

RECORDED
REQUEST OF

COMMONWEALTH LAND TITLE CO.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

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

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RECORDED IN OFFICIAL RECORDS

MAY 31 1990 AT 8:00AM

SAN BERNARDINO COUNTY, CALIF.

90-212036

**GRANT OF EASEMENTS FOR INGRESS AND EGRESS
AND DECLARATION OF COVENANTS**

12727

This indenture is made this 16th day of December, 1989, by and between SIMCHOWITZ-W NO. 1, a California limited partnership ("SW") and CITY OF RIVERSIDE, a Municipal corporation ("City"), to be effective upon the date of its recordation.

January 1990

WHEREAS, SW is seized in fee simple of that parcel of real property which is described on Exhibit "A" attached hereto and incorporated herein by reference ("Servient Tenement"); and

WHEREAS, City is seized in fee simple of that parcel of real property which is described on Exhibit "B" attached hereto and incorporated herein by reference ("Dominant Tenement"); and

WHEREAS, the Parties hereto wish to create an express easement upon, over, under, and across the Servient Tenement, appurtenant to and for the benefit of the Dominant Tenement, and to declare covenants as herein provided;

NOW, this indenture witnesseth as follows:

1. *Grant of Easement.*

SW does hereby grant to City a perpetual and non-exclusive easement ("Easement") upon, over, under, and across that portion of the Servient Tenement described on Exhibit "C" and as drawn on Exhibit "D", both attached hereto and incorporated herein by reference, for the purpose of ingress and egress to and from the Dominant Tenement whether by automobile, truck, van, bus, carriage, equestrian, pedestrian or any other form of conveyance. City and its officers, directors, guests, employees, vendors, agents, clients, contractors, licensees, invitees and anyone rightfully holding under City shall have a right to enter the Easement, at any time, for the purposes set forth herein.

492087-55

2. **Obstructions and Interference.**

SW hereby covenants that SW will not install, or permit to be installed, build, or permit to be built, any structure or other obstruction, of any nature whatsoever, which will materially interfere with the use of the Easement.

3. **Easement Appurtenant and Covenants to Run With the Land.**

The Easement set forth herein is and shall be appurtenant. The burdens and the benefit of the covenants set forth herein shall run with and be for the benefit of the land and shall be binding upon, and shall inure to the benefit of, all persons having or acquiring any right, title, or interest therein and their successors and assigns.

4. **Miscellaneous.**

The recitals hereof and each of the Exhibits attached hereto is incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date and year first above written.

"CITY"

CITY OF RIVERSIDE, a Municipal Corporation

By: *[Signature]*
Mayor

"SW"

SIMCHOWITZ-W NO. 1, a California limited partnership

By: THE SIMCHOWITZ CORPORATION,
its General Partner

By: *[Signature]*

Its: *Vice President and*
Asst. Secretary

APPROVED AS TO FORM
[Signature]
ASST. CITY ATTORNEY

30-212036

LEGAL DESCRIPTION

PARCEL A

THAT PORTION OF LOT 4 IN BLOCK 65 AS SHOWN BY SURVEY OF THE RANCHO SAN BERNARDINO, RECORDED IN BOOK 7, PAGE 2 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 6 OF PARCEL MAP NO. 11148, AS SHOWN BY MAP ON FILE IN BOOK 135, PAGES 30 AND 31 OF PARCEL MAPS, RECORDS OF SAID SAN BERNARDINO COUNTY;

THENCE NORTH 89°47'49" EAST, ALONG THE SOUTH LINE OF CAROLINE STREET AS SHOWN BY PARCEL MAP 10423, ON FILE IN BOOK 114, PAGES 2 AND 3 OF PARCEL MAPS, RECORDS OF SAID SAN BERNARDINO COUNTY, A DISTANCE OF 492.47 FEET TO THE WESTERLY LINE OF WATERMAN AVENUE AS SHOWN BY SAID PARCEL MAP 10423;

THENCE SOUTH 00°01'25" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 36°14'39" EAST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 160.77 FEET;

THENCE SOUTH 00°01'25" EAST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 290.48 FEET;

THENCE SOUTH 03°24'11" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 256.64 FEET TO THE EASTERLY PROLONGATION OF THE SOUTH LINE OF PARCEL 4 OF SAID PARCEL MAP 10423;

THENCE SOUTH 89°47'54" WEST, ALONG SAID EASTERLY PROLONGATION, A DISTANCE OF 569.89 FEET TO AN ANGLE POINT IN THE EASTERLY BOUNDARY OF PARCEL 3 OF SAID PARCEL MAP NO. 11148; SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID PARCEL 4;

THENCE NORTH 00°12'11" WEST, ALONG THE EAST LINE OF SAID PARCEL 3 AND ALONG THE EAST LINE OF SAID PARCEL 6, A DISTANCE OF 716.60 FEET TO THE POINT OF BEGINNING.

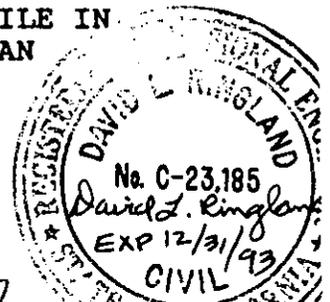
THE HEREINABOVE DESCRIBED PARCEL OF LAND IS ALSO SHOWN AS REMAINDER PARCEL OF SAID PARCEL MAP 10423.

PARCEL B

PARCEL 6 OF PARCEL MAP NO. 11148, AS SHOWN BY MAP ON FILE IN BOOK 135, PAGES 30 AND 31 OF PARCEL MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA.

DESCRIPTION APPROVAL 1/11/90
George P. Hutchinson by Kgp
SURVEYOR, CITY OF RIVERSIDE

EXHIBIT "A"



12727

LEGAL DESCRIPTION

(LEASE AREA)

PARCEL 4 OF PARCEL MAP NO. 11148, AS SHOWN BY MAP ON FILE IN BOOK 135, PAGES 30 AND 31 OF PARCEL MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA.

THE HEREINABOVE DESCRIBED PARCEL OF LAND IS ALSO DESCRIBED AS BEING A PORTION OF THE SOUTH HALF OF LOT 4, OF BLOCK 65, RANCHO SAN BERNARDINO, RECORDED IN BOOK 7 OF MAPS, PAGE 2, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 8 OF PARCEL MAP NO. 8401, RECORDED IN BOOK 88 OF PARCEL MAPS, PAGES 32 AND 33, RECORDS OF SAID COUNTY; SAID CORNER ALSO BEING ON THE NORTH LINE OF SAID SOUTH HALF OF LOT 4;

THENCE NORTH 89°47'54" EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF LOT 4, A DISTANCE OF 106.00 FEET;

THENCE SOUTH 0°12'06" EAST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 89°47'54" EAST, A DISTANCE OF 985.48 FEET TO THE WEST LINE OF WATERMAN AVENUE;

THENCE SOUTH 0°01'25" EAST, ALONG SAID WEST LINE OF WATERMAN AVENUE, A DISTANCE OF 90.00 FEET;

THENCE NORTH 89°47'54" EAST, A DISTANCE OF 70.00 FEET;

THENCE SOUTH 0°01'25" EAST, ALONG THE WEST LINE OF WATERMAN AVENUE, A DISTANCE OF 220.97 FEET TO THE NORTHERLY LINE OF THE SOUTHERN PACIFIC TRANSPORTATION COMPANY;

THENCE NORTH 80°12'36" WEST, A DISTANCE OF 1186.92 FEET;

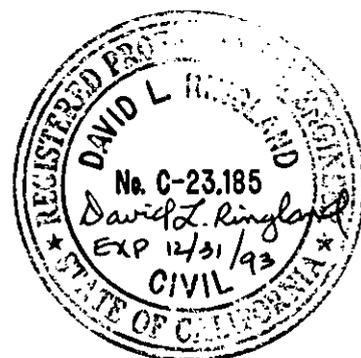
THENCE NORTH 0°01'04" WEST, A DISTANCE OF 125.03 FEET;

THENCE NORTH 89°47'02" EAST, A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING.

THE AREA OF THE DESCRIBED PROPERTY IS 5.49 ACRES, MORE OR LESS.

DESCRIPTION APPROVAL 1/11/93
George P. Hutchinson by *Kep*
 SURVEYOR, CITY OF RIVERSIDE

EXHIBIT "B"



LEGAL DESCRIPTION

ACCESS EASEMENT

THAT PORTION OF LOT 4 IN BLOCK 65 AS SHOWN BY SURVEY OF THE RANCHO SAN BERNARDINO, RECORDED IN BOOK 7, PAGE 2 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL 6 OF PARCEL MAP NO. 11148, AS SHOWN BY MAP ON FILE IN BOOK 135, PAGES 30 AND 31 OF PARCEL MAPS, RECORDS OF SAID SAN BERNARDINO COUNTY;

THENCE NORTH 89°47'49" EAST, ALONG THE SOUTH LINE OF CAROLINE AVENUE AS SHOWN BY PARCEL MAP 10423, ON FILE IN BOOK 114, PAGES 2 AND 3 OF PARCEL MAPS, RECORDS OF SAID SAN BERNARDINO COUNTY, A DISTANCE OF 217.16 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0°01'09" EAST, A DISTANCE OF 53.00 FEET;

THENCE NORTH 89°47'49" EAST, ALONG A LINE PARALLEL WITH SAID SOUTH LINE OF CAROLINE STREET, A DISTANCE OF 284.81 FEET TO THE WESTERLY LINE OF WATERMAN AVENUE AS SHOWN BY SAID PARCEL MAP 10423;

THENCE NORTH 36°14'39" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 16.08 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE;

THENCE NORTH 0°01'25" WEST, CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 11.00 FEET;

THENCE SOUTH 89°47'49" WEST, ALONG A LINE PARALLEL WITH SAID SOUTH LINE OF CAROLINE STREET, A DISTANCE OF 245.31 FEET;

THENCE NORTH 0°01'09" WEST, A DISTANCE OF 29.00 TO SAID SOUTH LINE OF CAROLINE STREET;

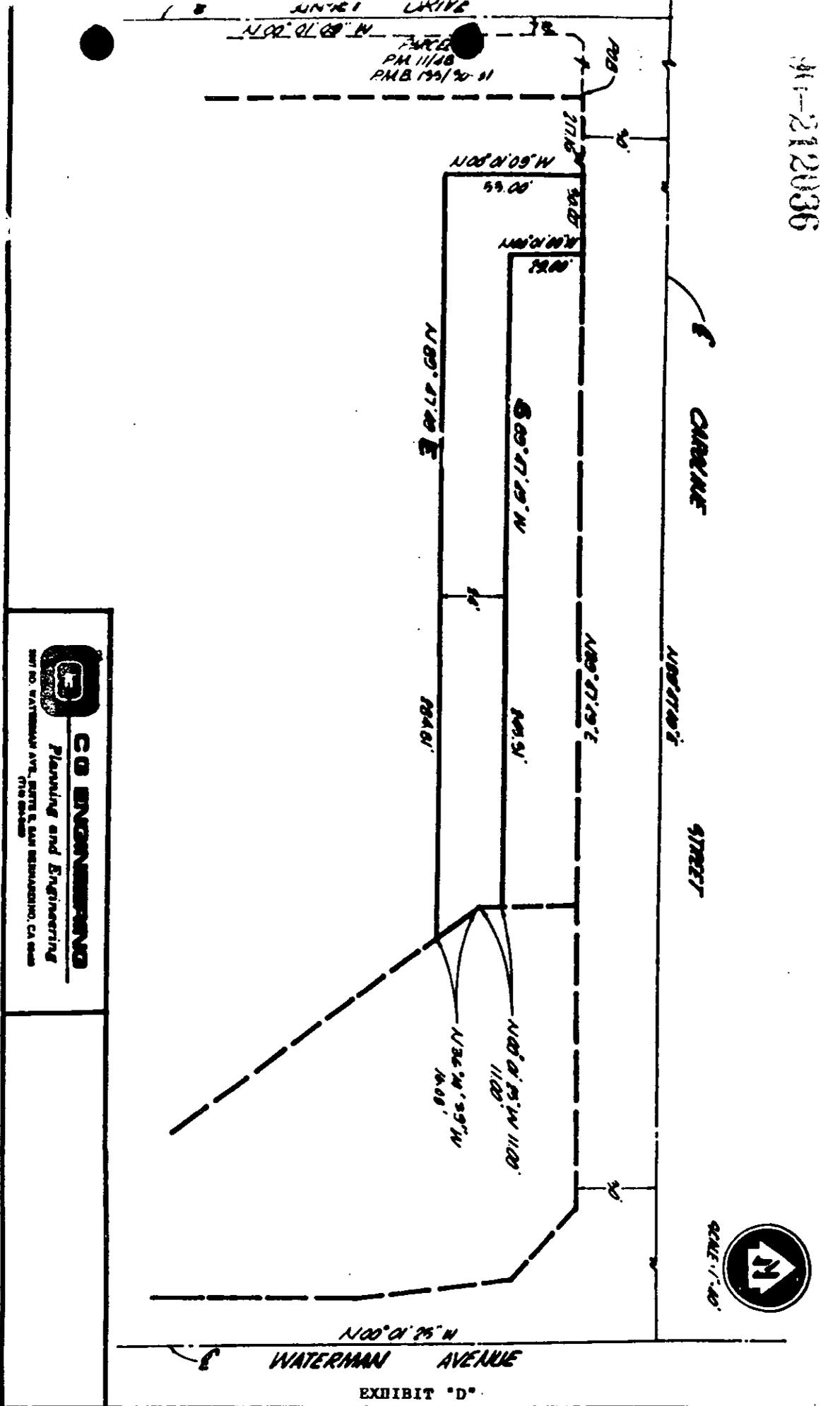
THENCE SOUTH 89°47'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT "C"

DESCRIPTION APPROVAL 1/11/90
George P. Hutchinson
 SURVEYOR, CITY OF RIVERSIDE by *Kgp*



44-212036



CO ENGINEERING
 Planning and Engineering
 301 DO WATERMAN AVE., SUITE 5, SAN RICHARD, CA 94598
 (708) 885-1100

EXHIBIT "D"

12727