

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF RIVERSIDE
ACCEPTING DEED.

651

BE IT RESOLVED, this 14th day of February, 1922, by the Mayor and Common Council of the City of Riverside, County of Riverside, State of California, that deed dated January 18, 1922, executed by the Southern Pacific Company, a corporation of the state of Kentucky, and Southern Pacific Railroad Company, a corporation of the states of California, Arizona and New Mexico, to the City of Riverside, aforesaid County and State, be, and the same is hereby accepted, for the purposes and intentions as therein set forth; and

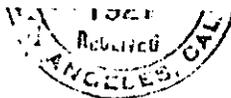
Be it further resolved, that a copy of this resolution be attached to said deed, and that the same be recorded in the office of the County Recorder of the County of Riverside, California and filed in the records of the City Engineer.

State of California)
County of Riverside)ss.
City of Riverside)

I, C. B. Burns, City Clerk and ex-officio Clerk of the Common Council of the City of Riverside, State of California, do hereby certify that the foregoing is a full, true and correct copy of a resolution of said Common Council adopted on the 14th day of February, 1922.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City of Riverside, this 17th day of February, 1922.


Clerk of the City of Riverside



[Handwritten signature]

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

RESOLVED, that form of agreement in triplicate, with the Southern Pacific Railroad Company, under the terms of which said company grants to the City of Riverside the right to construct and maintain a highway upon and across the right-of-way of said company at its intersection with North Mulberry Street extended as described in said proposed agreement, be, and the same is hereby approved, and that the Mayor and the City Clerk of said city, be, and they are hereby authorized to execute same on behalf of said city.

State of California,)
County of Riverside,) ss.
City of Riverside.)

I, H.C.Cree, the duly elected, qualified and acting Clerk of the City of Riverside, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Mayor and Common Council of said city, at its meeting held on the 13th day of December, 1921.

In witness whereof, I have hereunto set my hand and affixed my official seal this 17th day of December, 1921.

[Signature]
Clerk of the City of Riverside.

THIS INDENTURE, made this 18th day of January, 1921, between SOUTHERN PACIFIC COMPANY, a corporation of the State of Kentucky, and SOUTHERN PACIFIC RAILROAD COMPANY, a corporation of the States of California, Arizona and New Mexico, herein collectively termed first party, and CITY OF RIVERSIDE, a municipal corporation of the State of California, second party.

WITNESSETH:

That first party hereby grants to second party (subject to the conditions hereinafter contained) the right to construct and maintain a highway upon and across that certain parcel of land situated in the County of Riverside, State of California, and lying within the railroad right of way of first party, and described as follows, to-wit:

BEGINNING at the point of intersection of the westerly line of North Mulberry Street, with the northerly right of way line of the Riverside Branch of the Southern Pacific Railroad as now located; thence South $56^{\circ} 09'$ West, 56.22 feet, to a point on the southerly right of way line of said Riverside Branch of the Southern Pacific Railroad; thence South $61^{\circ} 05'$ East, 85.76 feet, along said southerly right of way line; thence North $28^{\circ} 57'$ East, 50 feet, to a point on said northerly right of way line of the Southern Pacific Railroad; thence North $61^{\circ} 05'$ West, 60 feet, along said northerly right of way line to the point of beginning, in the location shown within red lines upon blue print map hereto attached and made a part hereof.

This grant is subject and subordinate to the prior and continuing right and obligation of first party and its successors to use and maintain its entire railroad right of way in performance of its public duty as common carrier, and is also subject to the right and power of first party and its successors in interest or ownership of the said railroad right of way, to construct, maintain, use and operate, on the present or other grade, existing or additional railroad tracks and appurtenances thereto, including water and fuel pipe lines and conduits, and telegraph, telephone, signal, power and other electric lines, upon, along or across any or

all parts of said land above described, all or any of which may be freely done at any time or times by first party or its successors without liability to second party or to anyone else for compensation or damage.

And should second party at any time abandon the use of the said land or any part thereof, or fail at any time to use the same for said purpose for a continuous period of one year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and first party shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of the said land, or the part thereof so abandoned, or the use thereof so discontinued.

It is understood and agreed that said crossing shall be constructed and maintained in accordance with Decision No. 9601 of the Railroad Commission of the State of California, dated October 14th, 1921.

This instrument is subject to all valid and existing contracts, leases, liens or encumbrances which may affect the said property, and the word GRANT as used herein shall not be construed as a covenant against the existence of any thereof.

This grant is made in consideration of and upon the express condition that the second party shall legally close and cause to be abandoned for highway and street purposes and for any public use whatever, except for railroad purposes of the first party, that certain parcel of land lying within the railroad right of way of the first party located approximately two hundred (200) feet easterly from said crossing at first party's Engineer Station 535 plus 00, in the location shown within yellow lines on said blue print map.

IN WITNESS WHEREOF, the parties hereto have caused these

RECEIVED BY THE DIRECTOR OF THE BUREAU OF PUBLIC WORKS OF THE CITY OF LOS ANGELES ON THE 17TH DAY OF DECEMBER 1921

presents to be executed by their respective officers thereunto duly authorized, the day and year first above written.

(In triplicate)

SOUTHERN PACIFIC COMPANY,

By [Signature]
General Manager.

Attest [Signature]
Assistant Secretary.

Description Correct:

SOUTHERN PACIFIC RAILROAD COMPANY,

[Signature]
Division Engineer

By [Signature]
Vice President.

Recommended:

[Signature]
Superintendent

Attest [Signature]
Secretary.

Approved:

[Signature]
Assistant General Manager

CITY OF RIVERSIDE,
By [Signature]
Mayor.

Approved:

By [Signature]
City Clerk.

Engineer Maintenance of Way and Structures.

I hereby certify that the above described work is authorized by the Board of Directors of the Southern Pacific Railroad Company, and that the same is to be performed in accordance with the plans and specifications attached hereto.

[Signature]
12/17/1921
[Signature]
City Clerk

Form Correct:

[Signature]
Contract Attorney

Form Approved:

[Signature]
V.P. & Chief Counsel

COUNTERSIGNED
T. G. EDWARDS

[Signature]

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO.

SS.

On this 27th day of January, 1924,
before me Frank Harvey, a Notary Public in
and for said City and County of San Francisco, State of
California, personally appeared J. H. DYER, known to me to
be the GENERAL MANAGER of SOUTHERN PACIFIC COMPANY,
W. F. Ingram, known to me to be the
2nd VICE PRESIDENT of SOUTHERN PACIFIC RAILROAD COMPANY,
and G. L. KING, known to me to be the ASSISTANT SECRETARY of
SOUTHERN PACIFIC COMPANY and SECRETARY of SOUTHERN PACIFIC
RAILROAD COMPANY, the corporations that executed the within
instrument; and each of them acknowledged to me that such
corporations executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, at my office, in the said City
and County of San Francisco, State of California, on the
day and year in this certificate first above written.

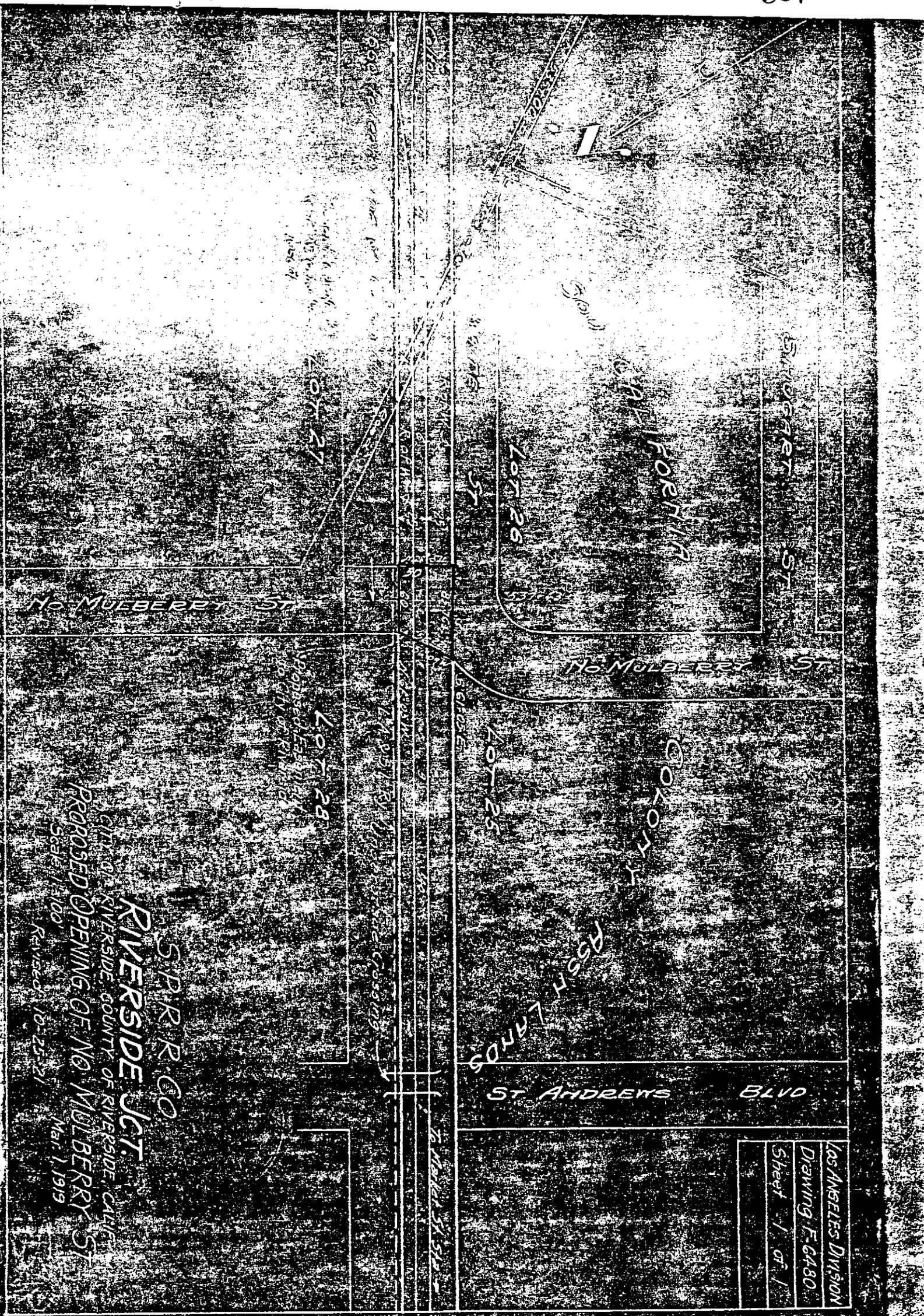
Frank Harvey
Notary Public in and for the
City and County of San Francisco,
State of California.

STATE OF CALIFORNIA,
CITY AND COUNTY OF RIVERSIDE. } ss.

On this 29th day of December, 1921,
before me Miguel Gonzalez, a Notary Public in and
for said City and County of Riverside, State of California,
personally appeared Horace Porter, known
to me to be the MAYOR, and A. C. Bree,
known to me to be the CITY CLERK of CITY OF RIVERSIDE, the
municipal corporation that executed the within instrument;
and each of them acknowledged to me that such municipal
corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, at my office, in the said City
and County of Riverside, State of California, on the day and
year in this certificate first above written.

Miguel Gonzalez
Notary Public in and for the
City and County of Riverside,
State of California.



S.P.R.R. CO.
RIVERSIDE JCT.
 CITY OF RIVERSIDE COUNTY OF RIVERSIDE, CALIF.
PROPOSED OPENING OF NO. MULBERRY ST.
 Scale 1" = 100'
 Revised 10-25-21
 Mar. 1, 1919

LOS ANGELES DIVISION
 Drawing F-6480
 Sheet 1 of 1

113

Document
A. H. G.
5-2-26 Registered

RECORD	
FEB 17 1922	
at 3:30 P.M. at	City of
of	County
Book No. 5711 of	Page 79
of	Recorder
Dorsey	

Inst. 29
May 75