

RECORDED  
REQUEST 02

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87-138016

WHEN RECORDED MAIL TO:

REAL PROPERTY SERVICES  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

RECORDED IN  
OFFICIAL RECORDS

1987 APR 27 PM 3:14

SAN BERNARDINO

ABANDONMENT AND GRANT OF EASEMENTS CO., CALIF.

THIS AGREEMENT is entered into this 21st day of  
 April , 1987, by and between H.M.S. LIMITED, a  
 California Limited Partnership ("Owner"), and the CITY OF  
 RIVERSIDE, a municipal corporation of the State of California  
 ("City"). This document is intended to and does abandon certain  
 easements and grant certain easements.

RECITALS

A. Owner has record title to approximately 7 acres of  
 real property located in the City of San Bernardino, County of  
 San Bernardino, State of California, which real property is  
 described as Parcels 1 and 2 of Parcel Map 8664, as shown by map  
 on file in Book 92, pages 19 through 22, inclusive, of Parcel  
 Maps, Records of San Bernardino County, California ("Subject  
 Property"), a copy of which is attached hereto, marked Exhibit  
 A, incorporated herein by this reference.

B. The City is the sole and exclusive owner of that  
 certain easement ("Easement") for pipeline, water development by  
 wells and incidental purposes as granted to the Riverside Water  
 Company, a corporation, by instrument recorded March 21, 1902 in  
 Book 291, page 352 of Deeds of the County of San Bernardino.

C. The completion of development plans for the Subject  
 Property is conditioned upon the abandonment and relinquishment  
 of a portion of the Easement to Owner and the identification,

1 relocation and granting of defined easements to the City in  
2 substitution thereof.

3 NOW, THEREFORE, in consideration of these premises and  
4 the terms and conditions hereinafter contained, the parties  
5 hereto mutually agree as follows:

6 1. ABANDONMENT, RELINQUISHMENT AND QUITCLAIM OF RIGHTS  
7 AND EASEMENTS.

8 For and in consideration of the Grant of Easements  
9 hereinafter set forth, the City does hereby ABANDON, RELINQUISH  
10 and QUITCLAIM to Owner all of the City's right, title and  
11 interest in and to that portion of the easements and other  
12 rights heretofore reserved or granted to the City pursuant to  
13 the documents described and referred to in Recital B above,  
14 which encumber and pertain to Subject Property only as described  
15 above in Recital A, but reserving to the City the existing  
16 rights to the underground water and preserving to the City the  
17 priority of its prior rights to the new easement areas described  
18 in Paragraph 2 below.

19 2. GRANT OF EASEMENTS AND RIGHTS.

20 For and in consideration of the abandonment, relinquish-  
21 ing and quitclaiming of the easements and rights hereinabove  
22 described, Owner does hereby and concurrently GRANT to the City  
23 the following described easement and right:

24 An easement and right to the use, production,  
25 extraction, taking, drilling, repairing, maintaining and  
26 transportation of water located beneath the surface of the  
27 Subject Property from the Subject Property by means of the well

1 or wells now or hereafter established on the parcel of land  
2 depicted and identified as Parcel A, as described and shown in  
3 the description, attached hereto, marked Exhibit B (three pages)  
4 and incorporated herein by this reference. Such easement and  
5 right includes the right to construct and maintain above ground  
6 facilities such as air valves, test leads and valve boxes.

7 3. PORTION OF PARCEL A - A TEMPORARY CONSTRUCTION  
8 EASEMENT.

9 That portion of Parcel A which is approximately 125' x  
10 28' on the easterly boundary of said Parcel constitutes a  
11 Temporary Construction Easement and is necessary for the  
12 completion of the drilling and construction of the wells. When  
13 said construction is completed, City will relinquish its right,  
14 title and interest as is herein granted, but will reserve to the  
15 City the existing rights to the underground waters.

16 4. ABANDONMENT OF EASEMENTS AND RIGHTS SUBJECT TO  
17 CONDITIONS.

18 (a) The abandonment, relinquishment and quitclaim of  
19 rights and easements described in Paragraph 1 hereof are subject  
20 to the condition that any activity of the Owner of the Subject  
21 Property shall comply with and in no way be inconsistent with  
22 the City of Riverside Public Utilities Department Water  
23 Engineering Division Guidelines for Construction in the Vicinity  
24 of Water Supply Wells (a document of 3 pages), a copy of which  
25 is attached hereto, marked Exhibit C and incorporated herein by  
26 reference.

27 (b) Further, certain additional conditions are

1 applicable to this property because of the nature of the design  
2 and use of subject property. They are:

3 A. City reserves the right to drill, develop and  
4 operate water wells within Parcels B and C in the 125 x  
5 125 foot area within Parcel A, as described and shown in  
6 Exhibit B, provided that City will not place well heads  
7 within the driveway/roadway areas within the 125 x 125  
8 foot well area, as shown on the attached Exhibit B.

9 B. Owner will remove, relocate or replace surface  
10 improvements within the 125-foot square well area when  
11 water wells are installed and will cooperate with the  
12 City in revising the use in that area.

13 C. Owner will not construct any covered parking

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF RIVERSIDE )

On this 21st day of April, 1987, before me,  
r said State,  
known to me  
d City Clerk  
nowledged to

87-13801C

STATE OF CALIFORNIA )  
COUNTY OF Orange ) ss.

On 16th OF APRIL 1987, before me, the undersigned, a Notary Public in and for  
said State, personally appeared Ronald P. Merickel and  
Joseph L. Stawicki, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the persons who executed the within instrument as \_\_\_\_\_

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property conveyed by this annexed  
instrument dated April 21, 1987 from H.M.S. Limited, a California Limited  
Partnership  
to the City of Riverside, a municipal corporation of the State of California, is  
hereby accepted by the undersigned officer on behalf of the City Council of said  
City pursuant to authority conferred by Resolution No. 14883 of said City Council  
adopted on January 25, 1983, and the grantee consents to the recordation thereof  
by its duly authorized officer.

Dated: April 27, 1987

  
Property Services Manager

First American Title  
Company

87-138016

SALEY TRACT

FOR RECORD AND REVISION

TENTATIVE PARCEL MAP 8664  
FOR THE SALEY TRACT  
IN THE COUNTY OF LOS ANGELES, CALIFORNIA

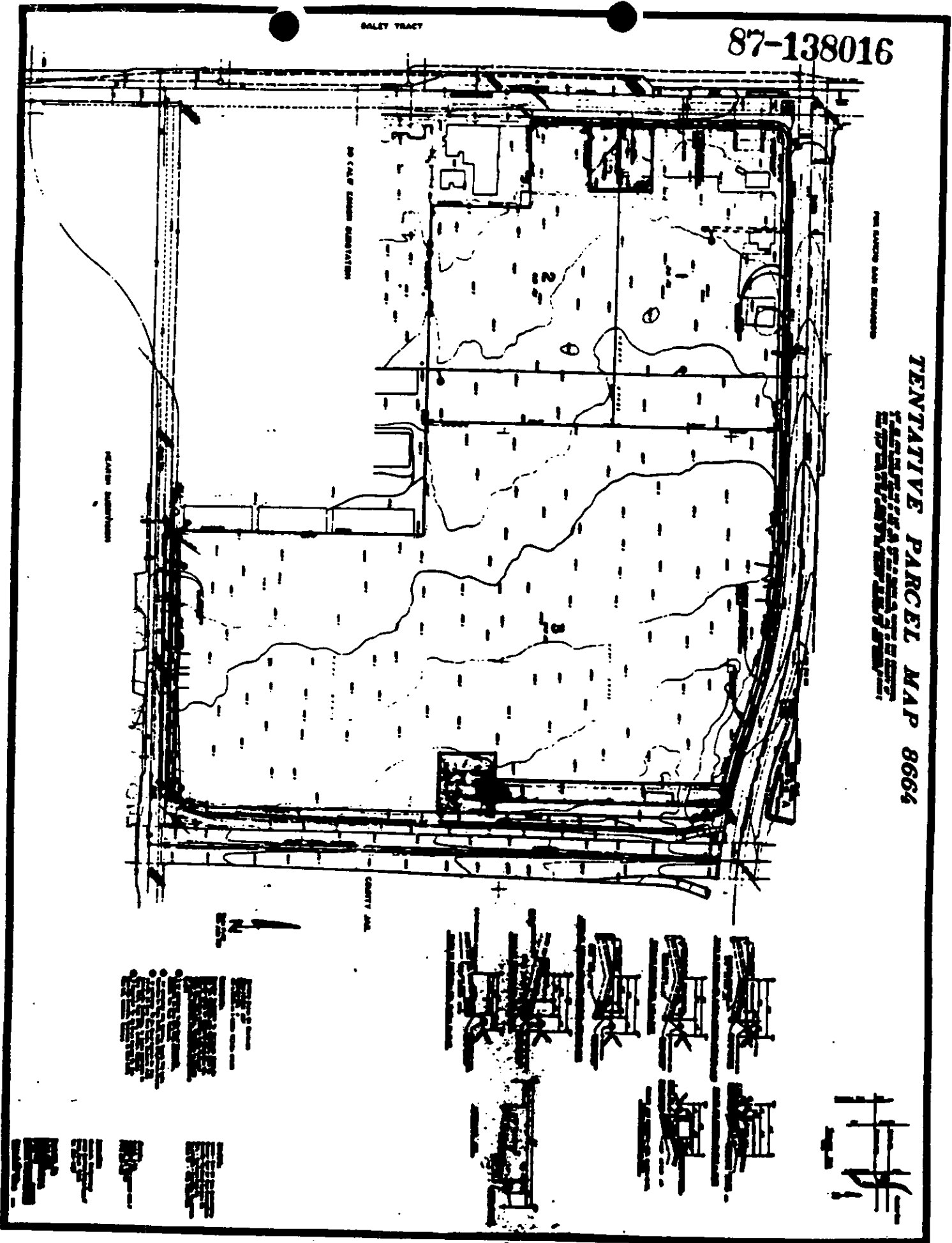


EXHIBIT A

87-138016

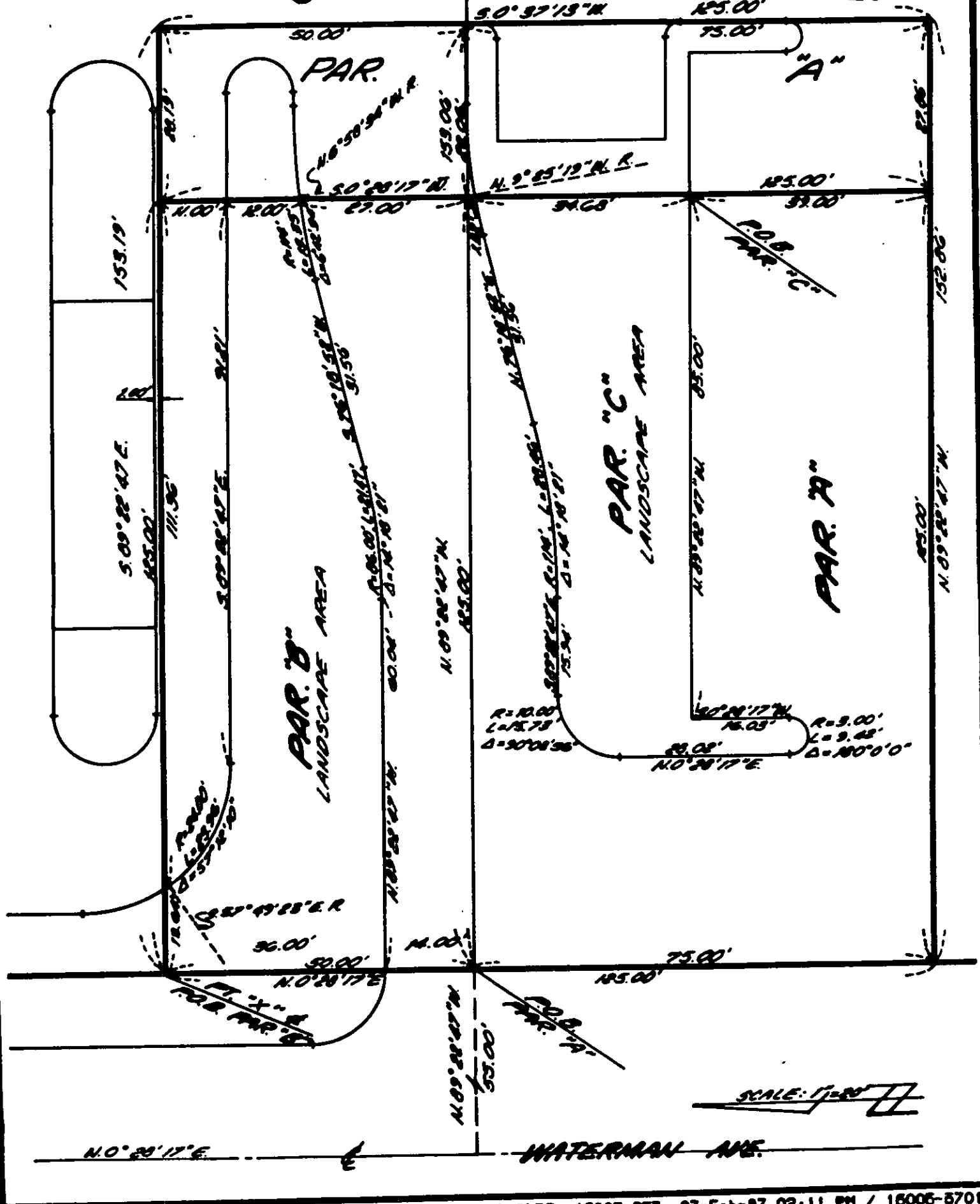


EXHIBIT "B"

B504-001  
MERICKEL DEVELOPMENT

LEGAL DESCRIPTION FOR  
TEMPORARY WATER EASEMENT  
AND WATER WELL HEAD PLACEMENT

THAT PORTION OF PARCEL 1 AND PARCEL 2 OF PARCEL MAP NO. 8664, PER THE OFFICIAL PLAT THEREOF FILED DECEMBER 26, 1984, AS DOCUMENT NO. 84-306680, IN BOOK 92, AT PAGES 19 THROUGH 22 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL 1 OF SAID PARCEL MAP NO. 8664; THENCE ALONG THE MOST WESTERLY LINE THEREOF, N-00°-28'-17"E, 50.00 FEET TO A POINT HEREIN DESIGNATED AND HEREINAFTER REFERRED TO AS POINT "X"; THENCE LEAVING SAID MOST WESTERLY LINE S-89°-22'-47"E, 153.19 FEET; THENCE S-00°-37'-13"W, 125.00 FEET; THENCE N89°-22'-47"W, 152.86 FEET TO A POINT IN THE MOST WESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 8664; THENCE ALONG THE MOST WESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 8664, N-00°-28'-17"E, 75.00 FEET TO THE NORTHWEST CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 8664, BEING ALSO THE MOST SOUTHWESTERLY CORNER OF PARCEL 1 OF SAID PARCEL MAP NO. 8664 AND THE POINT OF BEGINNING;

SAID DESCRIBED "PARCEL A" CONTAINS 19,128 SQUARE FEET, MORE OR LESS.

PARCEL B

BEGINNING AT POINT "X" DESCRIBED IN PARCEL A ABOVE; THENCE ALONG THE NORTHERLY LINE OF SAID "PARCEL A", S-89°-22'-47"E, 13.64 FEET TO A POINT IN THE ARC OF A 24.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS S-57°-49'-23"W; THENCE LEAVING THE NORTHERLY LINE OF SAID PARCEL "A" SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°-12'-10" A DISTANCE OF 23.96 FEET; THENCE TANGENT TO SAID CURVE S-89°-22'-47"E, 91.21 FEET; THENCE S-00°-28'-17"W, 12.00 FEET TO A POINT IN THE ARC OF A 114.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID LAST MENTIONED POINT BEARS N-06°-58'-34"W; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 06°-42'-34" A DISTANCE OF 13.35 FEET; THENCE TANGENT TO SAID LAST MENTIONED CURVE S-76°-18'-52"W, 31.56 FEET TO THE BEGINNING OF AN 86.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 14°-18'-21" A DISTANCE OF 21.47 FEET; THENCE PARALLEL WITH THE SOUTHEASTERLY LINE OF PARCEL 1 OF

SAID PARCEL MAP NO. 8664 AND THROUGH A CENTRAL ANGLE OF  $06^{\circ}42'34''$  A DISTANCE OF 13.35 FEET; THENCE TANGENT TO SAID LAST MENTIONED CURVE  $S-76^{\circ}18'52''W$ , 31.56 FEET TO THE BEGINNING OF AN 86.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $14^{\circ}18'21''$  A DISTANCE OF 21.47 FEET; THENCE PARALLEL WITH THE SOUTHEASTERLY LINE OF PARCEL 1 OF SAID PARCEL MAP NO. 8664 AND TANGENT TO SAID LAST MENTIONED CURVE  $N-89^{\circ}22'47''W$ , 60.04 FEET TO A POINT IN THE WESTERLY LINE OF PARCEL 1 OF SAID PARCEL MAP NO. 8664; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1  $N-00^{\circ}28'17''E$ , 36.00 FEET TO AFORE SAID POINT X AND THE POINT OF BEGINNING HEREIN DESCRIBED.

SAID DESCRIBED PARCEL "B" CONTAINS 2,965 SQUARE FEET, MORE OR LESS.

PARCEL C

COMMENCING AT POINT X DESCRIBED IN PARCEL A ABOVE; THENCE ALONG THE WESTERLY LINE OF PARCEL 1 AND THE MOST WESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 8664,  $S-00^{\circ}28'17''W$  125.00 FEET; THENCE LEAVING THE MOST WESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 8864  $S-89^{\circ}22'47''E$ , 125.00 FEET; THENCE PARALLEL WITH SAID WESTERLY AND MOST WESTERLY PARCEL LINES,  $N-00^{\circ}28'17''E$ , 39.00 FEET TO THE POINT OF BEGINNING; THENCE  $N-89^{\circ}22'47''W$ , 85.00 FEET; THENCE  $S-00^{\circ}28'17''W$ , 16.03 FEET TO THE BEGINNING OF A TANGENT 3.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY, WESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $180^{\circ}00'00''$  A DISTANCE OF 9.42 FEET; THENCE TANGENT TO SAID CURVE  $N-00^{\circ}28'17''E$ , 28.02 FEET TO THE BEGINNING OF A TANGENT 10.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $90^{\circ}08'56''$  A DISTANCE OF 15.73 FEET; THENCE TANGENT TO SAID LAST MENTIONED CURVE  $S-89^{\circ}22'47''E$ , 15.94 FEET TO THE BEGINNING OF A TANGENT 114.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $14^{\circ}18'21''$  A DISTANCE OF 28.46 FEET; THENCE TANGENT TO SAID LAST MENTIONED CURVE  $N-76^{\circ}18'52''E$ , 31.56 FEET TO THE BEGINNING OF A TANGENT 86.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $04^{\circ}15'49''$  A DISTANCE OF 6.40 FEET TO A POINT TO WHICH A RADIAL LINE BEARS  $N-09^{\circ}25'19''W$ ; THENCE  $S-00^{\circ}28'17''W$ , 34.68 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL C CONTAINS 2,427 SQUARE FEET, MORE OR LESS.

PARCELS "B" AND "C" LIE ENTIRELY WITHIN PARCEL A, ALL AS ABOVE DESCRIBED.

THE WATER WELL HEAD IS TO BE LOCATED SOLELY WITHIN EITHER PARCEL B OR C AS ABOVE DESCRIBED.

504LGLTP

DESCRIPTION APPROVAL 4/3/87  
*George P. Hutchinson*  
 SURVEYOR, CITY OF RIVERSIDE



City of Riverside  
Public Utilities Department  
Water Engineering Division

GUIDELINES FOR CONSTRUCTION IN THE VICINITY OF WATER SUPPLY WELLS

GENERAL

These guidelines are adapted from the State of California Department of Health Services, Sanitary Engineering Section, May 12, 1972, and apply to the maintenance of sanitary control of construction in the vicinity of water wells. The adequate separation of sources of contamination or pollution from a domestic water supply well is a primary factor in assuring the continued safety of the water produced by the well. Facilities containing or conveying hazardous contaminants in close proximity to a well are objectionable because leakage of contaminants is possible. When the City owns or has water rights to the property adjacent to a water supply well, the design and location of construction within 2000 feet of the well shall be reviewed by the Water Division.

SAFE HORIZONTAL DISTANCE

The safe distance of sources of contamination from an existing well is dependent on a number of different factors including: character and location of possible contamination, type of well construction, natural hydraulic gradient of the water table, permeability of the soil overlying the water-bearing formation, extent of the cone of depression formed in the water table due to pumping, and the nature of the soil or rock structure.

MINIMUM HORIZONTAL DISTANCE

The minimum safe horizontal distance between a potential source of contamination and a well shall be maintained in accordance with Table 1. Lesser distances shall be acceptable only when special protection requirements are met and approved by both the State Department of Health Services and the City of Riverside Water Division.

Table 1. Minimum Horizontal Distance

<u>Sewerage Facilities</u>	<u>Feet</u>
Sewer, water-tight septic tank, or pit privy	50
Storm sewers, drainage channel	50
Subsurface sewage leaching field serving single dwelling unit	100
Cesspool or seepage pit serving single dwelling unit	150

Subsurface sewage leaching field, cesspool or seepage pit serving multiple dwelling units 200

Effluent discharge channel 200

Sewage treatment plant 250

Sewage irrigation area, lagoon, spreading basin, or percolation ponds 500

Industrial Facilities

Barnyard, feedlot, grazing area 100

Waste sewers 100

Waste holding Case by case evaluation

Petroleum storage 500

Petroleum transmission 500

Solid Waste Transfer Station or Disposal Site

Class 1 Case by case evaluation

Class 2 2000

Class 3 500

SPECIAL CONDITIONS - PROPOSED WELL SITES

The area surrounding the proposed well sites is considered to be very susceptible to contamination from local sources due to the relatively high ground water and the high permeability of the sandy soil. Based on the proposed commercial/industrial land use, a number of additional requirements shall apply as follows:

1. To prevent infiltration of oil, grease, or any possible material spills, drainage shall not be allowed to flow from parking lots or roadways onto adjacent unpaved areas. All Parking lot and roadway runoff shall be contained and directed to a watertight drainage system. The drainage system shall be designed for a minimum flow rate equal to the peak runoff from the 10-year storm as determined by the Rational Method and data from the San Bernardino County Department of Transportation and Flood Control.
2. The storage of hazardous substances, including motor vehicle fuels, in underground tanks shall be in accordance with San Bernardino County Ordinance No. 2819, Standards of the San Bernardino County Department of Environmental Health Services for the Administration of Division 8 of Title 3, Underground Storage of Hazardous Substances of the San Bernardino County Code and the California Health and Safety Code, Sections 25280, et.

seq., Design of Underground Hazardous Substances Facilities. The City of Riverside Water Division shall receive a copy of all permits issued, modified, or terminated, and shall be notified, along with the administering agency, of any unauthorized releases.

3. The transfer or storage of any material considered to be "hazardous," as defined in the State Administrative Code on Hazardous Waste, shall be prohibited within 500 feet of the water supply well site.
4. The transport, transfer, or storage of any material considered to be "extremely hazardous," as defined in the State Administrative Code on Hazardous Waste, shall be prohibited within 2000 feet of the water supply well site.
5. No sewer lines shall be installed within the water facility easements with an exception being sewer line crossings which shall meet the State Department of Health Services requirements.
6. A copy of this "Guideline" is to be included and made a part of the permit approval/zoning for this property as a condition of approval by the Governmental Authority having jurisdiction at the well site.

0021q/c - 0042N/c  
03/26/87