

#2

1 THIS INDENTURE, made this 25th, day of May, 1948,  
2 between SOUTHERN PACIFIC RAILROAD COMPANY, a corporation of the  
3 States of California, Arizona and New Mexico, and its Lessee,  
4 Southern Pacific Company, a corporation of the State of Delaware,  
5 first parties, and CITY OF RIVERSIDE, a municipal corporation of  
6 WITNESSETH: the State of California, second party;

7 That said first parties, for and in consideration of the sum  
8 of Ten (10) Dollars, lawful money of The United States of America,  
9 to them paid by the said second party, receipt whereof is hereby  
10 acknowledged, do by these presents grant unto the second party and  
11 to its successors and assigns, an easement for all municipal util-  
12 ities and public utilities, including but not limited to, water,  
13 electricity, sewer, gas and telephone, over, across, along and under  
14 that certain real property situate in the City of Riverside, County  
15 of Riverside, State of California, and more particularly described  
16 as follows, to-wit:

17 That portion of the Northeasterly one-half of Twelfth  
18 Street as vacated by the Council of the City of Riverside  
19 by Resolution #3946, a certified copy of which was recorded  
20 October 24, 1945, which lies between the Southwesterly pro-  
21 longation of the Northwesterly line of Lot 7, Block 5 of  
22 Santa Fe Tract, as shown by map on file in Book 6 page 14  
23 of Maps, San Bernardino County Records and the Southwesterly  
24 prolongation of the Southeasterly line of the Northwesterly  
25 25.37 feet of said Lot 7.

26 Together with right of ingress and egress over said land for  
27 the purpose of installing, maintaining and renewing the same.  
28 As to the easement herein granted for gas purposes and tele-  
29 phone purposes, the same is accepted by the City of Riverside for the  
30 benefit of the Southern California Gas Company and for the benefit  
31 of the Southern California Telephone Company, respectively.

32 This grant is subject and subordinate to the prior and con-  
tinuing right and obligation of first parties, and their successors,  
to use and maintain their entire railroad right of way and property  
in performance of their public duty as common carriers, and is also  
subject to the right and power of first parties, and their successors  
in interest or ownership of the said railroad right of way and prop-  
erty, to use the said land hereinabove described or any and all parts  
thereof for all purposes which are consistent with the enjoyment of  
the easement herein granted to second party.

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 said first parties have caused these  
presents to be executed by their officers thereunto duly authorized  
and their corporate seals to be hereunto affixed the day and year  
first herein written.

SOUTHERN PACIFIC RAILROAD COMPANY  
By /s/ Roy G. Hillebrand, V. Pres.  
Attest: Jay D. Bacon, Asst. Sec'y

SOUTHERN PACIFIC COMPANY  
L. B. McDonald, V. Pres. 2066  
Attest: Jay D. Bacon, Asst. Sec.