

WHEN RECORDED, TURN TO:
Office of Architects & Engineers
University of California
P. O. Box 112
Riverside, CA 92502

RECEIVED FOR RECORD
30 Min. Past 12 o'clock P.M.
At Request of
U.C.R.

Book 1983, Page 178435
AUG 31 1983

Recorded in Official Records
of Riverside County, California

William F. Stonely
Recorder
Fees \$ -

For Recorder's Office Use Only

EASEMENT

CITY OF RIVERSIDE, a municipal corporation of the State of California, hereinafter called "Grantor", hereby grants to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation, hereinafter called "Grantee", its successors and assigns, a nonexclusive easement for open space and the conducting of lawful sports on, over, upon, along and across certain real property situated in the City of Riverside, County of Riverside, State of California, described as follows:

A strip of land 50.00 feet in width over a portion of Lot 33 in Section 19, T. 2 S., R. 4 W. of the lands of East Riverside Land Co., as shown by map on file in Book 6, Page 44 of Maps, records of San Bernardino County, California; the centerline of said strip of land more particularly described as follows:

COMMENCING at a point in the centerline of Blaine Street, distant thereon 485.10 feet West from its intersection with the centerline of Canyon Crest Drive;

THENCE S 0° 28' 05" E, 44.00 feet to the south line of Blaine Street and to the true point of beginning;

THENCE continuing S 0° 28' 05" E, 556.24 feet to the beginning of a tangent curve with a radius of 196.37 feet and concaving northwesterly;

THENCE Southerly to the right along said curve an arc length of 64.55 feet, thru a central angle of 18° 49' 57" to the south line of said Lot and to the end of this centerline description.

The above-described easement is granted to permit the Grantee to develop its property located on both sides of the easement as a single sports complex known as the U. C. R./City Sports Complex and in conformance with plans for said facilities as approved by the City Manager of Grantor.

Within the easement above-described, the Grantor maintains an operating covered canal (pipeline) for the transmission of water.

DESCRIPTION APPROVAL
City of Riverside
City Manager

734

178435

The above-described easement is granted upon the express condition that no structures or improvements will be built or placed upon said easement by Grantee except with the prior written approval of the City Manager of Grantor of the detailed construction or improvement plans therefor. It is acknowledged that the City Manager of Grantor has approved on December 8, 1981 the plans drawn in conjunction with the Phase II development of the U. C. R./City Sports Complex consisting of 23 sheets depicting the following: (a) dirt baseball infield, grass outfield, backstop and fencing, (b) bike path, (c) electric wires, (d) sprinklers and sprinkler pipelines and (e) parking lot and sidewalks. Except as shown on said approved plans, no improvements whatsoever shall be placed, constructed or maintained within the easement which cannot be quickly and easily removed, which restriction shall include, but not be limited to, bleachers, electrical facilities, sidewalks, sprinklers and/or sprinkler pipelines. In no event shall backstop footings or any other substantial weight bearing improvements be constructed or maintained immediately over the Grantor's covered canal (pipeline) located within the easement.

Nothing herein shall limit or restrict the right and ability of the Grantor or its employees, agents and contractors from removing any of the improvements placed on the easement area in order to repair or maintain the Grantor's pipeline. Following any such repair or maintenance, the Grantor shall cause any improvements removed to be replaced to its pre-removal condition to the greatest extent practicable.

By accepting this Grant of Easement, the Grantee understands and acknowledges that the operating covered canal above described and commonly known as the Gage Canal is operated and maintained on behalf of the Grantor by the Gage Canal Company, a California corporation, pursuant to a contract with said Grantor.

This Grant of Easement is made on the express condition that the Grantee shall defend and indemnify the Grantor and the Gage Canal Company, and their officers, employees and agents, and save them harmless from any and all liability, loss, costs or obligations arising by reason of injury or death to persons or loss of or damage to property due or claimed to be due to the negligent acts or omissions of the Grantee, its employees, agents, contractors or invitees in any way connected with the easement herein granted.

734

178435

The Grantee, its officers, employees and agents shall assume all risk of their injury or death, or damage to property of said Grantee or any property under its control or custody while upon the easement area, save and except in those instances where such injury, death or property damage is proximately caused by any act, omission, or negligence of the Grantor, its agents, representatives, employees, successors or assigns, or by any act or omission for which Grantor, its agents, representatives, employees, successors or assigns is liable without fault.

This easement shall automatically terminate and revert to Grantor if the Grantee's adjacent and surrounding U. C. R./City Sports Complex is abandoned or sold by Grantee or ceases to function for recreational purposes.

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

Dated: August 23, 1983

CITY OF RIVERSIDE, a municipal corporation

By Al Brown
Mayor

Attest Alice A. Hare
City Clerk

APPROVED AS TO CONTENT:

Gage Canal Company,
a California corporation

By John M. Hocking
President

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

178435

BLAINE ST.

WEST

485.10'

44'



EAST POR.

GAGE CANAL

LOT 33
RIVERSIDE

LAND CO.
M.B. 6/44 S.B. CO.

SEC. 19 T.2S. R.4W.

CANYON CREST DR.

663.69'

N0°09'51"W

N69°31'55"E(R)

R=196.37'
Δ=18°49'57"
L=64.55'

12'-12'

413.87'

42'

44'

589'59'58"W

N.E. COR.

33'

LOT 48

• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1" = 100'

DRAWN BY KS DATE 7/12/82

SUBJECT GAGE CANAL R/W

734