

REQUEST FOR RECORDE

Request of City Clerk for recordation of this instrument, and return to:
City Clerk, City Hall, 3900 Main Street
Riverside, CA 92522

RECEIVED FOR RECORD
11:11 AM
Past 2 o'clock

NOV 14 1985

Recorded in Official Records
of Riverside County, California
Walter E. Gandy
RECORDER
Fees \$

RESOLUTION NO. 15848

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, DEDICATING AND ACCEPTING A TEN-FOOT WIDE STRIP OF CITY-OWNED LAND LOCATED ACROSS THE GAGE CANAL RIGHT-OF-WAY ADJACENT TO THE SOUTHERLY BOUNDARY OF THE U.C.R. SPORTS COMPLEX AS A PUBLIC WALKWAY UPON THE MEETING OF CERTAIN CONDITIONS.

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WHEREAS 700 Market Associates XIII, a partnership, is the owner of the approximately nine acres of land situated on the northwest corner of Canyon Crest Drive and Linden Street within the City of Riverside, California; and

WHEREAS the Gage Canal owned by the City and operated on behalf of the City by The Gage Canal Company, a corporation, transverses the northwest corner of the aforementioned nine acres thereby separating a portion of the open-space area from the remainder of the proposed development; and

WHEREAS the City is willing to dedicate and accept a ten-foot-wide strip of land crossing the Gage Canal right-of-way adjacent to the southerly boundary of the U.C.R. Sports Complex as a public walkway to allow access between the open space area of the above-referenced nine acres and the remainder thereof subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

Section 1: That the following described ten-foot-wide strip or parcel of land located across the Gage Canal right-of-way adjacent to the southerly boundary of the U.C.R. Sports Complex near the northwest corner of Canyon Crest Drive and Linden Street in the City of Riverside, County of Riverside,

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CITY ATTORNEY
RIVERSIDE
CALIFORNIA

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1 resolution to be recorded in the office of the County Recorder
2 of Riverside County, California, at such time as the conditions
3 set forth in Section 4 below have been met.

4 Section 4: That the provisions of this resolution
5 relating to the dedication and acceptance of the above-described
6 ten-foot-wide strip or parcel of land as a public walkway shall
7 not become operative and a certified copy of this resolution
8 recorded in the office of the County Recorder until an agreement
9 satisfactory to the City Attorney of City executed by 700 Market
10 Associates XIII on its behalf and on behalf of its successors
11 and assigns as to the nine acres of land situated on the north-
12 west corner of Canyon Crest Drive and Linden Street within the
13 City of Riverside, California, is filed with the City Clerk of
14 City, by which agreement 700 Market Associates XIII shall agree
15 as follows:

16 (a) To indemnify, defend and hold harmless the City
17 of Riverside, its officers and employees, and The Gage
18 Canal Company, its officers and employees from any and
19 all claims, demands, or actions arising out of or
20 alleged to have been caused by the use, maintenance or
21 existence of the public walkway.

22 (b) To secure and maintain in full force and effect
23 during such time as the 10-foot-wide strip or parcel of
24 land described above is used as a public walkway, a
25 policy or policies of public liability and property
26 damage insurance in such amounts as may be approved by
27 the City Attorney of City, which policy or policies

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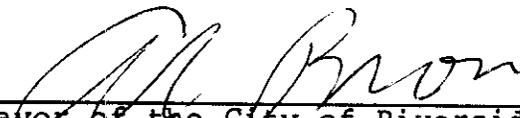
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shall include the City of Riverside and The Gage Canal Company as additional insureds.

(c) At its sole cost and expense, to pave the 10-foot-wide strip or parcel of land described above and to relocate the existing chain link fence and gates, including the bikeway path post at the boundary with the U.C.R. Sports Complex to a new location ten feet south-erly of the boundary subject to the approval of the plans and specifications therefor by the City of Riverside and The Gage Canal Company.

(d) To maintain the public walkway in a good condition and repair at its sole cost including the repairing of any damage caused by or alleged to have been caused by the public utilizing the above-described public walkway, or the City of Riverside and its officers and employees, or The Gage Canal Company, and its officers and employees.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this 20th day of August, 1985.



Mayor of the City of Riverside

Attest:



City Clerk of the City of Riverside

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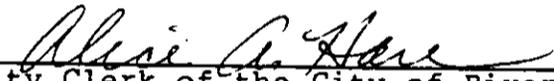
I, Alice A. Hare, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of said City at its meeting held on the 20th day of August, 1985 by the following vote, to wit:

Ayes: Councilmembers Bowers, Renck, Digati and Peterson.

Noes: None.

Absent: Councilmembers Loveridge, Shepard and Mansfield.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 20th day of August, 1985.



City Clerk of the City of Riverside

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