

DOC # 2003-582089

08/01/2003 08:00A Fee:NC

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Recorded in Official Records
County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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

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

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PERMANENT EASEMENT DEED

Box Springs Feeder
MWD Parcel No. 1610-2-5
APN No. 268-202-009



D-16745

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 for public road 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 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.

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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.

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.

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 assumes all risk of loss to itself, which in any manner may arise out of the use of the easement. Further, Grantee shall indemnify and defend Grantor and its directors, officers, and employees against any liability and expenses, including the reasonable expense of legal representation whether by special counsel or by Grantor's staff attorneys, resulting from injury to or death of any person, or damage to any property, including property of Grantor, or damage to any other interest of Grantor, including but not limited to suit alleging noncompliance with any statute or regulation which in any manner may arise out of the granting of this easement, or use by Grantee of the easement or any adjoining land used with the easement.

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.



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Permanent Easement
MWD Parcel No. 1610-2-5

-3-

frn

Dated: 11/13/02

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Ronald R. Gastelum
Chief Executive Officer

By Roy L. Wolfe
Roy L. Wolfe
Manager, Corporate Resources

gator
RC
EL
frn
Hank
G.J.

Authorized by MWD Administrative Code Section 8230

STATE OF CALIFORNIA)
COUNTY OF Los Angeles)

On November 13, 2002 before me, the undersigned, a Notary Public in and for said State,

personally appeared

Roy L. Wolfe

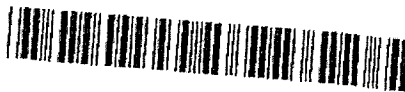
personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ 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 Paul C. Norlen



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**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. 18233 of said City Council adopted May 11, 1993, and the grantee consents to recordation thereof by its duly authorized officer.

Dated 7/31/03


Neil Gutierrez
Interim Real Property Services Manager
of the City of Riverside

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

BY 
Krista Smith
Deputy City Attorney



2003-502000
08/01/2003 09:08A
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REVIEWED BY
THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA
TITLE ENGINEERING TEAM

EXHIBIT "A"

DATE: 02-22-02

MWD Parcel No. 1610-2-5 (PORTION)
PERMANENT EASEMENT
MWD to City of Riverside

That portion of the southerly 70 feet of the easterly 3207 feet of the East Three Quarters of Section 7, Township 3 South, Range 4 West, San Bernardino Base and Meridian, in the City of Riverside, County of Riverside, State of California, as conveyed to The Metropolitan Water District of Southern California (MWD) by Grant Deed recorded March 31, 1975 in Book 175, Page 35822, of Official Records of said county, more particularly described as follows:

COMMENCING at the southeast corner of said Section 7, thence westerly along the southerly line of said Section 7, North 89° 40' 18" West, a distance of 113.15 feet, to a point of intersection with the westerly line of Trautwein Road, described as an 80.00 foot wide parcel of land conveyed to the County of Riverside by Deed recorded in Book 511, Page 159 of Official Records, County of Riverside and the southeast corner of said land conveyed to (MWD), said point also being **THE TRUE POINT OF BEGINNING**: Thence westerly along said southerly line of said Section 7 and the southerly line of said land conveyed to (MWD), North 89° 40' 18" West a distance of 550.13 feet to a point on the northerly prolongation of the easterly line of Parcel Map No. 8075 as per map recorded in Book 33 of Parcel Maps, Page 46, records of said county;

Thence northerly, along said northerly prolongation, to a point on a line that is parallel with, and 41.00 feet northerly, measured at right angles, from said southerly line of said Section 7;

Thence easterly along said parallel line, South 89° 40' 18" East a distance of 536.97 feet, to a point on said westerly line of said Trautwein Road;

Thence southerly along said westerly line South 17° 12' 00" East a distance of 42.99 feet, to the **TRUE POINT OF BEGINNING**.

Containing 22,285 square feet or 0.51 acre 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 Surveyor's Act.



Kenneth W. Crawford, Jr. 2-20-02
Kenneth W. Crawford, Jr. Date
R.C.E. 26928 EXP. 03-31-05

99.425.2.22
February 20, 2002
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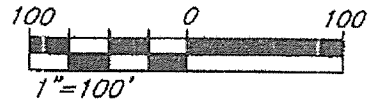
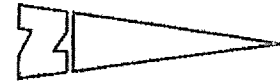


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EXHIBIT "B"

SEC. 7, T. 3 S., R. 4 W., S.B.M.
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 THIS EXHIBIT IS TO BE ATTACHED TO
 THE LEGAL DESCRIPTION



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°40'18"W	113.15'
L2	N00°37'24"E	41.00'
L3	S17°12'00"E	42.99'

P.M. NO. 8075
 P.M.B. 33 PG. 46
 PARCEL 2 PARCEL 1

REVIEWED BY
 THE METROPOLITAN WATER
 DISTRICT OF SOUTHERN CALIFORNIA
 TITLE ENGINEERING TEAM

DATE: 02-22-02

SELINA STREET (PROPOSED)

(LOT "B" TRACT NO. 29766)

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TRACT NO. 29766
 19
 20

EXISTING
 RESIDENCE
 N.A.P.

LOT "G" TRACT
 NO. 29766

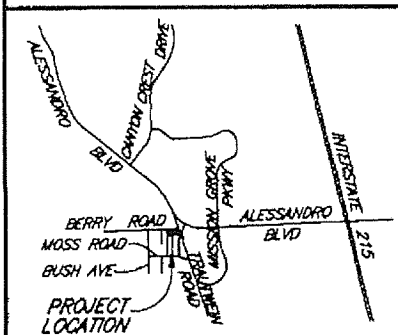
18 25'

LOT "H" TRACT
 NO. 29766

S17°12'00"E PER
 DEED 511/159, O.R.
 S16°55'30"E PER
 R.S. 48/35-43



Kenneth W. Crawford, Jr.
 KENNETH W. CRAWFORD, JR. DATE
 R.C.E. 26928 Exp. 03-31-05



VICINITY MAP
 NOT TO SCALE

T.P.O.B.
 ROAD
 P.O.C.
 18 7
 17 8

THE METROPOLITAN WATER DISTRICT
 OF SOUTHERN CALIFORNIA

BOX SPRINGS FEEDER
 PERMANENT EASEMENT

METROPOLITAN WATER DISTRICT
 TO
 CITY OF RIVERSIDE

1610-2-5 (PORTION)

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