

EASEMENT

from

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

to

CITY OF RIVERSIDE

Covering certain real property
situate in the City of Riverside,
County of Riverside, State of
California.

DATED November 2, 1962

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712

7535

APPROVED AS TO FORM

John Woodward
ASST. CITY ATTORNEY

EASEMENT, Made this 2nd day of November, 1962,
from THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a
Kansas corporation, hereinafter called "Santa Fe," first
party, to CITY OF RIVERSIDE, a California municipal
corporation, hereinafter called "City," second party.

Santa Fe hereby donates and grants to City an easement for street
overpass purposes, upon, over and across those certain two strips of land in
the County of Riverside, State of California, being all that portion of The
Atchison, Topeka and Santa Fe Railway Company's right of way in the Northwest
Quarter of Section 35, Township 2 South, Range 5 West, S.B.B. & M., more
particularly described as follows:

PARCEL NO. 1

A strip of land 100 feet in width by approximately 120 feet
in average length, being all that portion of said Railway Company's
right of way which lies between lines that are parallel with and
distant northerly 40.00 feet and southerly 60.00 feet measured at
right angles from the following described line:

Commencing at the intersection of the center line of Ivy
Street, 66 feet wide, with the easterly line of said Railway
Company's right of way as shown on Map of Monterey Heights on file
in Book 18, page 95 of Maps, Records of Riverside County; thence
North 15°04'00" East along said easterly right of way line 14.68 feet
to a point hereinafter referred to as "Point A" and the TRUE POINT
OF BEGINNING for the line being herein described; thence North
76°11'08" West 116 feet, more or less, to point of ending in the
westerly line of said Railway Company's right of way, said line
crosses the center line of said Railway Company's main track at
Railway Company Engineers Station 597 + 68.0.

The side lines of said strip are to be lengthened or shortened
to originate in the easterly line of said Railway Company's right
of way and to terminate in the westerly line of said Railway Company's
right of way.

Containing an area of 0.28 of an acre, more or less.

APPROVED AS TO DESCRIPTION

J. F. MARTINEZ
Director of Public Works

J. F. Martinez
Assistant City Engineer

ELCS 1-9-63

PARCEL NO. 2

A strip of land 10 feet in width by approximately 50 feet in average length, being all that portion of said Railway Company's right of way which lies between lines that are parallel with and distant 5.00 feet measured at right angles from and on each side of the following described center line:

Commencing at the point herein above referred to as "Point A"; thence North 15°04'00" East along said easterly line of right of way 79.89 feet to the TRUE POINT OF BEGINNING for the center line being herein described; thence North 81°00'00" West 50.00 feet to point of ending.

The side lines of said strip are to be lengthened or shortened to originate in the easterly line of said Railway Company's right of way and to terminate in a line drawn parallel with said easterly right of way line through the point of ending.

Containing an area of 0.01 of an acre, more or less.

EXCEPTING AND RESERVING the right to be exercised by Santa Fe and by any others who have obtained or may obtain permission or authority from Santa Fe so to do, (a) to operate, maintain, renew and/or relocate any and all existing railroad track or tracks, wires, pipes and other facilities of like character upon, over or under the surface of the hereinabove described premises; and (b) from time to time to construct, operate, maintain, renew, and/or relocate upon said premises additional facilities of the character described in Clause (a) of this paragraph, without in any instance being required to obtain the consent of City the same as if this easement had not been executed.

TO HAVE AND TO HOLD said easement unto City solely for street overpass purposes so long as the premises hereinabove described shall be so used, subject, however, to all valid and existing contracts, leases, licenses, easements and encumbrances which may in anywise affect the said premises, and

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subject also to the express condition subsequent that if said premises, or any portion thereof shall cease to be used for the purposes above stated, then and in that event, the easement hereby given shall, as to such portion or portions, as the case may be, thereupon cease and terminate and Santa Fe, its successors and assigns, shall resume possession thereof the same as though this instrument had not been executed.

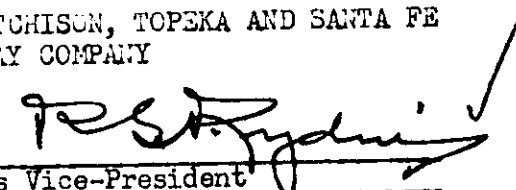
This instrument is given without warranty of title of any kind, express or implied, and no covenant of warranty of title shall be implied from the use of any word or words herein contained.

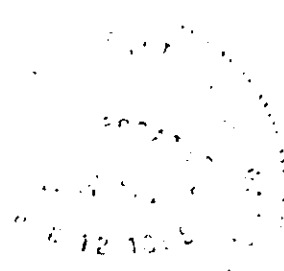
In case of the eviction of City by anyone owning or claiming title to or any interest in the premises hereinabove described, Santa Fe shall not be liable to City for any damage of any nature whatsoever.

IN WITNESS WHEREOF, Santa Fe has duly executed this Easement the day and year first above written.

THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY

By

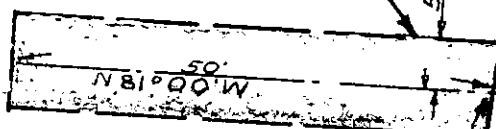

Its Vice-President


WITNESSES:
W. Garver
Its Assistant Secretary

JAN. 18, 1963
3304 507

6394

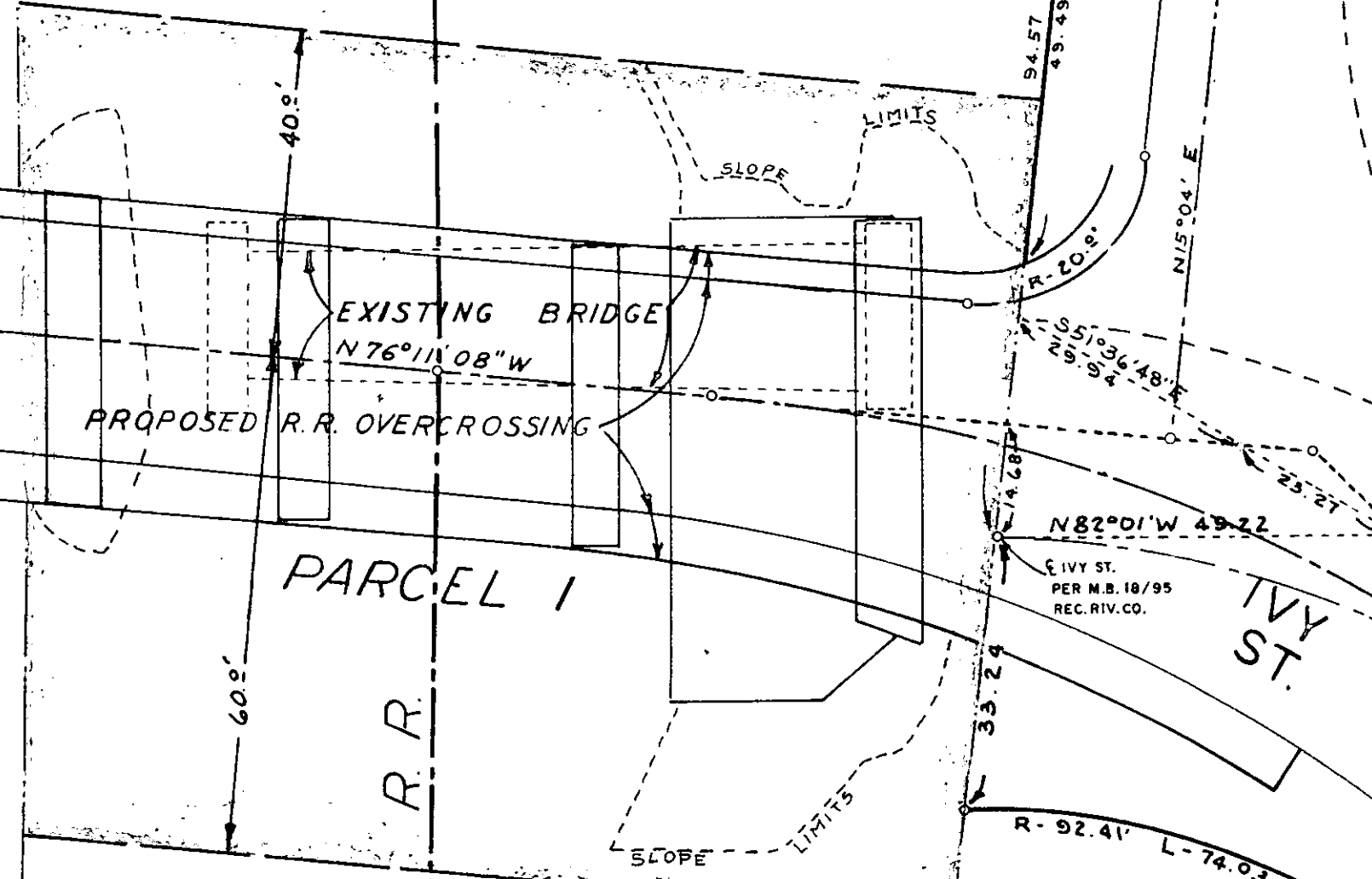
PARCEL 2



R.R. R/W

CREST WAY
R-200'

R.R. R/W



EXISTING BRIDGE
N 76° 11' 08" W

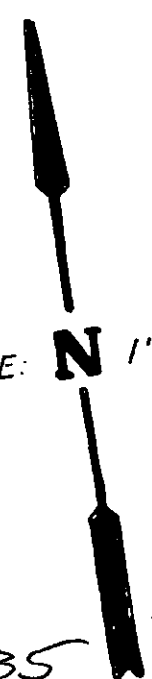
PROPOSED R.R. OVERCROSSING

PARCEL 1

A.T. & S.F. R.R.

PORTION NE 1/4 NW 1/4
SEC 35
T2S R5W
S.D.B. & M.

SCALE: N 1" = 20'



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