

When recorded mail to:

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

DOC # 2009-0377413

07/22/2009 08:00A Fee:NC

Page 1 of 8

Recorded in Official Records

County of Riverside

Larry W Ward

Assessor, County Clerk & Recorder



FREE RECORDING

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee (Government Code §6103)

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Per customer chq to RICC NCHG CC 512

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FOR RECORDER'S OFFICE USE ONLY

Project: 3700 Main Street
POR. A.P.N. 213-271-001
Fire Service Lateral Line

D - 16379



EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **TON INC., a Delaware corporation**, as Grantor, grants to the CITY OF RIVERSIDE, a municipal corporation of the State of California, as Grantee, its successors and assigns, an easement and right-of-way for the construction, reconstruction, maintenance, operation, inspection, repair, replacement, relocation, renewal and removal of a subterranean and above ground fire service lateral line, together with all necessary appurtenances, in, under, upon, over and along that certain real property as described in Exhibit "A" and depicted in Exhibit "D" attached hereto and incorporated herein by this reference, located in the City of Riverside, County of Riverside, State of California.

TOGETHER WITH the right to clear and keep clear said easement and right-of-way from any structures, excluding the building within which the easement and right-of-way lie, or merchandise, to enter upon and to pass and repass over and along said real property, and to deposit tools, implements and other material thereon by Grantee, its officers, agents and employees and by persons under contract with said Grantee and their officers, agents and employees, whenever and wherever necessary for the purpose of constructing, reconstructing, maintaining, operating, inspecting, repairing, replacing, relocating, renewing and removing said subterranean and above ground fire service lateral line.

Grantor further irrevocably grants permission to Grantee, its officers, employees, agents, contractors, and/or subcontractors to enter upon that portion of the real property owned by Grantor, as described in Exhibit "B" and depicted in Exhibit "D" attached hereto and incorporated herein by this reference, at any time for the purpose of providing ingress and egress ("Access Rights") to the easement area described herein.

Grantor further grants permission to Grantee the right to relocate any merchandise and any additional work determined by the Grantee's Public Utilities General Manager to be necessary to complete the work for which these Easement Rights are given ("Relocation Rights") within the real property described in Exhibit "C" and depicted in Exhibit "D" attached hereto and incorporated herein by this reference. These Relocation Rights are granted on the condition that upon completion of the necessary work, Grantee shall relocate any merchandise to its original location, remove all tools, equipment, materials and supplies used in the performance of the work and all waste materials and debris resulting therefrom, and with the exception of existing ceiling, wall and floor coverings/materials, return the surfaces of the Relocation Rights area to as near as possible its condition prior to commencement of work. Grantee agrees not to intentionally damage Grantor's merchandise in the process of performing such activities.

Except as to the sole negligence or willful misconduct of the Grantee, Grantor will, insofar as it may legally do so, indemnify and hold Grantee harmless from and against any and all claims, demands, suits, judgments, expenses and costs on account of injury to, or death of, any person, or loss of or damage to property, arising out of the operation, inspection, maintenance, removal and/or replacement of the fire service lateral line.

Grantor, their heirs, successors and assigns in interest, shall be bound by all the terms and conditions contained in this easement document and all the parties thereto shall be jointly and severally liable thereunder.



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Dated 6-25-09 TON INC., a Delaware corporation

By Rolland Gene Johnston
ROLLAND GENE JOHNSTON
(print name)
Title Owner - President

By Rolland Gene Johnston
ROLLAND GENE JOHNSTON
(print name)
Title Att. & Treasurer

State of California

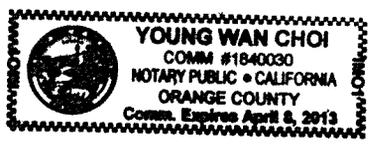
County of ORANGE } ss

On JUNE 25, 2009, before me, YOUNG WAN CHOI, Notary Public, personally appeared ROLLAND GENE JOHNSTON who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Notary Signature



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**CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)**

THIS IS TO CERTIFY that the interest in real property conveyed by the within instrument to the City of Riverside, California, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City Council of said City pursuant to authority conferred by Resolution No. 21027 of said City Council adopted September 6, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

Dated July 16, 2008

CITY OF RIVERSIDE

By Belaq Dushan

3700 MAIN ST FIRE SRVC DOC

Attest [Signature]
City Clerk



APPROVED AS TO FORM

Susan Wilson
DEPUTY CITY ATTORNEY



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EXHIBIT "A"

POR A.P.N 213-271-001
Fire Service Lateral Line Easement

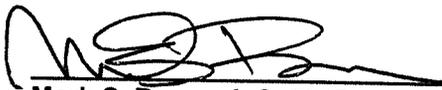
That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

The southwesterly 10 00 feet of the northeasterly 91.00 feet of the northwesterly 8 00 feet of Block 7, Range 6 of the Town of Riverside, as shown by map on file in Book 7, Page 17 of Maps, records of San Bernardino County, California.

The easement rights described herein further extend vertically from the basement of the structure ("Structure") located on the northeasterly 98.00 feet of the northwesterly 150.00 feet of said Block 7, Range 6 to a distance of approximately 3.00 feet above the finish floor elevation of the Main Street Mall sidewalk adjoining the northwesterly line of the portion of said Block 7, Range 6 hereinabove described

Area – 80 square feet

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.


Mark S. Brown, L.S. 5655
License Expires 9/30/09

5/11/09 Date
Prep. 



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EXHIBIT "B"

POR A.P.N. 213-271-001
Access Rights

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows.

The northwesterly 20 00 feet of Block 7, Range 6 of the Town of Riverside, as shown by map on file in Book 7, Page 17 of Maps, records of San Bernardino County, California.

The Access Rights described herein pertain to the basement and ground floor areas of the Structure.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.


Mark S. Brown, L.S. 5655
License Expires 9/30/09

5/11/09 Date Prep. Kop



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EXHIBIT "C"

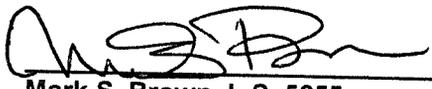
POR. A P N. 213-271-001
Relocation Rights

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

The southwesterly 20.00 feet of the northeasterly 98.00 feet of the northwesterly 20 00 feet of Block 7, Range 6 of the Town of Riverside, as shown by map on file in Book 7, Page 17 of Maps, records of San Bernardino County, California.

The Relocation Rights described herein pertain to the basement area of the Structure.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 5/11/09 Date MB Prep.
Mark S. Brown, L.S. 5655
License Expires 9/30/09



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E FMLY 7TH STREET

MISSION INN AVENUE

49.5'

49.5'

MALL

STREET

MAIN

99'

98'

91'

8'

20'

8'

FIRE SERVICE
LATERAL LINE
EASEMENT

2 ACCESS RIGHTS

3700

3720

2 RELOCATION RIGHTS

3730

BLOCK 7, RANGE 6

3744

TOWN

OF RIVERSIDE
M.B. 7/17 S.B.CO.

3750

3768

150'

150'

5'

ALLEY

5'

◆ CITY OF RIVERSIDE, CALIFORNIA ◆

EXHIBIT "D"

Sheet 1 of 1



Scale: 1" = 40'

Drawn by: skn

Date: 04/15/09

Subject: 3700 MAIN STREET - FIRE SERVICE LATERAL

110379