

Recorded at the Request of
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

When Recorded Mail to
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
Post Office Box 54153
Los Angeles, CA 90054
Attention: Asset Management

DOC # 2006-0216956
03/28/2006

Conformed Copy

Has not been compared with original

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

DOCUMENTARY TRANSFER TAX \$ None
(Exempt--Section 11922, California
Revenue and Taxation Code)

11112

PERMANENT EASEMENT DEED

Box Springs Feeder
MWD Parcel Nos. 1610-3-1,9,13,17 (Portions)
APN 243-220-19; 243-230-28
RL 2319

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation, hereinafter referred to as Grantor, hereby grants to CITY OF RIVERSIDE, hereinafter referred to as Grantee, a permanent easement to construct, reconstruct, maintain, operate, remove, and replace a street crossing and pre-approved utilities, at any time and from time to time, with every appendage necessary or convenient to be installed at any time in connection therewith, within the real purposes over and across real property of Grantor located in the City of Riverside, County of Riverside, State of California, hereinafter referred to as Property. Said Property is described on Exhibit "A" and shown on Exhibit "B," attached hereto and incorporated herein by reference.

This easement is granted subject to the following terms and any conditions:

1. It is subject to Grantor's paramount right to use the Property for the purposes for which it was acquired.
2. Grantee shall submit, in advance, all plans for installation and construction or reconstruction of Grantee's facilities to Grantor for review and written approval. All plans shall show the location and size of Metropolitan's rights-of-way and the location and size of Metropolitan's pipeline or other facilities therein. Grantee shall not plant, or allow to be planted, any trees on the Property.
3. Grantee shall not change the existing grade or otherwise modify the topography of Property affected by this easement without prior written consent of Grantor.
4. Any street improvements within the easement area constructed by Grantee shall be so constructed as not to interfere with Grantor's access to adjoining property.

15672

Streets constructed within the easement area shall conform with the applicable public street standards and be incorporated into the city public street system, provided that (a) the construction of such street and utilities therein shall conform to final plans approved in writing by Grantor, which show the location, character, dimensions, and details of the work to be performed; and (b) after initial construction is completed, any future changes to the street or changes to or installation of any utilities therein shall require the prior written approval of Grantor, which approval shall not be unreasonably withheld.

5. Grantor's access over and across this easement shall be reasonably maintained by Grantee during the term of this easement. Grantee shall provide a means to allow Grantor to place its lock on any gates constructed hereon.

6. Grantee shall, at its sole cost and expense, keep Property free of noxious weeds and trash, and shall comply with all applicable laws and regulations concerning the use of Property. In accordance with provisions of this grant and California Civil Code Section 845, it is the duty of Grantee to maintain the easement.

7. Grantor purchased the Property in fee for its existing facility and/or future appurtenances. Any additional costs incurred for construction, reconstruction, maintenance and use of the existing and/or future facilities and appurtenances on Property and/or Grantor's adjacent property attributable to the presence of Grantee's improvements shall be borne by Grantee. In the event that it will be necessary for Grantor's facilities to be relocated or protected as a consequence of the easement, Grantee shall bear all related costs.

8. Grantor shall not be required to contribute any part of the costs of street improvements on the Property, and, furthermore, if Grantor is included in an assessment district to pay such costs, Grantee shall reimburse Grantor for any assessment therefor levied upon it.

9. Grantee hereby releases and discharges Grantor from all claims and demands by Grantee for loss of or damage to Grantee's property, and agrees to indemnify Grantor against and to hold Grantor harmless from all costs and expenses, including attorneys' fees, and all liability, and claims and demands of others, except employees of Grantor, for loss of or damage to property, or injury to or death of persons, which may result directly or indirectly from the granting, use or termination of, or operations under this easement, save and except any such loss of or damage to property or injury to or death of persons, resulting from the negligence of Grantor. Grantee agrees to pay Grantor in full and promptly upon demand for any and all loss of or damage to Grantor's property caused by the tortious conduct of Grantee, including negligence, intentional or willful acts, and acts in which there is a liability without fault, resulting from or growing out of any operations on or adjacent to property.

10. In the event of abandonment by Grantee of the rights granted herein, they shall terminate, and Grantee shall thereupon, without cost to Grantor, restore Property to a condition as near as possible to that which existed prior to Grantee occupancy, and deliver to Grantor a quitclaim of such rights. Nonuse for a period of three years shall constitute conclusive evidence of such abandonment.

Permanent Easement
MWD Parcel No. 1610-3-1,9,13,17 (portion)

-3-

11. Grantee shall install and maintain pre-approved perimeter fencing and gating as shown on Exhibit D and specified on Exhibit E. The fencing shall be constructed of universal chain link, 6 feet in height and topped with 3 strands of barbed wire angled upward and outward at a 45 degree angle or an approved substitute fencing for a total fence height of 7 feet.

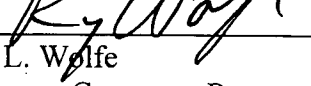
pen
y/s

Dated: 01-18-2006

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

DTC
KL
ER
D/S
CWS

Debra C. Man
Acting CEO/General Manager

By 
Roy L. Wolfe
Manager, Corporate Resources

Authorized by MWD Administrative Code Section 8230

✓

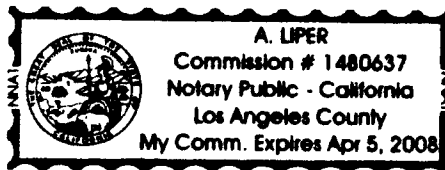
STATE OF CALIFORNIA)
)ss
COUNTY OF LOS ANGELES)

On JANUARY 18, 2006 before me, A. LIPER, a Notary
Public in and for said State, personally appeared ROY L. WOLFE

personally known to me ~~OR proved to me on the basis of satisfactory evidence~~ to be the
person whose name 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 on the instrument, the person , or the entity upon behalf of which the person
acted, executed the instrument.

WITNESS my hand and official seal.

Signature A. Liper



**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 3/24/06

CITY OF RIVERSIDE

By Amelia M. Valeri
Real Property Mgr.

APPROVED AS TO FORM
[Signature]
SUPERVISING DEPUTY CITY ATTORNEY

EXHIBIT "A"

Box Springs Feeder 1610-3-17(Portion)
Permanent Easement RL2319
MWD to the City of Riverside

Those portions of the 30.00 foot strips of land in the 60.00 foot right of way of The Metropolitan Water District of Southern California as shown by map on file in Book 109 of Records of Survey, at Pages 18-19, Records of Riverside County, California, lying in the Northeast Quarter of Section 13, Township 3 South, Range 5 West, S.B.M., City of Riverside, County of Riverside, California, more particularly described as follows:

COMMENCING at the Westerly end of the northerly course No. 4, being South 89°48'03" West, 712.35 feet as shown by said map on file in Book 109 of Records of Survey, at Pages 18-19, also being on the north right-of-way line of The Metropolitan Water District of Southern California Box Springs Feeder;

Thence North 89°48'03" East, along said north right-of-way line, a distance of 235.19 feet to the **POINT OF BEGINNING**;

Thence continuing along said north right-of-way line, North 89°48'03" East, a distance of 66.00 feet;

Thence South 00°11'32" East, a distance of 60.00 feet to the south right-of-way line of said Box Springs Feeder;

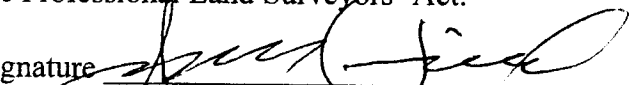
Thence South 89°48'03" West, along said south right-of-way line, a distance of 66.00 feet;

Thence North 00°11'32" West, a distance of 60.00 feet to the **POINT OF BEGINNING**.

Containing 3,960 square feet or 0.09 acres of land, more or less.

See Exhibit "B" for a plat depicting the above described property.

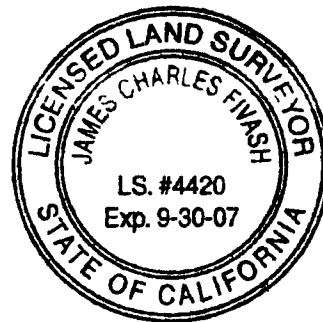
This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature 

JAMES C. FIVASH, L.S. 4420

License expires 9-30-07

Date 12/06/05



REVIEWED BY
THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
RIGHT OF WAY ENGINEERING TEAM
DATE: 12/06/2005 *MS*

Page 1 of 1 Pages

DESCRIPTION APPROVAL:

BY:  DATE 03-21-06

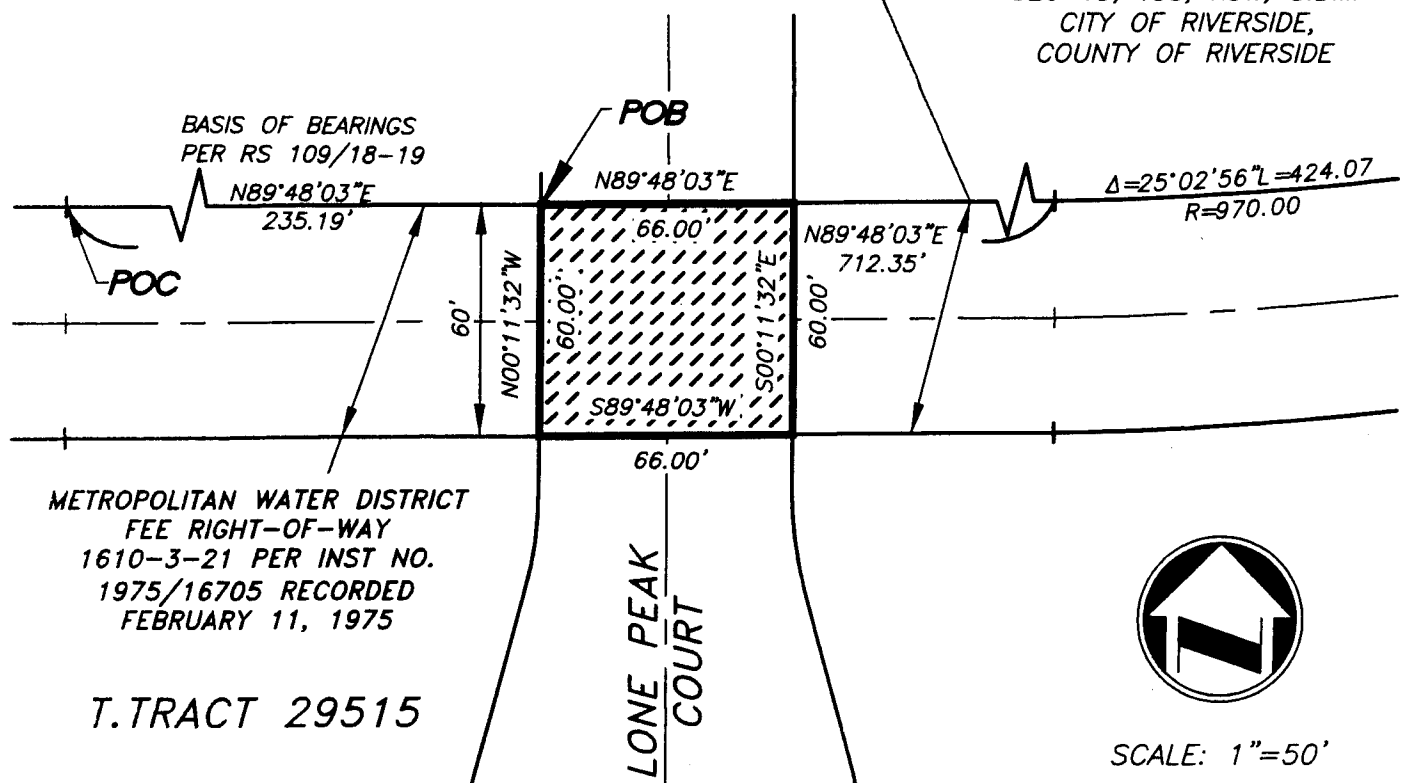
FOR: MARK S. BROWN
CITY SURVEYOR

EXHIBIT "B"

PORTION OF SEC 13, T3S, R5E, SBM, CITY OF RIVERSIDE, COUNTY OF RIVERSIDE
 THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION

METROPOLITAN WATER DISTRICT FEE
 RIGHT-OF-WAY 1610-3-17 PER
 INST NO. 1975/142740 RECORDED
 NOVEMBER 17, 1975.

TRACT 29515
 LONE PEAK COURT
 SEC 13, T3S, R5W, S.B.M
 CITY OF RIVERSIDE,
 COUNTY OF RIVERSIDE



METROPOLITAN WATER DISTRICT
 FEE RIGHT-OF-WAY
 1610-3-21 PER INST NO.
 1975/16705 RECORDED
 FEBRUARY 11, 1975

T. TRACT 29515

LONE PEAK
 COURT

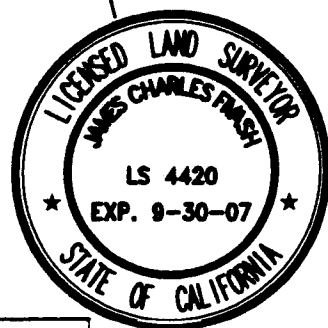


SCALE: 1"=50'

LEGEND



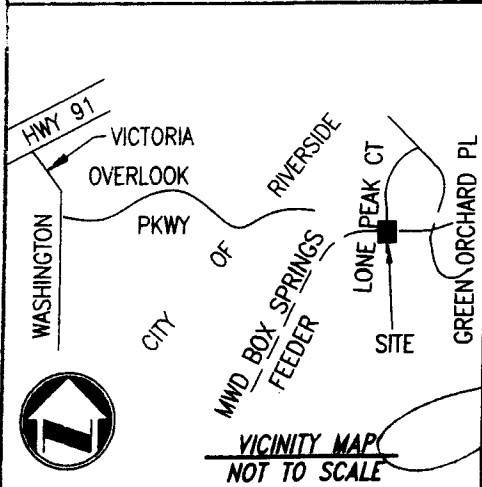
PERMANENT EASEMENT
 3,960 SQUARE FEET



REVIEWED BY
 THE METROPOLITAN WATER
 DISTRICT OF SOUTHERN CALIFORNIA
 RIGHT OF WAY ENGINEERING TEAM
 DATE: 12/06/2005

CITY OF RIVERSIDE
 STATE OF CALIFORNIA

12/06/05



PLANS PREPARED BY:
adkan
ENGINEERS
 Civil Engineering · Surveying · Planning
 6820 Airport Drive, Riverside, CA 92504
 Tel: (951) 688-0241 · Fax: (951) 688-0599

James C. Fivash
 JAMES C. FIVASH L.S. 4420,
 EXPIRES 9/30/07

THE METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA

MWD BOX SPRINGS FEEDER
 PERMANENT EASEMENT RL2319
 MWD TO CITY OF RIVERSIDE
 1610-3-17
 (PORTION)

REVIEWED BY
THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
RIGHT OF WAY ENGINEERING TEAM
DATE: 02/28/2006 *WA*

EXHIBIT "A"

Box Springs Feeder 1610-3-1,9,13
Permanent Easement
MWD to City of Riverside, CA.

A portion of the 60.00 foot strip of land conveyed in Grant Deed to The Metropolitan Water District of Southern California recorded December 31, 1974 in Book 1974, Page 164529, and by Final Order of Condemnation for 30 foot strips of land recorded October 27, 1977 in Book 1977 Page 214207 and recorded in June 26, 1975 in book 1975, Page 76436, all of Official records of Riverside County, as shown by map on file in Book 109 of Records of Survey, at Pages 18-19, Records of Riverside County, California, lying in the Northeast Quarter of Section 13, Township 3 South, Range 5 West, S.B.M., City of Riverside, County of Riverside, California, more particularly described as follows:

COMMENCING at the easterly end of the northerly course No. 4, being South 89°48'03" West, 712.35 feet as shown by said map on file in Book 109 of Records of Survey, at Pages 18-19, also being on the north right-of-way line of The Metropolitan Water District. Right-of-Way per Doc Recorded February 02, 1975 as instrument No. 1975/16705, also being the beginning of a curve, concave northerly, having a radius of 970.00 feet and a central angle of 07°21'54";

Thence Easterly along the arc of said curve to the left, a distance of 124.69 feet to the **POINT OF BEGINNING**;

Thence continuing Easterly along said north right-of-way line and the arc of said curve, concave northerly, through a central angle of 04°50'16", a distance of 81.90 feet to the beginning of a non-tangent curve, concave easterly, having a radius of 260.00 feet and a central angle of 08°56'48" and having at said point a radial line which bears North 85°53'30" West;

Thence, departing said north right-of-way line, southerly along the arc of said curve to the left, a distance of 40.60 feet;

Thence South 04°50'17" East, a distance of 20.45 feet to the south right-of-way line of said Box Springs Feeder, also being the beginning of a non-tangent curve, concave northerly, having a radius of 1,030.00 feet and a central angle of 04°27'59" and having at said point a radial line which bears South 11°46'52" East;

Thence Westerly along said south right-of-way line and the arc of said curve to the right, a distance of 80.29 feet;

Thence departing said south right-of-way line, North 04°50'17" West, a distance of 27.05 feet to the beginning of a curve, concave easterly, having a radius of 340.00 feet and a central angle of 05°35'07";

Thence Northerly along the arc of said curve to the right, a distance of 33.14 feet to the **POINT OF BEGINNING**.

Containing 4,844 square feet or 0.11 acres of land, more or less.

See Exhibit "B" for a plat depicting the above described property.

This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

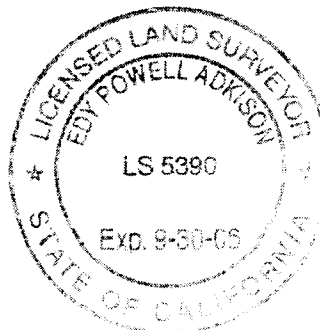
Signature

Edy Powell Adkison, L.S. 5390

License expires 9-30-06

Date

2-16-06



Page 1 of 1 Pages

U:\Projects\Platte:6500\legals\MWDSPEC-ORCH PL ST DED LEGAL.doc

DESCRIPTION APPROVAL:

BY:

Mark S. Brown 3-21-06

DATE

FOR: MARK S. BROWN
CITY SURVEYOR

15672

EXHIBIT "B"

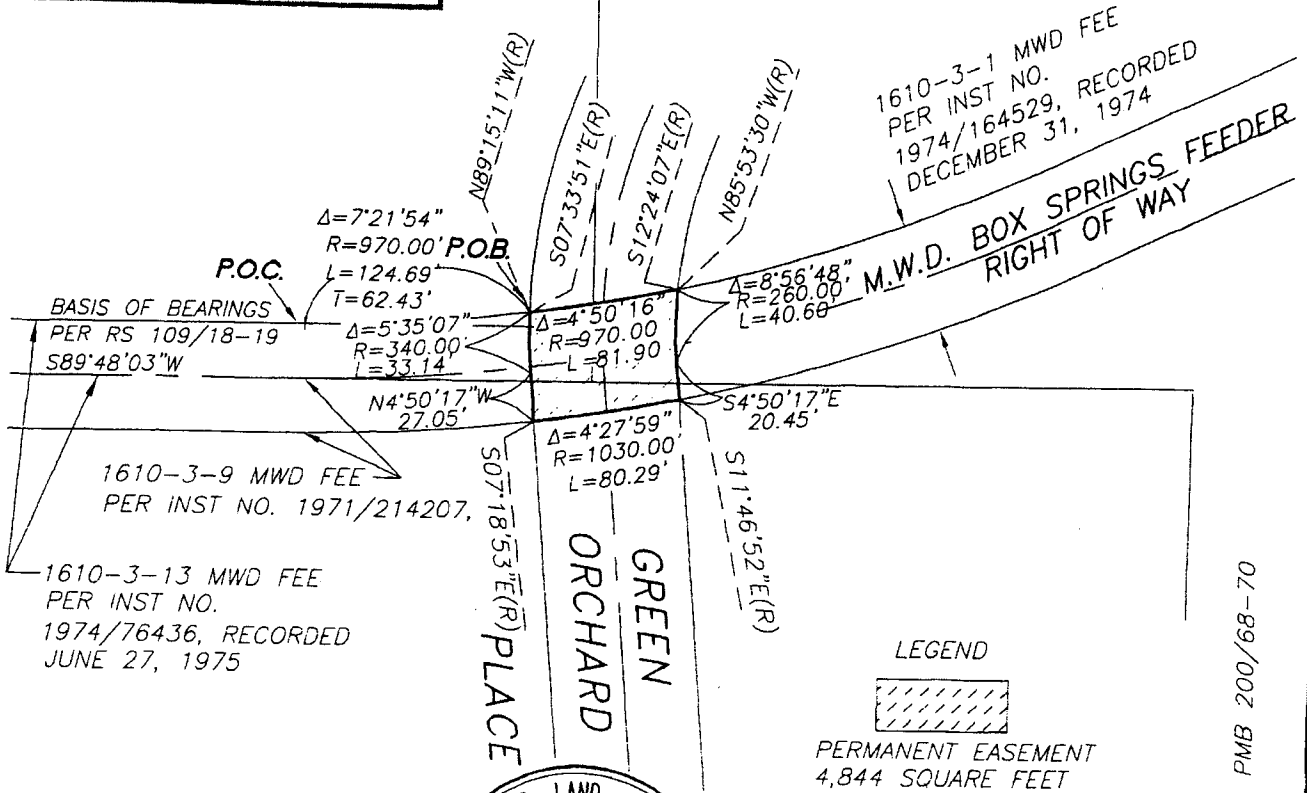
SHEET 1 OF 1

PORTION OF SEC 13, T3S, R5E, SBM,
CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, CALIFORNIA
THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION

REVIEWED BY
THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
RIGHT OF WAY ENGINEERING TEAM
DATE: 02/28/2006



SCALE: 1"=100'

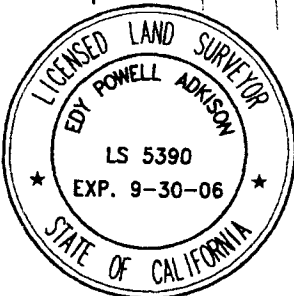


1610-3-1 MWD FEE
PER INST NO.
1974/164529, RECORDED
DECEMBER 31, 1974

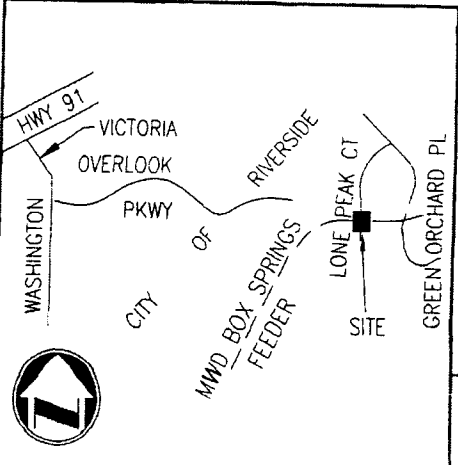
1610-3-9 MWD FEE
PER INST NO. 1971/214207,
1610-3-13 MWD FEE
PER INST NO.
1974/76436, RECORDED
JUNE 27, 1975

LEGEND

PERMANENT EASEMENT
4,844 SQUARE FEET



VICINITY MAP NOT TO SCALE



PLANS PREPARED BY:
adkan ENGINEERS
Civil Engineering · Surveying · Planning
6820 Airport Drive, Riverside, CA 92504
Tel: (951) 688-0241 Fax: (951) 688-0599

Edy Powell Adkison
L.S. 5390, EXPIRES 9/30/04

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

MWD BOX SPRINGS FEEDER
PERMANENT EASEMENT RL2319
MWD TO CITY OF RIVERSIDE, CA
1610-3-1,9,13
(PORTION)