

MAR 23 1963

31758

APPROVED AS TO FORM

*John H. ...*  
ASH. CITY ATTORNEY

EASEMENT, Made this 18th day of January

19 63, 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.

IN CONSIDERATION of the sum of Twenty-Five Dollars (\$25), lawful money

of the United States of America, and of other good and valuable consideration,

the receipt whereof is hereby acknowledged, Santa Fe hereby grants to City an

easement for public street purposes, upon, over and across those certain two

strips of land each of which is 4 feet in width by approximately 110 feet in

average length in the City of Riverside, County of Riverside, State of California,

more particularly described as follows:

**PARCEL 1.**

All that portion of the northeasterly 4.0 feet of Lot 6, Block 30 of the lands of W. T. Sayward and S. C. Evans as shown on map on file in Book 3, page 2 of Maps, Records of San Bernardino County, California which lies within the 100 foot wide right of way of The Atchison, Topeka and Santa Fe Railway Company, as said right of way is described in deed recorded June 14, 1860 in Book 46, pages 23 and 24, of Deeds, Records of San Bernardino County.

**PARCEL 2.**

All that portion of the southwesterly 4.0 feet of Lot 12, Block 31, of the lands of W. T. Sayward and S. C. Evans as shown on map on file in Book 3, page 2 of Maps, Records of San Bernardino County, California which lies within the 100 foot wide right of way of The Atchison, Topeka and Santa Fe Railway Company, as said right of way is described in deed recorded May 7, 1860 in Book 46, pages 329 to 331 inclusive, of Deeds, Records of San Bernardino County.

Said parcels contain an area of 0.02 of an acre, more or less.

APPROVED AS TO SUBSTANCE  
BY THE CITY ATTORNEY  
*John H. ...*  
MAY 13 1963

THE STATE OF NEW MEXICO, COUNTY OF SANTA FE, SS. I, the undersigned, County Clerk of said County, do hereby certify that the within and foregoing instrument is a true and correct copy of the original as the same appears from the records of said County.

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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.

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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 valid and existing contracts, leases, licenses, easements, and encumbrances 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, 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

