

122135

NO FEE - 6103 Government Code

When recorded mail to:

OFFICE OF THE CITY CLERK

CITY OF RIVERSIDE

CITY HALL - 3711 ORANGE STREET

Riverside, California 92501

DOCUMENTARY TRANSFER TAX  
\$  None

Signature  
CITY OF RIVERSIDE

CITY DEED NO. \_\_\_\_\_

RECEIVED FOR RECORD

SEP 20 1974

*SP* *W. W. DeLoach*  
City Clerk

Recorded in Office of  
Recorder of Superior Court, California  
Book 1974, Page

*W. W. DeLoach*  
Recorder

FOR RECORDER'S OFFICE USE ONLY

8411

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 July 29, 1974

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EASEMENT, Made this 29th day of July 1974, from THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation, hereinafter called "Santa Fe," first party, to CITY OF RIVERSIDE, a California municipal corporation, hereinafter called "City," second party.

IN CONSIDERATION of the sum of One Hundred Fifty Dollars (\$150), 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 two parcels of land in the City of Riverside, County of Riverside, State of California, being a portion of The Atchison, Topeka and Santa Fe Railway Company's 100 foot wide right of way, as described in deeds to the Riverside, Santa Ana and Los Angeles Railroad Company (predecessor in interest to first said railway company) recorded May 3, 1886, in Book 46, page 233, and June 22, 1886, in Book 47, page 242, all in the records of San Bernardino County being more particularly described as follows:

PARCEL NO. 1

All that portion of Lot 9 in Block 33 of The Lands of W. T. Sayward and S. C. Evans, on file in Book 3 of Maps, at page 2 thereof, records of San Bernardino County, described as follows:

Beginning at the intersection of the southerly line of said 100 foot wide right of way with a line that is parallel and distant 55.0 feet northeasterly measured at right angles from the center line of Adams Street (80.0 feet wide); thence North 34°00'00" West (bearing assumed for purpose of this descrip-

REPORT TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO  
 CONCERNING THE PROPOSED REVISION OF THE MAPS OF THE COUNTY OF SAN BERNARDINO  
 (S.B.C.) COUNTY MAPS OF THE COUNTY OF SAN BERNARDINO, AND OF THE  
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SEP 20 1971

tion) along said parallel line 100.66 feet to a point in the northerly line of said 100 foot wide right of way; thence South 49°26'00" West along said northerly line 15.10 feet to a point in the easterly line of Adams Street; thence South 34°00'00" East along said easterly line 100.66 feet to a point in said southerly line; thence North 49°26'00" East along said southerly line 15.10 feet to the point of beginning.

Containing an area of 0.0347 of an acre.

PARCEL NO. 2

All that portion of Lot 16 in Book 32 of The Lands of W. T. Sayward and S. C. Evans, on file in Book 3 of Maps, page 2 thereof, records of San Bernardino County, described as follows:

Beginning at the intersection of the southerly line of said 100 foot wide right of way with the easterly line of Adams Street (80.0 feet wide); thence westerly along said southerly line being the arc of a curve from whence a radial bears North 40°30'34" West, concave northwesterly and having a radius of 5779.65 feet through a central angle of 0°08'59" a distance of 15.10 feet to a point in a line that is parallel with and distant 55.0 feet southwesterly measured at right angles from the center line of Adams Street; thence North 34°00'00" West along said parallel line 100.63 feet to a point in the northerly line of said 100 foot wide right of way; thence easterly along said northerly line being the arc of a curve from whence a radial bears North 40°28'20" West, concave northwesterly and having a radius of 5679.65 feet through a central angle of 0°09'09" a distance of 15.10 feet to a point in said westerly line of Adams Street; thence South 34°00'00" East along said westerly line 100.66 feet to the point of beginning.

Containing an area of 0.0347 of an acre.

REVISION APPROVAL  
 [Signature]

EXCEPTING AND RESERVING the right to be exercised by Santa Fe, and by any others who have obtained, or may obtain, permission

RECEIVED

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SECTION 100-10-10 OF THE CITY CHARTER  
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CONSENTED TO THE CITY OF SANTA FE  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL  
THIS 10th DAY OF MARCH, 1917.

Dep't. No. 1917

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, consistent with the rights granted herein, without in any instance being required to obtain the consent of the City the same as if this easement had not been executed.

TO HAVE AND TO HOLD said easement unto the City solely for public street purposes so long as the premises hereinabove described shall be so used, subject, however, to all licenses, leases, easements, restrictions, reservations, conditions, covenants, encumbrances, rights and rights of way, liens and claims of title which may in any wise 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

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... 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 M. W. Rleyd  
Its Assistant Secretary

ATTEST AS TO FORM  
[Signature]

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property conveyed by the Deed or Grant dated July 29, 1974 from The Atchison, Topeka, and Santa Fe Railway Company, a Delaware Corporation, for All that Portion of Lot 9, Block 33, Lands of W.T. Sayward and S.C. Evans, File Book 3, Maps Page 2, Records of San Bernardino County, California to the City of Riverside, a Municipal Corporation, is hereby accepted for and on behalf of said City pursuant to Resolution of the City Council thereof recorded on 12-29-66 by Inst. No: 123460, Riverside County Records, and the Grantee hereby consents to recordation of this instrument through the undersigned.

Dated September 20, 1974

[Signature]  
Property Services Manager

SEP 20 1974

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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.

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss.

On this 7<sup>th</sup> day of August, in the  
year one thousand nine hundred and seventy-four, before me,  
T. J. FEENEY, a Notary Public in and for said  
County of Cook, State of Illinois, personally appeared  
JOHN C. DAVIS, 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 the said instrument on behalf of the corporation  
therein named, and acknowledged 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.

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

(SEAL)

SEP 1 20 1974



1974

STATE OF CALIFORNIA )  
 COUNTY OF LOS ANGELES ) ss.  
 On this 2nd day of May, in the  
 year one thousand nine hundred and seventy-five, before me,  
Harold D. Smith, a Notary Public in and for said  
 County of Los Angeles, State of California, personally  
 appeared M. W. Lloyd, 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 the said instrument on behalf of the corporation  
 therein named, and acknowledged 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.

OFFICIAL SEAL  
 HAROLD D. SMITH  
 NOTARY PUBLIC - CALIFORNIA  
 LOS ANGELES COUNTY  
 My Commission Expires Oct. 14, 1978  
 (SEAL)

*Harold D. Smith*  
 Notary Public in and for said  
 County of Los Angeles  
 State of California

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CITY OF RIVERSIDE — INTER-OFFICE COMMUNICATION 190-2

DATE June 6, 1975

TO: Alice Hare, City Clerk

FROM: George P. Hutchinson, Surveyor

SUBJECT: Easement - Adams Street at AT&SF RR

**RECEIVED**  
JUN 11 1975

*Alice A. Hare*  
CITY CLERK

Attached is a copy of Instrument No. 122135, dated September 20, 1974, which conveys an easement for widening Adams Street at the AT&SF RR Crossing. This copy has been attested and notarized properly but is not re-recordable. Our Legal Department suggests that, since the original is lost, this document be placed in your files, assigned a number, and be retained until the original is found. Should you have any questions, please call me at Ext. 347.

Attachment

cc: Barbara Purvis, Asst. City Attorney