

When recorded mail to:

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

214240

RECEIVED FOR RECORD  
10 Min. Post 30 Clock

At Request of  
*City Clerk*

Book 1980, Page 214240

NOV 14 1980

Recorded in Official Records  
of Riverside County, California

*D. D. Sullivan* Recorder

FEB 1 1981

FREE RECORDING (Gov. Code 6103)

AGREEMENT

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(Riverside Municipal Airport, Parallel Runway - Metropolitan Water District Parcel)  
Parcels 1400-26-3, 6, and 7

THIS AGREEMENT, made this 1st day of April, 1980, between the METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation of the State of California, hereinafter referred to as "District", and the CITY OF RIVERSIDE, a municipal corporation, hereinafter referred to as "City";

WITNESSETH:

WHEREAS, District is the owner of that certain real property situated in the City of Riverside, California, as hereinafter described; and

WHEREAS, the Federal Aviation Administration has, in the public interest and necessity, required City to provide an adequate Clear Zone for the Municipal Airport operation; and

WHEREAS, District operates an aqueduct and appurtenant facilities for the transmission of Colorado River water to the constituent cities and municipalities of District; and

WHEREAS, as a part of said aqueduct facilities District operates its Upper Feeder distribution pipeline extending under and across said hereinafter described real property proposed to be acquired by City; and

WHEREAS, the public interest and necessity require that adequate provisions be made for protection of District's said pipeline and for safeguarding the interests of District which may be affected by the maintenance and operation of said airport and facilities appurtenant thereto;

NOW, THEREFORE, for and in consideration of the sum of twelve thousand dollars (\$12,000) paid by City to District, and the mutual covenants herein contained, the parties hereto agree as follows:

- 1. District hereby grants to City, upon and subject to

1 the terms, covenants, and conditions hereinafter set forth,  
2 all that certain real property situate in the City of Riverside,  
3 State of California, particularly described as follows:

4 That portion of Lot 1 in Block 34, a portion of  
5 Lot 3 in Block 35, and a portion of Fremont Street  
6 (vacated), all in Tract No. 5 of the Riverview  
7 Addition to the City of Riverside, on file in  
8 Book 7 of Maps, at Page 7 thereof, records of said  
9 Riverside County, more particularly described as  
10 follows:

11 BEGINNING at the most northerly corner of that  
12 certain parcel of land conveyed to the City of River-  
13 side, by deed recorded October 13, 1967, as Instrument  
14 No. 90566 of Official Records of said Riverside County;

15 THENCE South 76° 17' 35" East, along the northeasterly  
16 line of said parcel 173.71 feet to the easterly line  
17 of that certain parcel of land conveyed to the Metro-  
18 politan Water District of Southern California by deed  
19 recorded April 20, 1936, in Book 275 of Official Rec-  
20 ords, Page 128, et seq., records of said Riverside  
21 County;

22 THENCE North 16° 34' 40" West, along said easterly  
23 line a distance of 30.34 feet to a point in the easterly  
24 line of said Fremont Street (vacated); said point being  
25 also the most northerly corner of said parcel so conveyed  
26 to Metropolitan Water District of Southern California;

27 THENCE North 88° 54' 11" West, 25.000 feet to the  
28 centerline of said Fremont Street (vacated);

29 THENCE North 01° 05' 49" East, along said centerline  
30 145.01 feet to a point in the southerly line of Central  
31 Avenue; said point being the beginning of a non-tangent  
32 curve with a radius of 1544.00 feet and concaving north-  
easterly; the radial line at said point of said curve  
bears South 14° 54' 30" West;

THENCE Northwesterly along said southerly line an arc  
length of 208.88 feet, thru a central angle of 7° 45' 05"  
to the westerly line of that certain parcel of land con-  
veyed to the Metropolitan Water District of Southern  
California by deed recorded September 26, 1935, in  
Book 254 of Official Records, Page 276, et seq., records  
of said Riverside County;

THENCE South 16° 34' 40" East, along said westerly line  
209.28 feet to the point of beginning;

Together with all right, title and interest in and to  
that portion of the south 1/2 of Central Avenue, 88 feet  
wide, lying adjacent to the above-described property,  
which would pass with the conveyance of said property.  
Area - 0.673 of an acre.

EXCEPTING AND RESERVING unto District, its successors  
and assigns, a permanent easement and right of way, in-  
cluding the right at any time to remove any improvements,  
trees, shrubs, and other growth thereon, without payment  
of damages to City, its successors or assigns, and at  
any time and from time to time to locate, relocate,  
construct, reconstruct, maintain, operate, renew, enlarge,  
remove, and replace a line or lines of pipe, together  
with manholes and all appurtenant structures and equip-  
ment necessary or convenient to be installed and used by  
District for the transportation and distribution of water,  
with the right of ingress to and egress from the same,

DESCRIPTION APPROVAL  
*[Signature]*  
City Attorney

DELETED FROM APPROVED  
APR 1 1980  
*[Signature]*

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DISCUSSION APPROVED  
APR 1 1980  
C. 124 177

1 in, under, over, and across that portion of the land  
2 hereinabove granted to City included within a strip of  
3 land 80 feet wide lying 40 feet, measured at right  
4 angles, on each side of a line lying 75.00 feet easterly  
5 as measured at right angles, and parallel to the westerly  
6 line of that certain parcel of land conveyed to the  
7 Metropolitan Water District of Southern California by  
8 deed recorded September 26, 1935 in Book 254 of Official  
9 Records, Page 276, et seq., records of said Riverside  
10 County.

11 The side lines of said 80-foot wide strip of land  
12 shall be prolonged or shortened to terminate in the  
13 northerly and southerly lines, respectively, of the land  
14 hereinabove granted to City.

15 2. District reserves the right to require, at the  
16 expense of City, such structural protection of District's Upper  
17 Feeder pipeline as may be determined by District to be  
18 reasonably necessary, taking into consideration the nature of  
19 the air traffic permitted to, or found to be, using the airport  
20 area.

21 3. It is hereby understood and agreed that the depth  
22 of cover over District's Upper Feeder pipeline shall not be  
23 reduced to less than 5.5 feet at any point within said airport.  
24 All grading and earth compaction operations within District's  
25 reserved easement as hereinabove described shall be so performed  
26 as to avoid injury, or the hazard of injury, to District's pipe-  
27 line, as determined by District's General Manager. Such operation  
28 and construction shall be subject to District's inspection, inso-  
29 far as District's pipeline is affected thereby.

30 4. District shall have the right to enter its reserved  
31 easement, as hereinabove described, at any time such entry may  
32 be found necessary by District's General Manager for the purpose  
of maintaining, repairing, replacing or enlarging District's  
pipeline, or appurtenant facilities, and for such purposes Dis-  
trict shall have the right to require such reasonable suspension  
of airport traffic during such limited periods of time as may  
be required for such purposes.

5. No structures such as pavements and underground

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1 sewers, storm drains and utilities, runway and taxiway lighting  
2 and related facilities shall be constructed or installed by City  
3 its successors or assigns, within the area of District's reserved  
4 easement without prior written approval of District, which  
5 approval shall not be unreasonably withheld. District shall  
6 not add to or alter its said pipeline or appurtenant facilities  
7 in such manner as to cause permanent interference in said airport  
8 area.

9  
10 6. City shall observe all precautions, and shall provide  
11 and maintain all safeguards necessary to avoid endangering or  
12 damaging District's said pipeline or appurtenant facilities.

13 IN WITNESS WHEREOF, the parties hereto, by their officers  
14 thereunto duly authorized, have executed this contract the day  
15 and year first above written.

16  
17  
18 CITY OF RIVERSIDE, a  
municipal corporation

19 By Al Brown  
Mayor

20  
21 Attest Alvin A. Hays  
City Clerk

22  
23 THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA,

24 By Robert A. Lough  
for General Manager

25 APPROVED AS TO FORM  
ROBERT P. WILL  
GENERAL COUNSEL

26 John B. Read  
JOHN B. READ  
DEPUTY GENERAL COUNSEL

27 "Authorized by Minute Item 33158  
28 on March 11, 1980"  
29 APPROVED AS TO FORM:

30 Attest \_\_\_\_\_ Executive Secretary  
31 by Board of Directors Meeting on

32 Roger Wilton  
Senior Deputy City Attorney

*[Handwritten initials]*

ATTORNEY  
RIVERSIDE  
CALIFORNIA

214240

STATE OF CALIFORNIA )  
 )  
COUNTY OF LOS ANGELES )

On this 1st day of April,

in the year 1980, before me Sheila Christine Glasgow personally appeared ROBERT A. GOUGH, known to me to be the Assistant General Manager of THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation, and known to me to be the person who executed the within instrument on behalf of said public corporation and acknowledged to me that such public corporation executed the same.

WITNESS my hand and official seal.

(Seal)



Signature Sheila Christine Glasgow

Notary Public in and for  
said State

CONSENT TO RECORDATION

Agreement

THIS IS TO CERTIFY that the interest in real property conveyed by the Deed of Grant dated 4/14/80 from Metropolitan Water District of Southern California for Port Lot 1, Blk 34, Port of Lot 3, Blk 35 & Port of Ewerment Street (located west 105 of Riverside Addition, Blk 7 of Map 7, Parcel 1010) 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 11/14/80

[Signature]  
Property Services Manager

Form No. 122-9R1

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