

When recorded mail to:

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

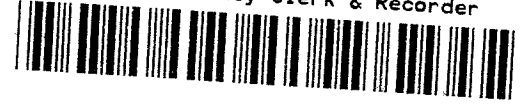
DOC # 2013-0532171

11/07/2013 04:21P Fee:NC
Page 1 of 8

Recorded in Official Records
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NCHG CC					T:		CTY	UNI	522

FOR RECORDER'S OFFICE USE ONLY

Project: IOWA AVE. OVERPASS
Por. APN: 247-130-019
Address: 591 Iowa Avenue

D- 16952



TEMPORARY CONSTRUCTION EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **OAKTREE RIVERSIDE, LP, a California limited partnership**, as Grantor, hereby grants a temporary easement and right of way to the CITY OF RIVERSIDE, a California charter city and municipal corporation, as Grantee, its successors and assigns.

The property subject to this temporary easement and right of way is located in the City of Riverside, County of Riverside, State of California, as described in **Exhibit "A"** attached hereto and incorporated herein by this reference.

This temporary easement and right of way allows Grantee the right to use the above described property for the purpose of installing public improvements. Such use may include, but is not limited to ingress and egress of persons and vehicles, the deposit of tools, equipment, machinery, and materials used in the performance of the construction, and for similar purposes by the City of Riverside, its officers, employees, agents or contractors.

D-16952

The City agrees to indemnify Grantor from and against any claims, losses, or damages arising solely out of the City's sole negligence in the exercise of its rights under this temporary construction easement. City hereby agrees that it shall cause all consultants and/or contractors rendering services pursuant to this temporary construction easement to defend, indemnify, and hold, not only the City, but also the Grantor harmless from and against any and all claims, lawsuits, losses, damages, and/or expenses and/or lawsuits, including reasonable attorney's fees, arising out of or related to this temporary construction easement by such consultant and/or contractor provided, however, that this indemnification does not extend to any losses, damages, or expenses caused solely by the gross negligence or willful misconduct of the Grantor.

Upon completion of construction, Grantee promises to remove all debris, waste, brush, or other materials deposited or placed upon the property subject to this temporary easement. Grantee further promises to make all reasonable efforts to return the surface of the property, with the exception of vegetation, to its original condition prior to entry.


The City shall pay the undersigned Grantor the sum of \$500 for this temporary construction easement identified in Exhibit "A" within 30 days from execution by Grantor.

This temporary easement and right-of-way shall terminate six months after document recordation or upon completion of the public improvements and acceptance by City as demonstrated by recordation of a notice of completion, whichever occurs first.



Date: 10/31/2013

**OAKTREE RIVERSIDE, LP,
a California limited partnership**

By: 

Print Name: Chris Taber

Title: Vice President of Burrowing Owl, Inc., General Partner

By: 

Print Name: Greg Taber

Title: President of Burrowing Owl, Inc., General Partner

State of California

County of Riverside } ss

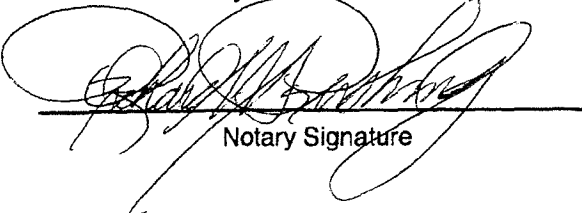
On 10/31/2013, before me, RICHARD W. S. PERSHING,

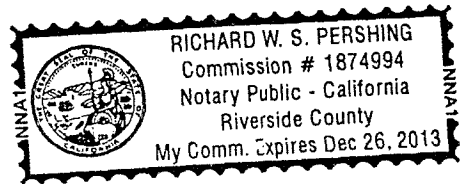
notary public, personally appeared, CHRIS TABER AND GREG TABER

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary 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, a California charter city and 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 11-5-13

CITY OF RIVERSIDE

By: 
David Welch
Real Property Services Manager

APPROVED AS TO FORM

SUPERVISING DEPUTY CITY ATTORNEY





**LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

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APPROVED AS TO FORM

SUPERVISING DEPUTY CITY ATTORNEY

Date: 11/07/2013

Signature: *Sheryn Smay*

Print Name: Sheryn Smay



EXHIBIT "A"

**IOWA AVENUE OVERPASS
POR. APN: 247-130-019
TEMPORARY CONSTRUCTION EASEMENT**

That certain real property in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 60-1/2 of Map of East Riverside on file in Book 7 of Maps, at Page 33 thereof, Records of San Bernardino County, California, described as follows:

Commencing at the Northeast corner of Parcel 2 of Parcel Map 13281 on file in Book 64 of Parcel Maps at Pages 52 and 53 thereof, Records of Riverside County, California;

Thence N.00°17'01"W. along the Westerly line of that certain parcel of land described in Deed to the City of Riverside, by document recorded November 4, 1988 as Instrument no. 323697, Official Records of Riverside County, California, a distance of 261.12 feet to the Northerly line of said Lot 60-1/2;

Thence N.89°10'50"W. along said Northerly line, a distance of 3.00 feet to a line parallel with and distant 3.00 feet Westerly, measured at right angles from said Westerly line described in said Deed, and being the Point of Beginning of the parcel of land to be described;

Thence S.00°17'01"E. along said parallel line, a distance of 11.55 feet to a line parallel with and distant 11.55 feet Southerly, measured at right angles from said Northerly line;

Thence N.89°10'50"W. along last described said parallel line, a distance of 22.00 feet to a line parallel with and distant 25.00 feet Westerly, measured at right angles from said Westerly line described in said Deed;

Thence S.00°17'01"E. along last described said parallel line, a distance of 39.25 feet;

Thence S.89°41'32"W., a distance of 8.35 feet;

Thence N.00°16'43"W., a distance of 50.97 feet to said Northerly line of Lot 60-1/2;



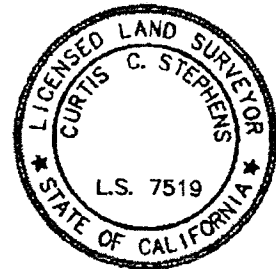
Thence S.89°10'50"E. along said Northerly line, a distance of 30.35 feet to the point of beginning.

The above described parcel of land contains 679 square feet, more or less.

This temporary easement and right-of-way shall terminate six months after document recordation or upon completion of the public improvements and acceptance by City as demonstrated by recordation of a notice of completion, whichever occurs first.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Curtis C. Stephens 11/07/13 Prep. E.V.
Curtis C. Stephens, L.S. 7519 Date





Deed to City of Riverside, rec.
11/4/88 as Inst. no. 323697,
O.R. Riv. Co. Ca.

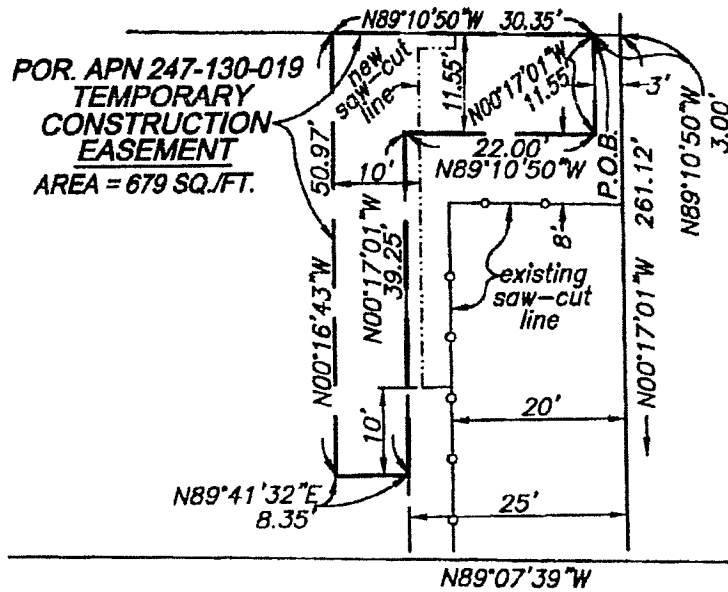
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EAST RIVERSIDE

M.B. 7/33 S.B.

60-1/2

**POR. APN 247-130-019
TEMPORARY
CONSTRUCTION
EASEMENT
AREA = 679 SQ./FT.**



Final Order of Condemnation,
rec. 7/16/2012 as Doc. No.
2012-330413, O.R. Riv. Co., Ca.

AVENUE

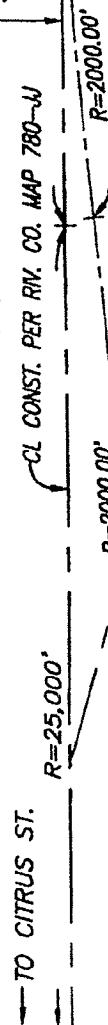
IOWA

P.O.C.

PARCEL 2

**PARCEL
MAP 13281**

P.M. 64/52-53



• CITY OF RIVERSIDE, CALIFORNIA •

D-16952

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

SCALE: 1"=60'

DRAWN BY: EV

DATE: 7/2/13

SUBJECT: IOWA AVENUE OVERPASS



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