

When recorded mail to:

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

DOC # 1999-391713

08/31/1999 08:00A Fee:39.00

Page 1 of 12

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



Project: VAC-63

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FOR RECORDER'S OFFICE USE ONLY

1999

EASEMENT AGREEMENT FOR ACCESS AND PUBLIC UTILITIES

WHEN RECORDED MAIL TO:

CITY CLERK
City Hall, 3900 Main Street
Riverside, California 92522

Project: VAC-63

EASEMENT AGREEMENT FOR ACCESS AND PUBLIC UTILITIES

THIS EASEMENT AGREEMENT is made and entered into this 26th day of August, 1999, by ANTOINETTE SECHREST and LOUIS SCARPINO, CO-TRUSTEES OF TRUST A OF THE SCARPINO FAMILY TRUST dated December 12, 1977, and ANTOINETTE SECHREST and LOUIS SCARPINO, CO-TRUSTEES OF TRUST B OF THE SCARPINO FAMILY TRUST dated December 12, 1977, hereinafter referred to as the First Party, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, as described in Exhibit "A" attached hereto and incorporated herein by this reference, and hereinafter referred to as Parcel 1; and by TOMMY V. THOMAS and MARTHA D. THOMAS, husband and wife, as joint tenants, hereinafter referred to as the Second Party, the Owners of record of the following described real property located in the City of Riverside, County of Riverside, State of California, as described in Exhibit "B" attached hereto and incorporated herein by this reference, and hereinafter referred to as Parcel 2.

WHEREAS an application for a street vacation was submitted to the City of Riverside to consider vacating the public interest a portion of Backus Drive

WHEREAS certain conditions of approval were imposed by the City of Riverside in granting approval of Vacation Case VAC-63, including the requirement to establish easements for access, ingress and egress and easements for public and private utilities to be provided over and across Parcel 1 for the use and benefit of Parcel 2 as set forth herein; and

WHEREAS the parties hereto desire to restrict Parcel 1 with the easement and obligations described herein for the purpose of complying with the above described condition of VAC-63

NOW, THEREFORE, the parties hereto agree as follows:

1. First Party hereby grants to Second Party, its successors and assigns, and establishes nonexclusive permanent easements for access, ingress, egress and public and private utilities to serve Parcel 2 over, under, along and across that portion of Parcel 1 as described in Exhibit "C" attached hereto and incorporated herein by this reference.
2. The portion of the easement for public and private utilities is to be exercised only in conjunction with the future development of Parcel 2.
3. This Easement Agreement is made and entered into for the purpose of complying with a condition of approval of VAC-63 and shall not be extinguished or altered in any way by the parties hereto or their heirs, successors or assigns without the prior written and recorded consent of the City Council of the City of Riverside.



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14459

4. The rights and obligations set forth herein shall run with the land and shall inure to the benefit of Parcel 2 and bind the successive owners of Parcels 1 and 2 respectively.

5. Except for the public and private utility easement over Parcel 1 for the benefit of Parcel 2 as set forth herein, nothing herein contained shall be deemed to be a gift dedication nor offer to dedicate the access easement for ingress and egress to the general public nor for any public purpose whatsoever.

IN WITNESS WHEREOF the parties hereto have caused the Easement Agreement to be executed the day and year first written above.

FIRST PARTY:

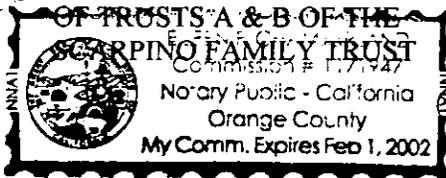
Antoinette Sechrest 8-²⁵~~30~~-99
Antoinette Sechrest
ANTOINETTE SECHREST, CO-TRUSTEE
OF TRUSTS A & B OF THE
SCARPINO FAMILY TRUST

SECOND PARTY:

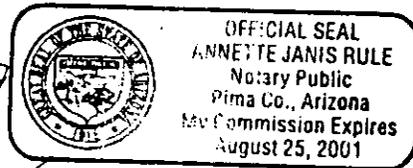
Tommy V. Thomas
TOMMY V. THOMAS

Louis Scarpino
LOUIS SCARPINO, CO-TRUSTEE

Martha D. Thomas
MARTHA D. THOMAS



Carol Chamberland
August 26, 1999

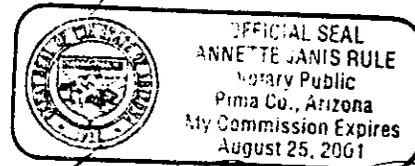


APPROVED AS TO FORM:

Carolyn Confer 8-31-99
Assistant City Attorney

Annette Janis Rule
August 23, 1999

LOUIS SCARPINO, CO-TRUSTEE
OF TRUSTS A & B OF THE
SCARPINO FAMILY TRUST



Annette Janis Rule
August 25, 1999

C:\Industrial Proj\Traffic-Utility Easement-4.doc



ARIZONA ALL-PURPOSE ACKNOWLEDGMENT

State of Arizona

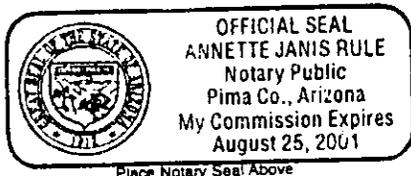
County of PIMA } ss.

On August 25, 1999, before me, Annette Janis Rule, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Antoinette I. SECHRIST 8-25-99
Name(s) of Signer(s)

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Annette Janis Rule
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

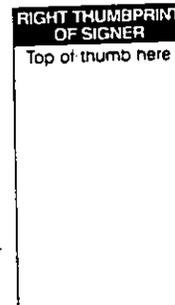
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



State of Arizona

GENERAL ACKNOWLEDGEMENT

County of PIMA } ss

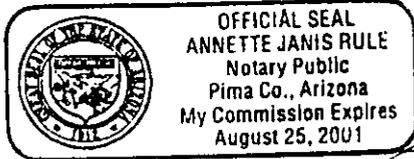
On August 25, 1999 before me Annette Janis Rule
(date) (name)

a Notary Public in and for said State, personally appeared

Antoinette J. Sechrist 8-25-99
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Annette Janis Rule
Signature

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)
Title _____
Title _____
- () Guardian/Conservator
- () Individual(s)
- () Trustee(s)
- () Other

- () Partner(s)
() General
() Limited

The party(ies) executing this document is/are representing:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

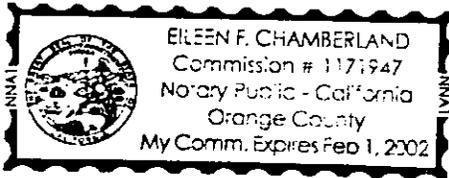
County of Orange } ss.

On August 26, 1999, before me, Eileen F. Chamberland, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Louis Scarpino
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Eileen F. Chamberland
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here



GENERAL ACKNOWLEDGEMENT

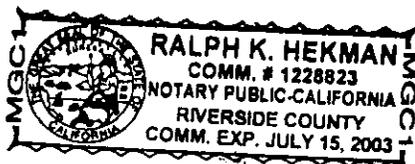
State of California }
County of RIVERSIDE } ss

On 8/19/99, before me Ralph R. HEKMAN
(date) (name)

a Notary Public in and for said State, personally appeared

Tommy V. Thomas & MARTHA A. Thomas
Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Ralph K. Hekman
Signature

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)

Title _____
Title _____

- () Guardian/Conservator

- () Individual(s)

- () Trustee(s)
- () Other

- () Partner(s)
 - () General
 - () Limited

The party(ies) executing this document is/are representing:



EXHIBIT "A"

SCARPINO PARCEL

LEGAL DESCRIPTION

PARCEL "1"

THAT PORTION OF LOTS 1 THROUGH 6 OF BLOCK 7, TOGETHER WITH THAT PORTION OF LOT "E" AND A PORTION OF RIVERVIEW DRIVE OF TRACT NO. 3 OF RIVERVIEW ADDITION TO RIVERSIDE, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS RECORDED BOOK 7, PAGE 5 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF THE EAST LINE OF LOT 1 WITH A LINE LYING 33.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF INDUSTRIAL AVENUE BOTH AS SHOWN ON SAID TRACT NO. 3; THENCE, NORTH 89°52'45" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 232.54 FEET TO THE BEGINNING OF A TANGENT 87.00 FOOT RADIUS CURVE, CONCAVE TO THE NORTH; THENCE, NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°00'00", AN ARC DISTANCE OF 15.18 FEET; THENCE, NORTH 79°52'45" WEST, A DISTANCE OF 31.98 FEET TO THE BEGINNING OF A TANGENT 74.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE, WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°37'08", AN ARC DISTANCE OF 79.58 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID TRACT NO. 3, A RADIAL BEARING TO SAID POINT BEARS NORTH 51°29'40" WEST; THENCE NORTH 00°07'15" EAST, ALONG SAID WEST LINE OF TRACT NO. 3, A DISTANCE OF 150.55 FEET TO A POINT OF INTERSECTION WITH A LINE WHICH LIES 163.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF SAID INDUSTRIAL AVENUE; THENCE SOUTH 89°52'45" EAST, ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 350.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 1; THENCE, SOUTH 00°07'15" WEST, ALONG SAID PROLONGATION, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING.



DESCRIPTION APPROVAL *2/2/99*
[Signature] by *top*
SURVEYOR, CITY OF RIVERSIDE



EXHIBIT "B"

THOMAS PARCEL

LEGAL DESCRIPTION

PARCEL "2"

THAT PORTION OF LOT "E" AND A PORTION OF RIVERVIEW DRIVE OF TRACT NO. 3 OF RIVERVIEW ADDITION TO RIVERSIDE, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS RECORDED BOOK 7, PAGE 5 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT "E" OF SAID TRACT NO. 3; THENCE, SOUTH 89°57'15" EAST, ALONG THE NORTH LINE OF SAID LOT "E", 598.21 FEET TO THE NORTHEAST CORNER OF SAID LOT "E"; THENCE, SOUTH 00°01'42" WEST, A DISTANCE OF 15.00 FEET TO THE BEGINNING OF A 80.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST; THENCE, WESTERLY AND SOUTHWESTERLY, ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 76°01'42", AN ARC DISTANCE OF 106.16 FEET; THENCE, SOUTH 14°00'00" WEST, A DISTANCE OF 10.00 FEET TO THE BEGINNING OF A TANGENT 175.00 FOOT RADIUS CURVE; THENCE, ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 75°36'19", AN ARC DISTANCE OF 230.92 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 1 OF BLOCK 7 OF SAID TRACT NO. 3, THE PRECEDING 3 COURSES BEING ALONG THE CENTERLINE OF SAID RIVERVIEW DRIVE; THENCE, NORTH 00°07'15" EAST, ALONG SAID PROLONGATION, 38.30 FEET TO A POINT OF INTERSECTION WITH A LINE LYING 163.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF INDUSTRIAL AVENUE AS SHOWN ON SAID TRACT; THENCE NORTH 89°52'45" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 350.00 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT "E"; THENCE NORTH 00°17'15" EAST, ALONG SAID WEST LINE OF SAID LOT "E", A DISTANCE OF 179.44 FEET TO THE POINT OF BEGINNING.

DESCRIPTION APPROVAL 2/19/99
[Signature]
SURVEYOR, CITY OF RIVERSIDE by *[Signature]*



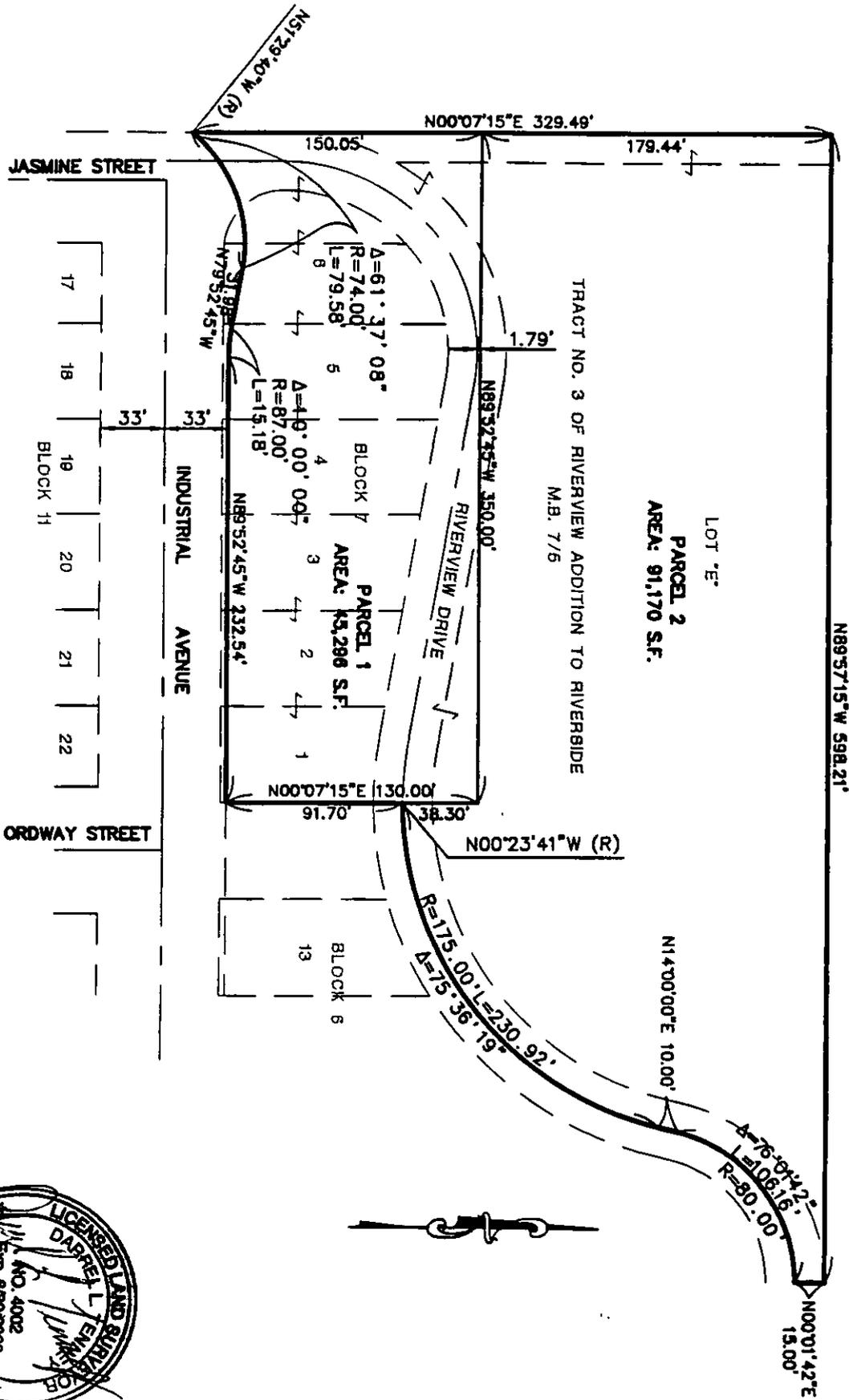
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N89°57'15"W 598.21'

LOT 'E'

PARCEL 2
AREA: 91,170 S.F.

TRACT NO. 3 OF RIVERVIEW ADDITION TO RIVERSIDE
M.B. 7/6



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.



THE CORNERSTONE GROUP

CIVIL ENGINEERING, PLANNING, LAND SURVEYING
1485 SPRUCE STREET, SUITE 700
RIVERSIDE, CALIFORNIA, 92507
(909) 342-0038 FAX (909) 342-0288



SCALE: 1"=80'

J.N. 3688



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EXHIBIT "C"

LEGAL DESCRIPTION

EASEMENT FOR ACCESS AND UTILITY PURPOSES

THAT PORTION OF LOT "E" AND A PORTION OF RIVERVIEW DRIVE OF TRACT NO. 3 OF RIVERVIEW ADDITION TO RIVERSIDE, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS RECORDED BOOK 7, PAGE 5 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

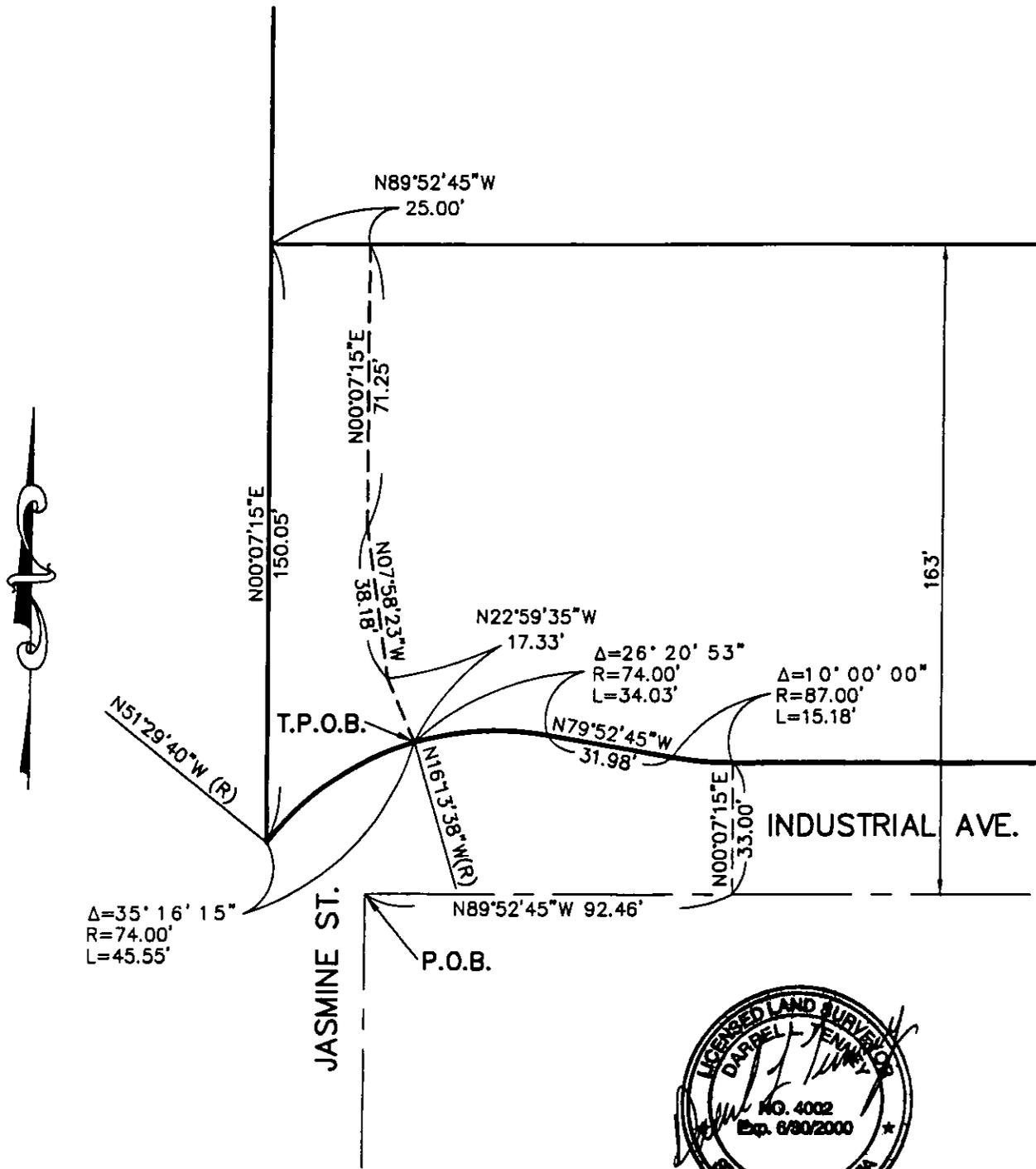
BEGINNING AT THE CENTERLINE INTERSECTION OF INDUSTRIAL AVENUE AND JASMINE STREET AS SHOWN ON SAID MAP; THENCE, SOUTH 89°52'45" EAST, ALONG SAID CENTERLINE OF INDUSTRIAL AVENUE, A DISTANCE OF 92.46 FEET; THENCE NORTH 0°07'15" EAST, 33.00 FEET TO A POINT ON A LINE WHICH LIES 33.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF SAID INDUSTRIAL AVENUE, SAID POINT ALSO BEING THE BEGINNING OF A TANGENT 87.00 FOOT RADIUS CURVE, CONCAVE TO THE TO THE NORTH AND BEING TANGENT TO SAID PARALLEL LINE; THENCE, WESTERLY ALONG SAID TANGENT CURVE THROUGH A CENTRAL ANGLE OF 10°00'00" AN ARC DISTANCE OF 15.18 FEET TO A POINT OF TANGENCY; THENCE, NORTH 79°52'45" WEST, A DISTANCE OF 31.98 FEET TO THE BEGINNING OF A TANGENT 74.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH; THENCE, WESTERLY ALONG SAID ARC, THROUGH A CENTRAL ANGLE OF 26°20'53", AN ARC DISTANCE OF 34.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHWESTERLY ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 35°16'15", AN ARC DISTANCE OF 45.55 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID LOT "E"; THENCE NORTH 00°07'15" EAST, ALONG SAID PROLONGATION, 150.05 FEET TO A POINT OF INTERSECTION WITH A LINE WHICH LIES 163.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF SAID INDUSTRIAL AVENUE; THENCE, SOUTH 89°52'45" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 25.00 FEET TO A POINT OF INTERSECTION WITH A LINE WHICH LIES 25.00 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF SAID LOT "E"; THENCE, SOUTH 00°07'15" WEST, ALONG SAID PARALLEL LINE, 71.25 FEET; THENCE, SOUTH 7°58'23" EAST, A DISTANCE OF 38.18 FEET; THENCE SOUTH 22°59'35" EAST, A DISTANCE OF 17.33 FEET TO THE TRUE POINT OF BEGINNING.

THE AREA OF SAID EASEMENT IS 3,728 SQUARE FEET.

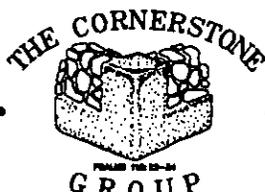
DESCRIPTION APPROVAL *[Signature]*
SURVEYOR, CITY OF RIVERSIDE by *[Signature]*



EXHIBIT "C"



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88/31/1999 08:00R
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CIVIL ENGINEERING, PLANNING, LAND SURVEYING
1485 SPRUCE STREET, SUITE "H"
RIVERSIDE, CALIFORNIA, 92507
(909) 342-0038 FAX (909) 342-0288

EASEMENT FOR ACCESS AND UTILITY PURPOSES

SCALE: 1"=40' | J.N. 3688 | 3615

14459