

37190

PAS: [unclear]

EASEMENT

FROM

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

TO

CITY OF RIVERSIDE

City of Riverside, State of California

right of way of the

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

Dated February 3, 1966.

RECEIVED FOR RECORD

APR 8 1966

10 Min. Past 11 o'clock A.M.
At Request of

Greene
Recorded in Official Records
of Riverside County, California

W. H. Dabugh
Recorder

FEE \$ 2.00

5793

INDEXED

Microfilm recording from 4-1-65. Book and
page no longer assigned. Identify by document
number and year of filing.

5793

37190

EASEMENT, Made this 3rd day of February,

1966, from THE ~~ATCHISON~~, TOPEKA AND SANTA FE

RAILWAY COMPANY, a Kansas corporation, hereinafter

called "Santa Fe," first party, to CITY OF RIVERSIDE,

a municipal corporation of the State of California,

hereinafter called "City," second party.

APPROVED AS TO FORM

Mr. Neal Linger
DEPUTY CITY ATTORNEY

IN CONSIDERATION of the sum of Twenty-Five Dollars (\$25), lawful money of the United States of America, to it paid, and of other good and valuable consideration, receipt whereof is hereby acknowledged, Santa Fe hereby grants to City an easement for public street purposes upon, over and across those certain two parcels of land in the City of Riverside, County of Riverside, State of California, being portions of the 100 foot wide right of way of The Atchison, Topeka and Santa Fe Railway Company in fractional Section 13 and fractional section 24, both in Township 2 South, Range 5 West, San Bernardino Meridian, being more particularly described as follows:

PARCEL NO. 1

All that portion of said Railway Company's 100 foot wide right of way lying within the southerly 45 feet of said Section 13 and the northerly 43 feet of said Section 24.

Said parcel contains an area of 0.285 of an acre, more or less.

PARCEL NO. 2

All that portion of said Railway Company's 100 foot wide right of way lying within the easterly 44 feet of the West Half of said Section 24 and the westerly 44 feet of the East Half of said Section 24.

DESCRIPTION APPROVAL
by [Signature] S. J. P. K. by [Signature]
Surveyor

37190

Said parcel contains an area of 0.289 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 purposes so long as the premises hereinabove described shall be so used, subject, however, to all licenses, leases, restrictions, reservations, conditions, covenants, encumbrances, rights and rights of way, liens and claims of title and easements which may in anywise affect the said premises and 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,

37190

the easement hereby given shall, as to such portion or portions, as the case may be, thereupon cease and determine 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

[Signature]
Its Vice President

ATTEST:

By

[Signature]
; Its Assistant Secretary

37190

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

On this 9th day of February,
in the year one thousand nine hundred and sixty-six,
before me, T. J. FEENEY, a Notary Public
in and for said County of Cook, State of Illinois,
personally appeared JOHN S. REED, known to me
to be the Vice President of the corporation that executed
the within and foregoing instrument, and known to me to be
one of the persons who executed said instrument on behalf
of the corporation therein named, and acknowledged to me
that such corporation executed the within instrument pur-
suant to its by-laws or a resolution of its Board of
Directors.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal in said County the day and
year in this certificate first above written.

T. J. Feeney
Notary Public in and for said
County of Cook
State of Illinois

(SEAL)

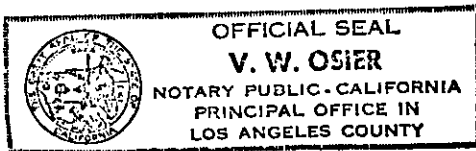
37190

37190

State OF California)
COUNTY OF Los Angeles) SS

On this 16th day of February,
in the year one thousand nine hundred and sixty-six,
before me, V. W. OSIER, a Notary Public
in and for said County of Los Angeles,
State of California, personally appeared
G. H. Gruffen, known to me to be the
Assistant Secretary of the corporation that executed
the within and foregoing instrument, and known to me
to be one of the persons who executed said instrument
on behalf of the corporation therein named, and acknow-
ledged to me that such corporation executed the within
instrument pursuant to its by-laws or a resolution of
its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal in said County the day and
year in this certificate first above written.



V. W. Osier
Notary Public in and for, said
County of Los Angeles
State of California

(SEAL)

V. W. OSIER
- 5 - My Commission Expires Sept. 28, 1968

5793