

1 THIS INDENTURE, Made this 14th day of October, 1930, by
2 and between the RIVERSIDE WATER COMPANY, a corporation, duly
3 organized and existing under the laws of the State of
4 California, first party, and the CITY OF RIVERSIDE, a municipal
5 corporation, organized and existing under the laws of the State
6 of California, second party, WITNESSETH:

7 That for and in consideration of the sum of Five Thousand
8 Eight Hundred and no/100 (\$5,800.00) Dollars, in hand paid by the
9 said party of the second part, the receipt whereof is hereby
10 acknowledged, and the covenants and agreements hereinafter
11 contained, the said party of the first part does by these presents
12 grant, bargain, sell and convey unto the said party of the second
13 part, and to its successors and assigns forever, the perpetual
14 right to discharge storm and waste water, other than sewage
15 water, in and through that part or portion of a certain concrete
16 lined canal, called the "Main canal" of the Riverside Water
17 Company, running parallel with Pachappa Avenue in the City of
18 Riverside, State of California, beginning on the said canal at
19 the point where the Tequesquite canal or ditch, also known as the
20 Twelfth Street Canal, leaves the said main canal of the Riverside
21 Water Company in the City of Riverside, said point being between
22 Tenth and Twelfth streets; thence in a general Southerly
23 direction to a point 200 feet southerly from the northerly bank
24 of the Tequesquite arroyo, into the flume of the grantor;
25 together with the right to divert the said storm and waste water
26 from said canal and flume at any point between the two points
27 hereinbefore designated; and the further right of ingress,
28 egress and regress upon, over, and across the property of the
29 grantor between the points hereinabove designated, and the
30 further right to open and close the gates of the grantor herein
31 named, in said main canal, for the purpose of handling and
32 diverting the water into and out of said canal, and/or flume
hereinbefore referred to. /

19 As part of the consideration for the rights hereinabove
20 granted, the grantee specifically agrees to save the grantor
21 harmless from any damages or claim for damages made by any person,
22 firm or corporation, other than the grantor, by reason or on
23 account of the diversion, attempted diversion, or failure to
24 direct storm or waste water by the grantee, into, through or
25 out of the said portion of said canal and/or flume of the said
26 grantor, and to defend at its own cost and expense any action
27 or suit which may be brought or instituted against the grantor
28 herein by reason or account of the said diversion, attempted
29 diversion, or failure to divert the said storm or waste water,
30 and to pay any money judgment which may be obtained against the
31 said grantor in any such suit or action; and further, that if
32 said grantee fails to defend any such suit or action, then said
grantee authorizes said grantor to defend such suit or action, and
said grantee agrees to pay on demand all the costs, expenses and
attorneys' fees of said grantor, and any money judgment which may
be obtained against the said grantor.

29 Nothing herein shall be construed as obliging the
30 grantee in any manner to pay any portion of the expense of
31 maintaining or repairing the said portion of said canal or flume
32 except as the same may be damaged as the direct result of the
diversion, attempted diversion, or failure to divert storm water
into or out of the said portion of said canal, and/or flume
by the said grantee.

Nothing in this conveyance shall be construed as

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depriving the grantor from using the said main canal, or the Tequesquite flume across the Tequesquite arroyo, for the carrying of irrigation or other water in and through the said canals at any and all times.

IN WITNESS WHEREOF, the said party of the first part has hereunto caused its corporate name to be subscribed and its corporate seal to be affixed by its proper officers thereunto duly authorized by resolution of its Board of Directors.

RIVERSIDE WATER COMPANY

By Francis Cuttle President

By S.K. McKenzie Secretary

State of California)
County of Riverside)

On this 14th day of October in the year one thousand nine hundred and thirty, before me, Lucy Kingman Smith, a Notary Public in and for said County and State, personally appeared Francis Cuttle, known to me to be the President, and S.K. McKenzie, known to me to be the Secretary of the corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Lucy Kingman Smith Formerly known as and commissioned as Lucy H. Kingman
Notary Public in and for Riverside County,
State of California.

MY COMMISSION EXPIRES MAY 8, 1932

The above instrument approved
as to form
Lucy Kingman Smith
CITY ATTORNEY OF THE
CITY OF RIVERSIDE, CALIF.

...; and
...; that a copy of ...
... of Riverside County, California, ...
... City of Riverside of said City.

I, J. Albert Hill, the duly elected, qualified and acting City
... of Riverside, California. 2. ...

... IN WITNESS WHEREOF, the said Mayor and the said Council
do hereby certify that the foregoing is a true and correct copy of the
original of the resolution of the Council of the City of Riverside,
California, as the same appears in the minutes of the Council of the
City of Riverside, California, for the year 1930.

RESOLUTION NO. 1755 (NEW SERIES)

RESOLUTION OF THE COUNCIL OF THE CITY OF RIVERSIDE,
CALIFORNIA, ACCEPTING A DEED FOR THE PERPETUAL RIGHT
TO DISCHARGE STORM AND WASTE WATER, OTHER THAN SEWAGE
WATER, THROUGH THE "MAIN CANAL" OF THE RIVERSIDE WATER
COMPANY.

RESOLVED; by the Council of the City of Riverside, California,
that deed dated October 14, 1930, executed by the RIVERSIDE WATER COMPANY,
a corporation, to the CITY OF RIVERSIDE, a municipal corporation, of the
County of Riverside, State of California, for the perpetual right to dis-
charge storm and waste water, other than sewage water, in and through that
part or portion of a certain concrete lined canal, called the "Main canal"
of the Riverside Water Company, running parallel with Pachappa Avenue in
the City of Riverside, State of California, beginning on the said canal at
the point where the Tequesquite canal or ditch, also known as the Twelfth
Street Canal, leaves the said main canal of the Riverside Water Company in
the City of Riverside, said point being between Tenth and Twelfth Streets;
thence in a general southerly direction to a point 200 feet southerly from
the northerly bank of the Tequesquite Arroyo, into the flume of the grantor;
together with the right to divert the said storm and waste water from said
canal and flume at any point between the two points hereinbefore designated;
and the further right of ingress, egress and regress upon, over, and across
the property of the grantor between the points hereinabove designated, and
the further right to open and close the gates of the grantor herein named,
in said main canal, for the purpose of handling and diverting the water
into and out of said canal, and/or flume hereinbefore referred to,
be, and the same is hereby, accepted; and

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

I. G. Albert Mills, the duly elected, qualified and acting Clerk
of the City of Riverside, California, hereby certify that the foregoing re-

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solution was duly and regularly introduced and adopted by the Council of the said City, at its meeting held on the 21st day of October, 1930, by the following vote:

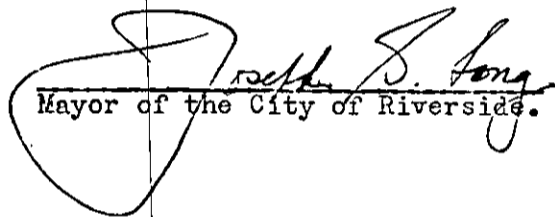
Ayes: Councilmen Redman, Backstrand, Taylor, Lindsley, Pearse, Wells and Lohrli.

Noes: None.

Absent: None.


Clerk of the City of Riverside.

I hereby approve the foregoing resolution this 21st day of October, 1930.


Mayor of the City of Riverside.

1000

No.

DEED

Riverside Water Co.

To 90
City of Riverside

COMPARED

Document E. Kettering

Book A. Lambert

DATED: Oct. 14, 1930

RECORDED IN BOOK NO. 11000

OCT 25 1930

8 minutes of clock P.M. at

REQUEST OF

City Clerk

Copied to Book No. 878 of

DEEDS page 305 at

8094 Records of Riverside County,

California.

JACOB A. W. '35 Recorder.

By J. R. Brown

City Recorder

6-91801-15

15

City Clerk

INDEXED
Book 11000