COPY

EASEMENT, Made this 3rd day of July, 1956, 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 public street purposes upon, over and across that certain parcel of land in the City of Riverside, County of Riverside, State of California, described as follows:

> That certain real property in the City of Riverside, County of Riverside, State of California, being portions of the rights of way of The Atchison, Topeka and Santa Fe Railway Company (successor in interest to the Riverside, Santa Ana and Los Angeles Railway Company and Southern California Railway Company) as said rights of way are described in deeds recorded in Book 74 of Deeds, page 313, Records of San Bernardino County; in deed recorded in Book 48 of Deeds, pages 17 and 18, Records of San Bernardino County; in deed recorded in Book 125 of Deeds, page 223, Records of San Bernardino County; and in deed recorded in Book 69 of Deeds, page 21, et seq., Records of Riverside County, and being all those portions of said rights of way which are situate between lines that are parallel with the distant 44.00 feet at right angles from and on each side of the southerly line of Section 34, T 2 S, R 5 W, S.B.B. & M. Containing an area of 0.19 of an acre, more or less.
>
> EXCEPTING AND RESERVING the right to be exercised by Santa Fe and by any others who have obtained and may obtain permission or authority from Santa Fe so to do, (a) to operate and 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 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 valid and existing contracts, leases, licenses, easements and encumbrances 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 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 any one 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 /s/ R. S. Rydin
Its Vice-President

ATTEST:
/s/ A. O. Appel
Its Assistant Secretary

RESOLUTION NO. 7627

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ACCEPTING AN EASEMENT

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BE IT RESOLVED, that an easement dated July 3, 1956, executed by The Atchison, Topeka and Santa Fe Railway Company, granting to the City of Riverside an easement, for public street purposes, upon, over and across a certain parcel of land in the City of Riverside, being more particularly described in said easement, in connection with the widening and improvement of Arlington Avenue, be, and the same is hereby, officially accepted.

ADOPTED by the City Council, signed by the Mayor and attested by the City Clerk this 13th day of February, 1957.

E. J. Sales
Mayor of the City of Riverside

ATTEST:

W. G. Waite
City Clerk of the City of Riverside

I, W. G. Waite, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of said City, at its meeting held on the 13th day of February, 1957, by the following vote:

Ayes: Councilmen Bergin, Bonnett, Johnson, O'Neill, Smutz and Voris.

Noes: None.

Absent: Councilman Backstrand.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 13th day of February, 1957.

W. G. Waite
City Clerk of the City of Riverside

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