

When recorded mail to:

City Clerk's Office  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

**FREE RECORDING**

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee (Government Code §6103)

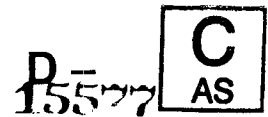
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FOR RECORDER'S OFFICE USE ONLY

Project: Hunter Park Assessment District  
Storm Drain Facilities (Line 7)

A.P.N. 255-200-014 & 255-140-019

EASEMENT DEED



**SMR VENTURES, LLC, a Delaware limited liability company**, as Grantor(s), grants to the CITY OF RIVERSIDE, a municipal corporation of the State of California, as Grantee, its successors and assigns, a non-exclusive easement for **unrestricted access** over, under, and across that certain real property located in the County of Riverside, State of California as described in Exhibit "A" attached hereto and incorporated herein by this reference. Grantor(s) acknowledge(s) and agree(s) that the real property rights granted herein may be used and/or assigned by Grantee to Riverside County Flood Control and Water Conservation District at a future date.

Grantor and Grantee acknowledge that subsequent to the execution of this Easement, it may become necessary for Grantor to cause modifications to the vertical and or horizontal alignment of Mt. Vernon Ave at Springbrook Wash to such an extent that portions of the access road that is established under this Easement may be obliterated, or rendered inaccessible or unusable by Grantee.

Grantor hereby agrees that in the event of such modifications, Grantor shall:

1. Cause the design of a new access road to replace the portions of the existing access road that would be obliterated, or rendered inaccessible or otherwise unusable by Grantee as a result of the modifications (the "Replacement Access Road") based on customary professional

engineering practices and subject to the approval of Grantee, which approval shall not be unreasonably withheld;

2. Secure any and all permissions and rights from other entities, including governmental agencies, for the lawful construction of the Replacement Access Road and complete the construction of the Replacement Access Road based on plans approved by Grantee;
3. Grant to Grantee, rights of ingress and egress over the Replacement Access Road ("Replacement Easement"), which rights shall not be in any way less than or inferior to the rights granted under this Easement; and
4. Pay, at Grantor's sole expense, any and all costs associated with the construction of the Replacement Access Road and granting of the Replacement Easement.

Grantee hereby agrees that upon Grantor's fulfillment of the foregoing obligations, Grantee shall quitclaim Grantee's rights under this Easement within the area that has been obliterated or rendered inaccessible or otherwise unusable as a result of the modifications to the alignment of Mt Vernon Ave.

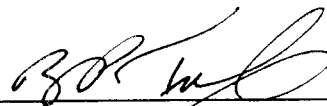
The conditions of this Easement shall be binding on heirs, assigns and successors in interest of both Grantor and Grantee.

Dated 10/8/05

**SMR VENTURES, LLC, a Delaware limited liability company**

By: Troxler Residential Ventures XII, LLC,  
a Delaware limited liability company  
Its Managing Member

By: Troxler Ventures Partners, Inc.,  
a California corporation,  
Its Operating Member

By:   
\_\_\_\_\_  
Bryan P. Troxler  
President



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11/04/2005 08:00A  
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GENERAL ACKNOWLEDGEMENT

State of California

County of Los Angeles } ss

On 10/10/05, before me Neil Clifford

a Notary Public in and for said State, personally appeared

Bryan P. Troxler
Name(s) of Signer(s)

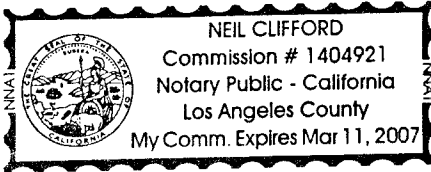
OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
( ) Corporate Officer(s)
Title
( ) Guardian/Conservator
( ) Individual(s)
( ) Trustee(s)
( ) Other
( ) Partner(s)
( ) General
( ) Limited

The party(ies) executing this document is/are representing:

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature

CERTIFICATE OF ACCEPTANCE (Government Code Section 27281)

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, California, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 21027 of said City Council adopted September 6, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 10/19/05

CITY OF RIVERSIDE

By Amelia M. VanLiere

APPROVED AS TO FORM CITY ATTORNEY'S OFFICE

BY Deputy City Attorney

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**EXHIBIT "A"**  
**ACCESS EASEMENT**

**PARCEL 1**

That portion of the southeast quarter of Section 8, **together with** a portion of the southwest quarter of Section 9, both Township 2 South, Range 4 West, San Bernardino Meridian, said portions being described as follows:

**BEGINNING** at the northeast corner of the Remainder Parcel of Parcel Map 30485-1, as shown by map on file in Book 206 of Parcel Maps at pages 24 through 26, inclusive, Records of Riverside County, California, said corner being on the easterly line of said Section 8;

Thence North 00°08'30" West along said easterly line, a distance of 193.34 feet;

Thence North 86°58'20" East, a distance of 111.47 feet to a point on the northwesterly line of the Department of Water Resources Aqueduct Easement (100 feet in width) conveyed to the State of California by Order of Condemnation recorded January 26, 1972, as Instrument No. 10803, Official Records of Riverside County, California;

Thence North 19°06'09" East along said westerly line, a distance of 15.68 feet;

Thence South 82°20'13" West, a distance of 6.49 feet;

Thence South 86°58'20" West, a distance of 245.37 feet to a point on a line parallel with and distant westerly 135.00 feet, measured at a right angle, from said easterly line of Section 8;

Thence South 00°08'30" East along said parallel line, a distance of 97.65 feet;

Thence South 49°17'45" East, a distance of 75.68 to a point on a line parallel with and distant westerly 77.75 feet, measured at a right angle, from said easterly line of Section 8;

Thence South 00°08'30" East along said parallel line, a distance of 31.79 to a point on the northerly boundary line of said Remainder Parcel;

Thence South 74°38'38" East along said northerly boundary line, a distance of 80.68 feet to the **POINT OF BEGINNING**.

Containing 0.55 acres, more or less.

**PARCEL 2**

That portion of the southwest quarter of Section 9, Township 2 South, Range 4 West, San Bernardino Meridian, said portion being described as follows:



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**COMMENCING** at the northeast corner of the Remainder Parcel of Parcel Map 30485-1, as shown by map on file in Book 206 of Parcel Maps at pages 24 through 26, inclusive, Records of Riverside County, California, said corner being on the easterly line of said Section 8;

Thence North 00°08'30" West along said easterly line, a distance of 193.34 feet;

Thence North 86°58'20" East, a distance of 111.47 feet to a point on the westerly line of the Department of Water Resources Aqueduct Easement (100 feet in width) conveyed to the State of California by Order of Condemnation recorded January 26, 1972 as Instrument No. 10803, Official Records of Riverside County, California;

Thence North 82°20'13" East, a distance of 112.00 feet to the **TRUE POINT OF BEGINNING**, said point being on the easterly line of said Department of Water Resources Aqueduct Easement;

Thence continuing North 82°20'13" East, a distance of 476.47 feet to a point on the westerly right of way line of Mt. Vernon Avenue (60.00 feet in width) per document recorded December 20, 1932 in Book 97 at Page 231, Official Records of Riverside County, California, said point also being the beginning of a non-tangent curve, concave to the west, having a radius of 260.00 feet, the radial line at said point bears South 80°04'05" East;

Thence northerly along said westerly right of way line and along said curve, to the left, through a central angle of 03°12'35", an arc distance of 14.57 feet, the radial line at said point bears South 83°16'41" East;

Thence South 82°20'13" West, a distance of 473.42 feet to a point on the easterly line of said Department of Water Resources Aqueduct Easement;

Thence South 19°06'09" West along said easterly line, a distance of 15.68 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.15 acres, more or less.

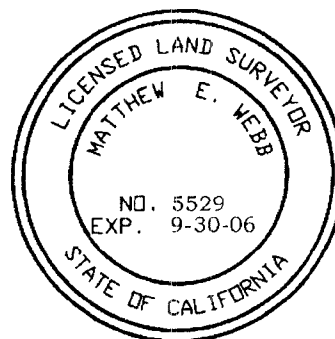
PREPARED UNDER MY SUPERVISION

*Matthew E. Webb*

Matthew E. Webb, L.S. 5529

8/4/05

Date



Prepared by: *[Signature]*

Checked by: *[Signature]*

DESCRIPTION APPROVAL:

BY: *[Signature]* 08/22/2005  
DATE

FOR: MARK S. BROWN  
CITY SURVEYOR

2005-091/008  
11/04/2005 08:08A  
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REMAINDER PARCEL  
PARCEL MAP NO. 30485-1  
PMB 206/24-26

574°38'38"E  
80.68'  
**P.O.B. PAR. 1**  
**P.O.C. PAR. 2**  
NE COR. REM.  
PARCEL

**PARCEL 1**  
**0.55 ACRES**

ROBINSON TRACT  
MB 2/17

SECTION 8  
SECTION 9

Q PALMYRITA AVE  
17 8  
18 9



MT VERNON AVE.

**T.P.O.B.**  
PARCEL 2

THOSE CERTAIN PARCELS OF LAND  
PER ORDER OF CONDEMNATION  
RECORDED JANUARY 26, 1972 AS  
INSTRUMENT NO. 10803, O.R.

**AQUEDUCT**

THOSE CERTAIN PARCELS OF LAND  
PER GRANT DEED RECORDED  
JANUARY 8, 2004 AS INSTRUMENT  
NO. 2004-013417, O.R.

**PARCEL 2**  
**0.15 ACRES**

THAT CERTAIN STRIP OF LAND  
60 FEET IN WIDTH GRANTED TO  
THE COUNTY OF RIVERSIDE PER  
DOCUMENT RECORDED DECEMBER 20,  
1932 IN BOOK 97 AT PAGE 231, O.R.

SECTIONS 8 & 9, TOWNSHIP 2 SOUTH, RANGE 4 WEST, S.B.M.

ALBERT A.  
**WEBB**  
ASSOCIATES  
ENGINEERING CONSULTANTS  
3788 MCCRAY ST.  
RIVERSIDE CA. 92506  
(951) 686-1070

CITY OF RIVERSIDE

DATE PREPARED: 7/25/05 Plot Date: 8/3/2005 G:\2001\01-0294\DWG&PRO\01-0294BD.pro

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN. SHEET 1 OF 1 W.O. 01-0294

SCALE: 1" = NTS DRAWN BY: [Signature] DATE: 8/3/05 SUBJECT: ACCESS EASEMENT  
CHKD BY: [Signature] DATE: 8/5/05

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