

RESOLUTION NO. 7347

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ACCEPTING PARTIAL WAIVERS OF THE CONDITIONS SUBSEQUENT LIMITING THE USE OF THE LAND KNOWN AS "CUTTER PARK".

WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O. Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, by deed dated March 30, 1927, and recorded April 21, 1927, in Book 713 of Deeds, page 152, Records of Riverside County, California; and,

WHEREAS, Helen L. Bain, as sole grantor, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, ten feet wide and one hundred forty feet long, by deed dated April 2, 1927, and recorded April 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside County, California; and,

WHEREAS, the land described in said deed was conveyed subject to the conditions subsequent expressed in said deeds; and,

WHEREAS, the grantors named in said deeds are all deceased and it is determined by the City Council of the City of Riverside that the successors in interest of the respective grantors are as follows:

Successor in interest of C. H. and Clarice D. Stevens:

Mrs. Maude T. Darling

Successors in interest of G. Adolph and Bertha Hammer:

Richard A. Hammer

Bertha A. Guard

1 Successors in interest of Wm. H. and Mary W. Robinson:

2 Helen R. Dales

3 Flora Robinson Collier

4 Archbold H. Robinson

5 William Wilcox Robinson

6 Successors in interest of Helen L. Bain:

7 Mrs. Virginia Allen

8 Mrs. Nellie L. Coy

9 Eveline F. Cross

10 Mrs. Alice S. Glover

11 Elizabeth S. Hanson

12 Mrs. Luella B. Post

13 Constance C. Shepler

14 Hugh B. Snow

15 Israel Snow

16 John G. Snow

17 Maurice R. Snow

18 Walter E. Snow

19 Woodbury H. Snow

20 Helen S. Vigue

21 Citizens National Trust and Savings Bank of Riverside,

22 as Trustee of the Trust created by the Will of

23 Florence O. Cutter, Deceased

24 Citizens National Trust and Savings Bank of Riverside,

25 as Trustee of the Trust created by the Will of

26 Helen L. Bain, Deceased

27

28 And, WHEREAS, each of said successors in interest has

29 executed one of the Partial Waivers of Conditions Subsequent,

30 all of which waivers are hereunto attached and made a part

31 hereof; and,

32

PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

1
2
3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to the
11 City of Riverside a certain parcel of land in the City of Riverside,
12 County of Riverside, State of California, ten feet wide and 140
13 feet long, by deed dated April 2, 1927, and recorded April 21,
14 1927 in Book 715 of Deeds, page 58, Records of Riverside County,
15 California; and,

16 WHEREAS all of said grantors are now deceased and the
17 undersigned is the successor in interest of said C. H. Stevens
18 and Clarice D. Stevens, husband and wife; and,

19 WHEREAS,, the land described in said two deeds is located
20 in Tequesquite Arroyo on the southerly side of Prospect Avenue in
21 the said City of Riverside, and is known as "Cutter Park" and
22 has been referred to as "Tequesquite Park" and as "Arroyo Park";
23 and,

24 WHEREAS, both of said deeds conveyed said parcels of
25 land subject to the following conditions subsequent:

26 That the above described property be forever used
27 for park and parkway purposes only; that no stadium or
28 theater shall be built or maintained thereon; that no
29 building or structure shall be erected or maintained
30 thereon within fifty (50) feet of Propsect Avenue, and
31 that no building or structure shall be erected or maintained
32 thereon, or trees planted so as to obstruct the view

1 horizontally from said portion of Prospect Avenue;
2 and,

3 WHEREAS, the Riverside City School District, or the
4 Riverside City High School District, has acquired extensive areas
5 of land in and along the said Tequesquite Arroyo, and improved
6 and developed the same for school purposes, and now desires to
7 acquire and develop Cutter Park for school purposes.

8 NOW, THEREFORE, UPON THE REPRESENTATION THAT THE USE
9 of Cutter Park for school purposes is in the public interest,
10 and upon the condition that Cutter Park be acquired by the
11 Riverside City School District, or the Riverside City High School
12 District, the undersigned, as the successor in interest of G. H.
13 Stevens and Clarice D. Stevens, husband and wife, does hereby
14 waive the portion of the conditions subsequent which are as
15 follows:

16 That the above described property be forever used
17 for park and parkway purposes only; that no stadium or
18 theater shall be built or maintained thereon;
19 and the undersigned does hereby consent to the conveyance of
20 Cutter Park to the Riverside City School District, or the Riverside
21 City High School District, and to its use for school purposes,
22 subject, however, to the remaining portions of said conditions
23 subsequent, which are as follows:

24 that no building or structure shall be erected or
25 maintained thereon within fifty (50) feet of Prospect
26 Avenue, and that no building or structure shall be
27 erected or maintained thereon, or trees planted so as
28 to obstruct the view horizontally from said portion of
29 Prospect Avenue.

30 WITNESS MY HAND this 11 day of June, 1955.

31 /s/ Mrs. Maude T. Darling

32 Don W. Kottmeyer, Notary
Public, Cook County, Illinois

PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

1
2
3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to
11 the City of Riverside a certain parcel of land in the City of
12 Riverside, County of Riverside, State of California, ten feet wide
13 and 140 feet long, by deed dated April 2, 1927, and recorded April
14 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside
15 County, California; and,

16 WHEREAS, all of said grantors are now deceased and
17 Bertha A. Guard and Richard A. Hammer are the successors in
18 interest of said G. Adolph Hammer and Bertha Hammer, husband
19 and wife; and,

20 WHEREAS, the land described in said two deeds is located
21 in Tequestuite Arroyo on the southerly side of Prospect Avenue in
22 the said City of Riverside, and is known as "Cutter Park" and
23 has been referred to as "Tequesquite Park" and as "Arroyo Park";
24 and,

25 WHEREAS, both of said deeds conveyed said parcels of
26 land subject to the following conditions subsequent:

27 That the above described property be forever used
28 for park and parkway purposes only; that no stadium or
29 theater shall be built or maintained thereon; that no
30 building or structure shall be erected or maintained
31 thereon within fifty (50) feet of Prospect Avenue, and
32 that no building or structure shall be erected or

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1 maintained thereon, or trees planted so as to obstruct
2 the view horizontally from said portion of Prospect Avenue;
3 and,

4 WHEREAS, the Riverside City School District, or the
5 Riverside City High School District, has acquired extensive areas
6 of land in and along the said Tequesquite Arroyo, and improved
7 and developed the same for school purposes, and now desires to
8 acquire and develop Cutter Park for school purposes.

9 NOW, THEREFORE, upon the representation that the use
10 of Cutter Park for school purposes is in the public interest,
11 and upon the condition that Cutter Park be acquired by the
12 Riverside City School District, or the Riverside City High School
13 District, the undersigned as successors, or a successor, in
14 interest of G. Adolph Hammer and Bertha Hammer, husband and wife,
15 hereby waive__ the portion of the conditions subsequent which
16 are as follows:

17 That the above described property be forever used
18 for park and parkway purposes only; that no stadium or
19 theater shall be built or maintained thereon;
20 and the undersigned hereby consent__ to the conveyance of Cutter
21 Park to the Riverside City School District, or the Riverside City
22 High School District, and to its use for school purposes, subject,
23 however, to the remaining portions of said conditions subsequent,
24 which are as follows:

25 that no building or structure shall be erected or
26 maintained thereon within fifty (50) feet of Prospect
27 Avenue, and that no building or structure shall be
28 erected or maintained thereon, or trees planted so as
29 to obstruct the view horizontally from said portion of
30 Prospect Avenue.

31 WITNESS MY HAND this 27 day of June, 1955.

32 /s/ Richard A. Hammer

Dennis K. Byrne, Notary

Identical form signed 6/22/55 by
Bertha A. Guard - Book 1949/437

SAME FORM SIGNED by Flora Robinson Collier 7/18/55 Book 1939 Page 442-443
 Archbold H. Robinson 6/27/55 P/444-445
 Wm. Willcox Robinson 7/18/55 P/446-447-448

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PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
 (Cutter Park)

WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O. Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, by deed dated March 30, 1927, and recorded April 21, 1927, in Book 713, of Deeds, page 152, Records of Riverside County, California; and,

WHEREAS, Helen L. Bain, as sole grantor, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, ten feet wide and 140 feet long, by deed dated April 2, 1927, and recorded April 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside County, California; and,

WHEREAS, all of said grantors are now deceased and Flora Robinson Collier, William Wilcox Robinson, Archbold H. Robinson, and Helen R. Dales are the successors in interest of said Wm. H. Robinson and Mary W. Robinson, husband and wife; and,

WHEREAS, the land described in said two deeds is located in Tequesquite Arroyo on the southerly side of Prospect Avenue in the said City of Riverside, and is known as "Cutter Park" and has been referred to as "Tequesquite Park" and as "Arroyo Park"; and,

WHEREAS, both of said deeds conveyed said parcels of land subject to the following conditions subsequent:

That the above described property be forever used for park and parkway purposes only; that no stadium or theatre shall be built or maintained thereon; that no building or structure shall be erected or maintained thereon within fifty (50) feet of Prospect Avenue, and that no building or structure shall be erected or

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1 maintained thereon, or trees planted so as to obstruct
2 the view horizontally from said portion of Prospect
3 Avenue;

4 and

5 WHEREAS, the Riverside City School District, or the
6 Riverside City High School District, has acquired extensive
7 areas of land in and along the said Tequesquite Arroyo, and
8 improved and developed the same for school purposes, and now
9 desires to acquire and develop Cutter Park for school purposes.

10 NOW, THEREFORE, upon the representation that the use
11 of Cutter Park for school purposes is in the public interest,
12 and upon the condition that Cutter Park be acquired by the
13 Riverside City School District or the Riverside City High
14 School District, the undersigned as successors, or a successor,
15 in interest of Wm. H. Robinson and Mary W. Robinson, husband and
16 wife, hereby waive the portion of the conditions subsequent
17 which are as follows:

18 That the above described property be forever used
19 for park and parkway purposes only; that no stadium or
20 theater shall be built or maintained thereon;
21 and the undersigned hereby consents to the conveyance of Cutter
22 Park to the Riverside City School District, or the Riverside
23 City High School District, and to its use for school purposes,
24 subject, however, to the remaining portions of said conditions
25 subsequent, which are as follows:

26 that no building or structure shall be erected or
27 maintained thereon within fifty (50) feet of Prospect
28 Avenue, and that no building or structure shall be
29 erected or maintained thereon, or trees planted so as
30 to obstruct the view horizontally from said portion of Prospect
31 Avenue.

32 WITNESS MY HAND this 11 day of July, 1955.

/s/ Helen R. Dales

Ack.

PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

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WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O. Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, by deed dated March 30, 1927, and recorded April 21, 1927, in Book 713, of Deeds, page 152, Records of Riverside County, California; and,

WHEREAS, Helen L. Bain, as sole grantor, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, ten feet wide and 140 feet long, by deed dated April 2, 1927, and recorded April 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside County, California; and,

WHEREAS, the said grantor Helen L. Bain is deceased, and the undersigned is one of the successors in interest of said grantor as regards said deeds; and,

WHEREAS, the land described in said two deeds is located in Tequesquite Arroyo on the southerly side of Prospect Avenue in the said City of Riverside, and is known as "Cutter Park" and has been referred to as "Tequesquite Park" and "Arroyo Park"; and,

WHEREAS, both of said deeds conveyed said parcels of land subject to the following conditions subsequent:

That the above described property be forever used for park and parkway purposes only; that no stadium or theater shall be built or maintained thereon; that no building or structure shall be erected or maintained thereon within fifty (50) feet of Prospect Avenue, and that no building or structure shall be erected or maintained thereon, or trees planted so as to obstruct

1 the view horizontally from said portion of Prospect
2 Avenue;

3 and,

4 WHEREAS, the Riverside City School District, or the
5 Riverside City High School District, has acquired extensive areas
6 of land in and along the said Tequesquite Arroyo, and improved
7 and developed the same for school purposes, and now desires to
8 acquire and develop Cutter Park for school purposes.

9 NOW, THEREFORE, upon the representation that the use
10 of Cutter Park for school purposes is in the public interest,
11 and upon the condition that Cutter Park be acquired by the
12 Riverside City School District, or the Riverside City High School
13 District, the undersigned, as one of the successors in interest
14 of said Helen L. Bain, does hereby waive the portion of the
15 conditions subsequent which are as follows:

16 That the above described property be forever used
17 for park and parkway purposes only; that no stadium or
18 theater shall be built or maintained thereon;
19 and the undersigned does hereby consent to the conveyance of
20 Cutter Park to the Riverside City School District, or the Riverside
21 City High School District, and to its use for school purposes,
22 subject, however, to the remaining portions of said conditions
23 subsequent, which are as follows:

24 that no building or structure shall be erected or
25 maintained thereon within fifty (50) feet of Prospect
26 Avenue, and that no building or structure shall be
27 erected or maintained thereon, or trees planted so as
28 to obstruct the view horizontally from said portion of
29 Propsect Avenue.

30 WITNESS MY HAND this 23 day of June, 1955.

31 /s/ Mrs. Virginia Allen

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Same Form as signed by Mrs. Virginia Allen - also signed
by:

- | | | |
|----|----------------------|--------------------|
| 1 | Mrs. Nellie L. Coy | Book 1949/451-450- |
| 2 | Eveline F. Cross | " 1949/452-453 |
| 3 | Mrs. Alice S. Glover | " 1949/454-455 |
| 4 | Elizabeth S. Hanson | " 1949/456-457 |
| 5 | Mrs. Luella B. Post | " 1949/458-459 |
| 6 | Constance C. Shepler | " 1949/460-461 |
| 7 | Hugh B. Snow | " 1949/462-463 |
| 8 | Israel Snow | " 1949/464-465 |
| 9 | John G. Snow | " 1949/466-467 |
| 10 | Maurice R. Snow | " 1949/468-469 |
| 11 | Walter E. Snow | " 1949/470-471 |
| 12 | Woodbury M. Snow | " 1949/472-473 |
| 13 | Helen S. Vigue | " 1949/474-475 |

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1 PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
2 (Cutter Park)

3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cuttor, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to the
11 City of Riverside a certain parcel of land in the City of Riverside,
12 County of Riverside, State of California, ten feet wide and 140
13 feet long, by deed dated April 2, 1927, and recorded April 21,
14 1927, in Book 715 of Deeds, page 58, Records of Riverside County,
15 California; and,

16 WHEREAS, all of said grantors are now deceased and the
17 undersigned Citizens National Trust and Savings Bank of Riverside,
18 a national banking association, is the Trustee of Trusts created
19 by the Wills of Florence O. Cutter, deceased, and Helen L. Bain,
20 deceased, probated in the Superior Court of the State of California,
21 in and for the County of Riverside, probate numbers 5513 and 14905,
22 respectively; and,

23 WHEREAS , the land described in said two deeds is located
24 in Tequesquite Arroyo on the southerly side of Prospect Avenue in
25 the said City of Riverside, and is known as "Cutter Park" and has
26 been referred to as "Tequesquite Park" and "Arroyo Park"; and,

27 WHEREAS, both of said deeds conveyed said parcels of
28 land subject to the following conditions subsequent:

29 That the above described property be forever used
30 for park and parkway purposes only; that no stadium or
31 theater shall be built or maintained thereon; that no
32 building or structure shall be erected or maintained

1 thereon within fifty (50) feet of Prospect Avenue, and
2 that no building or structure shall be erected or
3 maintained thereon, or trees planted so as to obstruct
4 the view horizontally from said portion of Prospect
5 Avenue;

6 and,

7 WHEREAS, the Riverside City School District, or the
8 Riverside City High School District, has acquired extensive areas
9 of land in and along the said Tequesquite Arroyo, and improved
10 and developed the same for school purposes, and now desires to
11 acquire and develop Cutter Park for school purposes.

12 NOW, THEREFORE, upon the representation that the use
13 of Cutter Park for school purposes is in the public interest,
14 and upon the condition that Cutter Park be acquired by the
15 Riverside City School District, or the Riverside City High School
16 District, the undersigned, acting in its capacities as Trustee of
17 the Trusts created by the Wills of said Florence O. Cutter and
18 Helen L. Bain, does hereby waive the portion of the conditions
19 subsequent which are as follows:

20 That the above described property be forever used
21 for park and parkway purposes only; that no stadium or
22 theater shall be built or maintained thereon;
23 and the undersigned does hereby consent to the conveyance of
24 Cutter Park to the Riverside City School District, or the Riverside
25 City High School District, and to its use for school purposes,
26 subject, however, to the remaining portions of said conditions
27 subsequent, which are as follows:

28 that no building or structure shall be erected or
29 maintained thereon within fifty (50) feet of Prospect
30 Avenue, and that no building or structure shall be
31 erected or maintained thereon, or trees planted so as
32 to obstruct the view horizontally from said portion

1 of Prospect Avenue.

2 IN WITNESS WHEREOF the said Trustee has caused this
3 instrument to be executed by its duly authorized officers.

4 CITIZENS NATIONAL TRUST AND SAVINGS BANK
5 OF RIVERSIDE, as Trustee of the Trust
6 created by the Will of Florence O. Cutter,
7 deceased.

8 By /s/ R. A. Steves
9 Vice President and Trust Officer

10 By /s/ R. A. Hall
11 Assistant Trust Officer

12 CITIZENS NATIONAL TRUST AND SAVINGS BANK
13 OF RIVERSIDE, AS TRUSTEE of the Trust
14 created by the Will of Helen L. Bain,
15 Deceased.

16 By /s/ R. A. Steves
17 Vice President and Trust Officer

18 By /s/ R. A. Hall
19 Assistant Trust Officer

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RESOLUTION NO. 7347

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ACCEPTING PARTIAL WAIVERS OF THE CONDITIONS SUBSEQUENT LIMITING THE USE OF THE LAND KNOWN AS "CUTTER PARK".

- - -

WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O. Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, by deed dated March 30, 1927, and recorded April 21, 1927, in Book 713 of Deeds, page 152, Records of Riverside County, California; and,

WHEREAS, Helen L. Bain, as sole grantor, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, ten feet wide and one hundred forty feet long, by deed dated April 2, 1927, and recorded April 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside County, California; and,

WHEREAS, the land described in said deed was conveyed subject to the conditions subsequent expressed in said deeds; and,

WHEREAS, the grantors named in said deeds are all deceased and it is determined by the City Council of the City of Riverside that the successors in interest of the respective grantors are as follows:

Successor in interest of C. H. and Clarice D. Stevens:

Mrs. Maude T. Darling

Successors in interest of G. Adolph and Bertha Hammer:

Richard A. Hammer

Bertha A. Guard

1 Successors in interest of Wm. H. and Mary W. Robinson:

2 Helen R. Dales

3 Flora Robinson Collier

4 Archbold H. Robinson

5 William Wilcox Robinson

6 Successors in interest of Helen L. Bain:

7 Mrs. Virginia Allen

8 Mrs. Nellie L. Coy

9 Eveline F. Cross

10 Mrs. Alice S. Glover

11 Elizabeth S. Hanson

12 Mrs. Luella B. Post

13 Constance C. Shepler

14 Hugh B. Snow

15 Israel Snow

16 John G. Snow

17 Maurice R. Snow

18 Walter E. Snow

19 Woodbury M. Snow

20 Helen S. Vigue

21 Citizens National Trust and Savings Bank of Riverside,

22 as Trustee of the Trust created by the Will of

23 Florence O. Gutter, Deceased

24 Citizens National Trust and Savings Bank of Riverside,

25 as Trustee of the Trust created by the Will of

26 Helen L. Bain, Deceased

27
28 And, WHEREAS, each of said successors in interest has
29 executed one of the Partial Waivers of Conditions Subsequent,
30 all of which waivers are hereunto attached and made a part
31 hereof; and,
32

1 PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
2 (Gutter Park)

3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to the
11 City of Riverside a certain parcel of land in the City of Riverside,
12 County of Riverside, State of California, ten feet wide and 140
13 feet long, by deed dated April 2, 1927, and recorded April 21,
14 1927 in Book 715 of Deeds, page 58, Records of Riverside County,
15 California; and,

16 WHEREAS all of said grantors are now deceased and the
17 undersigned is the successor in interest of said C. H. Stevens
18 and Clarice D. Stevens, husband and wife; and,

19 WHEREAS,, the land described in said two deeds is located
20 in Tequesquite Arroyo on the southerly side of Prospect Avenue in
21 the said City of Riverside, and is known as "Gutter Park" and
22 has been referred to as "Tequesquite Park" and as "Arroyo Park";
23 and,

24 WHEREAS, both of said deeds conveyed said parcels of
25 land subject to the following conditions subsequent:

26 That the above described property be forever used
27 for park and parkway purposes only; that no stadium or
28 theater shall be built or maintained thereon; that no
29 building or structure shall be erected or maintained
30 thereon within fifty (50) feet of Propsect Avenue, and
31 that no building or structure shall be erected or maintained
32 thereon, or trees planted so as to obstruct the view

1 horizontally from said portion of Prospect Avenue;
2 and,

3 WHEREAS, the Riverside City School District, or the
4 Riverside City High School District, has acquired extensive areas
5 of land in and along the said Tequesquite Arroyo, and improved
6 and developed the same for school purposes, and now desires to
7 acquire and develop Cutter Park for school purposes.

8 NOW, THEREFORE, UPON THE REPRESENTATION THAT THE USE
9 of Cutter Park for school purposes is in the public interest,
10 and upon the condition that Cutter Park be acquired by the
11 Riverside City School District, or the Riverside City High School
12 District, the undersigned, as the successor in interest of C. H.
13 Stevens and Clarice D. Stevens, husband and wife, does hereby
14 waive the portion of the conditions subsequent which are as
15 follows:

16 That the above described property be forever used
17 for park and parkway purposes only; that no stadium or
18 theater shall be built or maintained thereon;
19 and the undersigned does hereby consent to the conveyance of
20 Cutter Park to the Riverside City School District, or the Riverside
21 City High School District, and to its use for school purposes,
22 subject, however, to the remaining portions of said conditions
23 subsequent, which are as follows:

24 that no building or structure shall be erected or
25 maintained thereon within fifty (50) feet of Prospect
26 Avenue, and that no building or structure shall be
27 erected or maintained thereon, or trees planted so as
28 to obstruct the view horizontally from said portion of
29 Prospect Avenue.

30 WITNESS MY HAND this 11 day of June, 1955.

31 /s/ Mrs. Maude T. Darling

32 Don W. Kottmeyer, Notary
Public, Cook County, Illinois

PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

1
2
3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to
11 the City of Riverside a certain parcel of land in the City of
12 Riverside, County of Riverside, State of California, ten feet wide
13 and 140 feet long, by deed dated April 2, 1927, and recorded April
14 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside
15 County, California; and,

16 WHEREAS, all of said grantors are now deceased and
17 Bertha A. Guard and Richard A. Hammer are the successors in
18 interest of said G. Adolph Hammer and Bertha Hammer, husband
19 and wife; and,

20 WHEREAS, the land described in said two deeds is located
21 in Tequestuite Arroyo on the southerly side of Prospect Avenue in
22 the said City of Riverside, and is known as "Cutter Park" and
23 has been referred to as "Tequesquite Park" and as "Arroyo Park";
24 and,

25 WHEREAS, both of said deeds conveyed said parcels of
26 land subject to the following conditions subsequent:

27 That the above described property be forever used
28 for park and parkway purposes only; that no stadium or
29 theater shall be built or maintained thereon; that no
30 building or structure shall be erected or maintained
31 thereon within fifty (50) feet of Prospect Avenue, and
32 that no building or structure shall be erected or

1 maintained thereon, or trees planted so as to obstruct
2 the view horizontally from said portion of Prospect Avenue;
3 and,

4 WHEREAS, the Riverside City School District, or the
5 Riverside City High School District, has acquired extensive areas
6 of land in and along the said Tequesquite Arroyo, and improved
7 and developed the same for school purposes, and now desires to
8 acquire and develop Cutter Park for school purposes.

9 NOW, THEREFORE, upon the representation that the use
10 of Cutter Park for school purposes is in the public interest,
11 and upon the condition that Cutter Park be acquired by the
12 Riverside City School District, or the Riverside City High School
13 District, the undersigned as successors, or a successor, in
14 interest of G. Adolph Hammer and Bertha Hammer, husband and wife,
15 hereby waive__ the portion of the conditions subsequent which
16 are as follows:

17 That the above described property be forever used
18 for park and parkway purposes only; that no stadium or
19 theater shall be built or maintained thereon;
20 and the undersigned hereby consent__ to the conveyance of Cutter
21 Park to the Riverside City School District, or the Riverside City
22 High School District, and to its use for school purposes, subject,
23 however, to the remaining portions of said conditions subsequent,
24 which are as follows:

25 that no building or structure shall be erected or
26 maintained thereon within fifty (50) feet of Prospect
27 Avenue, and that no building or structure shall be
28 erected or maintained thereon, or trees planted so as
29 to obstruct the view horizontally from said portion of
30 Prospect Avenue.

31 WITNESS MY HAND this 27 day of June, 1955.

32 /s/ Richard A. Hammer

Dennis K. Byrne, Notary

Identical form signed 6/22/55 by
Bertha A. Guard - Book 1949/437

SAME FORM SIGNED by Flora Robinson Collier 7/18/55 Page 442-443
 Archbold H. Robinson 6/27/55 P/444-445
 Wm. Wilcox Robinson 7/18/55 P/446-447-448

Book 1939

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PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O. Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, by deed dated March 30, 1927, and recorded April 21, 1927, in Book 713, of Deeds, page 152, Records of Riverside County, California; and,

WHEREAS, Helen L. Bain, as sole grantor, conveyed to the City of Riverside a certain parcel of land in the City of Riverside, County of Riverside, State of California, ten feet wide and 140 feet long, by deed dated April 2, 1927, and recorded April 21, 1927, in Book 715 of Deeds, page 58, Records of Riverside County, California; and,

WHEREAS, all of said grantors are now deceased and Flora Robinson Collier, William Wilcox Robinson, Archbold H. Robinson, and Helen R. Dales are the successors in interest of said Wm. H. Robinson and Mary W. Robinson, husband and wife; and,

WHEREAS, the land described in said two deeds is located in Tequesquite Arroyo on the southerly side of Prospect Avenue in the said City of Riverside, and is known as "Cutter Park" and has been referred to as "Tequesquite Park" and as "Arroyo Park"; and,

WHEREAS, both of said deeds conveyed said parcels of land subject to the following conditions subsequent:

That the above described property be forever used for park and parkway purposes only; that no stadium or theatre shall be built or maintained thereon; that no building or structure shall be erected or maintained thereon within fifty (50) feet of Prospect Avenue, and that no building or structure shall be erected or

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1 maintained thereon, or trees planted so as to obstruct
2 the view horizontally from said portion of Prospect
3 Avenue;

4 and

5 WHEREAS, the Riverside City School District, or the
6 Riverside City High School District, has acquired extensive
7 areas of land in and along the said Tequesquite Arroyo, and
8 improved and developed the same for school purposes, and now
9 desires to acquire and develop Cutter Park for school purposes.

10 NOW, THEREFORE, upon the representation that the use
11 of Cutter Park for school purposes is in the public interest,
12 and upon the condition that Cutter Park be acquired by the
13 Riverside City School District or the Riverside City High
14 School District, the undersigned as successors, or a successor,
15 in interest of Wm. H. Robinson and Mary W. Robinson, husband and
16 wife, hereby waive the portion of the conditions subsequent
17 which are as follows:

18 That the above described property be forever used
19 for park and parkway purposes only; that no stadium or
20 theater shall be built or maintained thereon;
21 and the undersigned hereby consents to the conveyance of Cutter
22 Park to the Riverside City School District, or the Riverside
23 City High School District, and to its use for school purposes,
24 subject, however, to the remaining portions of said conditions
25 subsequent, which are as follows:

26 that no building or structure shall be erected or
27 maintained thereon within fifty (50) feet of Prospect
28 Avenue, and that no building or structure shall be
29 erected or maintained thereon, or trees planted so as
30 to obstruct the view horizontally from said portion of Prospect
31 Avenue.

32 WITNESS MY HAND this 11 day of July, 1955.

/s/ Helen R. Dales

Ack.

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PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

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3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to the
11 City of Riverside a certain parcel of land in the City of Riverside,
12 County of Riverside, State of California, ten feet wide and 140
13 feet long, by deed dated April 2, 1927, and recorded April 21,
14 1927, in Book 715 of Deeds, page 58, Records of Riverside County,
15 California; and,

16 WHEREAS, the said grantor Helen L. Bain is deceased,
17 and the undersigned is one of the successors in interest of said
18 grantor as regards said deeds; and,

19 WHEREAS, the land described in said two deeds is located
20 in Tequesquite Arroyo on the southerly side of Prospect Avenue in
21 the said City of Riverside, and is known as "Cutter Park" and
22 has been referred to as "Tequesquite Park" and "Arroyo Park";
23 and,

24 WHEREAS, both of said deeds conveyed said parcels of
25 land subject to the following conditions subsequent:

26 That the above described property be forever used
27 for park and parkway purposes only; that no stadium or
28 theater shall be built or maintained thereon; that no
29 building or structure shall be erected or maintained
30 thereon within fifty (50) feet of Prospect Avenue, and
31 that no building or structure shall be erected or
32 maintained thereon, or trees planted so as to obstruct

1 the view horizontally from said portion of Prospect
2 Avenue;

3 and,

4 WHEREAS, the Riverside City School District, or the
5 Riverside City High School District, has acquired extensive areas
6 of land in and along the said Tequesquite Arroyo, and improved
7 and developed the same for school purposes, and now desires to
8 acquire and develop Cutter Park for school purposes.

9 NOW, THEREFORE, upon the representation that the use
10 of Cutter Park for school purposes is in the public interest,
11 and upon the condition that Cutter Park be acquired by the
12 Riverside City School District, or the Riverside City High School
13 District, the undersigned, as one of the successors in interest
14 of said Helen L. Bain, does hereby waive the portion of the
15 conditions subsequent which are as follows:

16 That the above described property be forever used
17 for park and parkway purposes only; that no stadium or
18 theater shall be built or maintained thereon;
19 and the undersigned does hereby consent to the conveyance of
20 Cutter Park to the Riverside City School District, or the Riverside
21 City High School District, and to its use for school purposes,
22 subject, however, to the remaining portions of said conditions
23 subsequent, which are as follows:

24 that no building or structure shall be erected or
25 maintained thereon within fifty (50) feet of Prospect
26 Avenue, and that no building or structure shall be
27 erected or maintained thereon, or trees planted so as
28 to obstruct the view horizontally from said portion of
29 Propsect Avenue.

30 WITNESS MY HAND this 23 day of June, 1955.

31 /s/ Mrs. Virginia Allen
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Same Form as signed by Mrs. Virginia Allen - also signed
by:

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Mrs. Nellie L. Goy	Book	1949/451-450-
Eveline F. Cross	"	1949/452-453
Mrs. Alice S. Glover	"	1949/454-455
Elizabeth S. Hanson	"	1949/456-457
Mrs. Luella E. Post	"	1949/458-459
Constance C. Shepler	"	1949/460-461
Hugh E. Snow	"	1949/462-463
Israel Snow	"	1949/464-465
John G. Snow	"	1949/466-467
Maurice R. Snow	"	1949/468-469
Walter E. Snow	"	1949/470-471
Woodbury M. Snow	"	1949/472-473
Helen S. Vigue	"	1949/474-475

PARTIAL WAIVER OF CONDITIONS SUBSEQUENT
(Cutter Park)

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3 WHEREAS, Helen L. Bain, Albert B. Cutter and Florence O.
4 Cutter, G. Adolph Hammer and Bertha Hammer, Wm. H. Robinson and
5 Mary W. Robinson, C. H. Stevens and Clarice D. Stevens, conveyed
6 to the City of Riverside a certain parcel of land in the City of
7 Riverside, County of Riverside, State of California, by deed
8 dated March 30, 1927, and recorded April 21, 1927, in Book 713,
9 of Deeds, page 152, Records of Riverside County, California; and,

10 WHEREAS, Helen L. Bain, as sole grantor, conveyed to the
11 City of Riverside a certain parcel of land in the City of Riverside,
12 County of Riverside, State of California, ten feet wide and 140
13 feet long, by deed dated April 2, 1927, and recorded April 21,
14 1927, in Book 715 of Deeds, page 58, Records of Riverside County,
15 California; and,

16 WHEREAS, all of said grantors are now deceased and the
17 undersigned Citizens National Trust and Savings Bank of Riverside,
18 a national banking association, is the Trustee of Trusts created
19 by the Wills of Florence O. Cutter, deceased, and Helen L. Bain,
20 deceased, probated in the Superior Court of the State of California,
21 in and for the County of Riverside, probate numbers 5518 and 14905,
22 respectively; and,

23 WHEREAS, the land described in said two deeds is located
24 in Tequesquite Arroyo on the southerly side of Prospect Avenue in
25 the said City of Riverside, and is known as "Cutter Park" and has
26 been referred to as "Tequesquite Park" and "Arroyo Park"; and,

27 WHEREAS, both of said deeds conveyed said parcels of
28 land subject to the following conditions subsequent:

29 That the above described property be forever used
30 for park and parkway purposes only; that no stadium or
31 theater shall be built or maintained thereon; that no
32 building or structure shall be erected or maintained

1 ~~thereon~~ within fifty (50) feet of Prospect Avenue, and
2 that no building or structure shall be erected or
3 maintained thereon, or trees planted so as to obstruct
4 the view horizontally from said portion of Prospect
5 Avenue;

6 and,

7 WHEREAS, the Riverside City School District, or the
8 Riverside City High School District, has acquired extensive areas
9 of land in and along the said Tequesquite Arroyo, and improved
10 and developed the same for school purposes, and now desires to
11 acquire and develop Cutter Park for school purposes.

12 NOW, THEREFORE, upon the representation that the use
13 of Cutter Park for school purposes is in the public interest,
14 and upon the condition that Cutter Park be acquired by the
15 Riverside City School District, or the Riverside City High School
16 District, the undersigned, acting in its capacities as Trustee of
17 the Trusts created by the Wills of said Florence O. Cutter and
18 Helen L. Bain, does hereby waive the portion of the conditions
19 subsequent which are as follows:

20 That the above described property be forever used
21 for park and parkway purposes only; that no stadium or
22 theater shall be built or maintained thereon;
23 and the undersigned does hereby consent to the conveyance of
24 Cutter Park to the Riverside City School District, or the Riverside
25 City High School District, and to its use for school purposes,
26 subject, however, to the remaining portions of said conditions
27 subsequent, which are as follows:

28 that no building or structure shall be erected or
29 maintained thereon within fifty (50) feet of Prospect
30 Avenue, and that no building or structure shall be
31 erected or maintained thereon, or trees planted so as
32 to obstruct the view horizontally from said portion

1 of Prospect Avenue.

2 IN WITNESS WHEREOF the said Trustee has caused this
3 instrument to be executed by its duly authorized officers.

4 CITIZENS NATIONAL TRUST AND SAVINGS BANK
5 OF RIVERSIDE, as Trustee of the Trust
6 created by the Will of Florence O. Cutter,
7 deceased.

8 By /s/ R. A. Steves
9 Vice President and Trust Officer

10 By /s/ R. A. Hall
11 Assistant Trust Officer

12 CITIZENS NATIONAL TRUST AND SAVINGS BANK
13 OF RIVERSIDE, AS TRUSTEE of the Trust
14 created by the Will of Helen L. Bain,
15 Deceased.

16 By /s/ R. A. Steves
17 Vice President and Trust Officer

18 By /s/ R. A. Hall
19 Assistant Trust Officer
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