION NO. 2081 (NEW SERIES)

2
3 RESOLUTION OF THE COUNCIL OF THE CITY OF RIVERSIDE, CALI-
4 FORNIA, ACCEPTING A DEED.

5 ***

6 RESOLVED; by the Council of the City of Riverside, California,
7 that deed, dated May 6th, 1935, executed by the SOUTHERN PACIFIC RAILROAD
8 COMPANY, a corporation, to CITY OF RIVERSIDE, a Municipal Corporation of
9 the County of Riverside, State of California, granting the right to con-
10 struct and maintain a highway upon and across those certain parcels of
11 land situate in the City of Riverside, County of Riverside, State of Cali-
12 fornia, more particularly described as follows, to-wit:

13 A piece or parcel of land situate in the City of
14 Riverside and being all that portion of Lots 10, 11 and 12 of the Oppenheimers
15 Subdivision of Block 1 Range 7 City of Riverside as per map recorded on page
16 70 in Book 3 of Maps, Records of San Bernardino County
described as follows:

17 BEGINNING at the northwesterly corner of said Lot
18 12; thence easterly along the northerly line of said
19 Lot 12 a distance of 150.00 feet; thence southwesterly
20 along a curve concave to the southeast, tangent to the
21 northerly line of said Lot 12 at its point of beginning
and having a radius of 150 feet a distance of 235.62
feet measured along the arc of said curve to a point in
the westerly line of said Lot 10; thence northerly along
the westerly line of said Lots 10, 11 and 12 a distance
of 150.00 feet to the point of beginning,

22 be, and the same is hereby, accepted; and

23 BE IT FURTHER RESOLVED; that a copy of this resolution be attached
24 to said deed and that the same be recorded in the office of the County Re-
25 corder of Riverside County, California, and thereafter filed in the office
26 of the City Clerk of said City of Riverside.

27 I, G. Albert Mills, the duly elected, qualified and acting City
28 Clerk of the City of Riverside, California, hereby certify that the foregoing
29 resolution was duly and regularly introduced and adopted by the Council of
30 said City, at its meeting held on the 10th day of September, 1935, by the
31 following vote:

32 Ayes: Councilmen Pinkerton, Barber, Barger, Wilson, Wells and

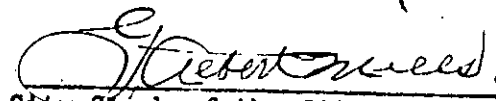
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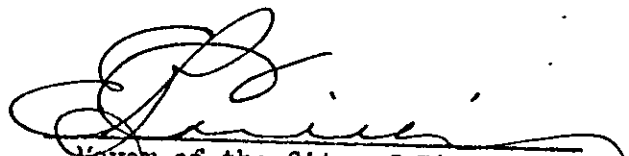
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Noes: None.

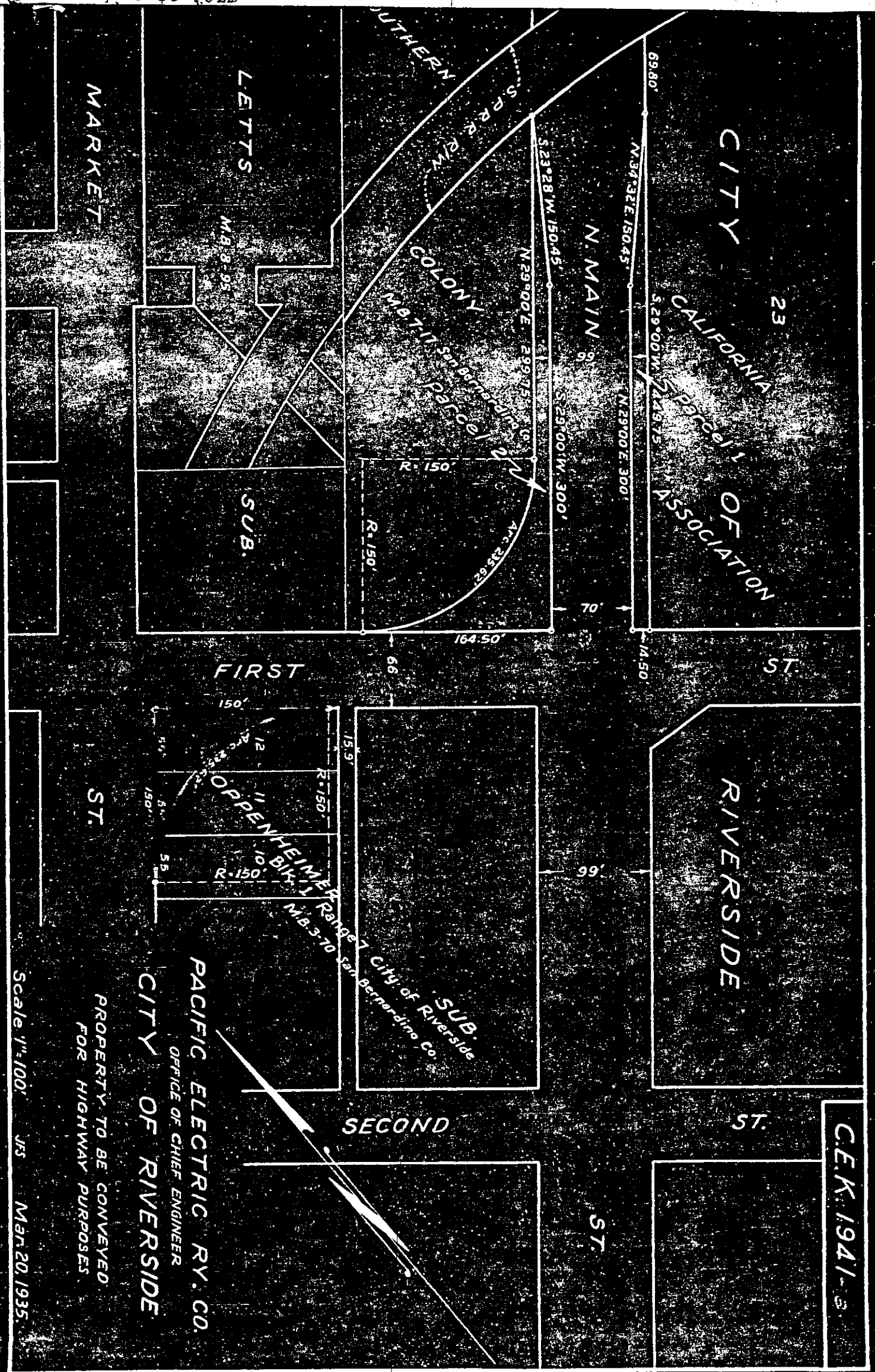
Absent: Councilman Carter.


City Clerk of the City of Riverside.

I hereby approve the foregoing resolution this 10th day of
September, 1935.


Mayor of the City of Riverside.

REGISTERED 1824
BY GENERAL SOLICITOR
OF THE STATE OF CALIFORNIA



CITY OF CALIFORNIA
 23
 CALIFORNIA ASSOCIATION
 Parcel 1

MARKET
 LETTS
 M. & S. 95

SOUTHERN
 SPRING VALLEY
 COLONY
 M.B. 7-17 San Bernardino Co.

FIRST ST.

RIVERSIDE ST.

ST.

OPPENHEIMER
 BIKER
 M.B. 3-70 San Bernardino Co.

SUB. PROPERTY TO BE CONVEYED FOR HIGHWAY PURPOSES
 City of Riverside
 San Bernardino Co.

SECOND ST.

C.E.K. 1941-3

PACIFIC ELECTRIC RY. CO.
 OFFICE OF CHIEF ENGINEER
 CITY OF RIVERSIDE

PROPERTY TO BE CONVEYED FOR HIGHWAY PURPOSES

Scale 1" = 100' JFS Mar. 20, 1935

1454

SOUTHERN PACIFIC RAILROAD COMPANY

TO

CITY OF RIVERSIDE

INDEXED
Book 3

MAY 6, 1935.

*Received for City of Riverside
J. Robert Meigs*

RECEIVED FOR RECORD
OCT 30 1935
45
<i>City Clerk</i>
258
201
<i>James Ross</i>
<i>F. H. Row</i>
Deputy Recorder

UNPAID

W. ALFICK

A. B. ...

June 17