

Requested By:
 SAN BERNARDINO COUNTY
 FLOOD CONTROL DISTRICT
 825 E. THIRD ST.
 SAN BERNARDINO, CA. 92415-0835

ATTN: R/W ENGINEER

And When Recorded Mail To:
 SAME AS ABOVE

Recorded in Official Records, County of
 San Bernardino, Errol J. Mackzum, Recorder

No Fee

Doc No. 19970399537
 10:46am 10/30/97

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J- 151

Project: San Timoteo
 Parcel No.: 179
 Dept. Code: 11600

EASEMENT

Deed Plat #: 3.400/65
 Doc#: 3E945 / 04015
 APN: 283-041-31&32
 Date: 05-12-97

For valuable consideration, the **CITY OF RIVERSIDE**, a municipal corporation of the State of California, hereinafter referred to as **City**, does hereby grant to the **SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT**, a body corporate and politic, hereinafter referred to as **District** a perpetual easement for flood control and water conservation purposes in, over, upon and across the following described real property in the Cities of Loma Linda and San Bernardino, County of San Bernardino, State of California to -wit:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

The easement herein granted shall include: the right to construct, reconstruct, inspect, maintain and repair flood control and/or water conservation works and appurtenant structures for the purpose of confining, storing and conserving waters; the right to enter upon and to pass and repass over and along said land; the right to deposit tools, implements and other materials thereon and to take therefrom and /or place thereon earth, rock, sand and gravel for the purpose of excavating, widening deepening and otherwise rectifying any artificial or natural channel and for the construction, maintenance and repair of said flood control and /or water conservation works and appurtenant structures. Said rights are to be exercised by said District, its officers, agents and employees and by persons under contract with it and their employees, whenever and wherever necessary, for flood control and water conservation purposes.

It is understood that each of the undersigned grantors grants only that portion of the above described land which is owned by said grantor, or in which said grantor has an interest, and that by granting this easement, the undersigned grantors have not conveyed any title to the waters so confined and conserved.

TO HAVE AND TO HOLD, together with the right to do all things necessary to be done for the purpose of confining or conserving waters which fall, flow or are conducted into said right of way.

All rights granted herein, are subject to reservations, conditions and restrictions contained in attached **Exhibit "B"**.

IN WITNESS WHEREOF this easement is signed and executed this 27th day of October, 19 97.

BY: John E Holmes
 City Manager, City of Riverside

BY: Collin Nicol
 City Clerk, City of Riverside

Exhibit "A"

A portion of that part of Lot 10, Block 75, Rancho San Bernardino, as per plat recorded in Map Book 7, page 2, records of San Bernardino County, lying within that certain parcel of land as described in document recorded June 27, 1961 in Book 5469, page 257, Official Records of San Bernardino County and as shown on County Surveyor's Map 10,064-5, said map is on file in the Office of the County Surveyor, said portion described as follows:

Beginning at a lead and tack in concrete monument in the centerline of Redlands Boulevard, as shown on said County Surveyor's Map; Thence South $89^{\circ}18'03''$ East, 0.83 feet, along the centerline of Redlands Boulevard, to the centerline intersection of Redlands Boulevard with the centerline of Gage Canal, as said Gage Canal is described in document recorded June 2, 1910 in Book of Deeds 463, page 315 and shown on Record of Survey Book 16, pages 50 to 56, records of San Bernardino County; Thence, along the centerline of said Gage Canal, South $25^{\circ}09'09''$ West, 211.67 feet to the **True Point of Beginning**, said True Point of Beginning is also a point of intersection with the North line of that parcel of land described in document recorded in Book 5469, page 257, Official Records of San Bernardino County, said point of intersection being on a non-tangent curve, concave Southwesterly and having a radius of 1620.00 feet, a radial line through said point of intersection bears North $12^{\circ}11'00''$ East; Thence Southeasterly 51.13 feet along said curve and said North line, through a central angle of $1^{\circ}48'30''$, to a point of intersection with the East line of said Gage Canal; Thence South $25^{\circ}09'09''$ West, along the East line of said Gage Canal, 142.96 feet to an intersection with the South line of that said parcel of land described in document recorded in Book 5469, page 257, said point of intersection being on a non-tangent curve, concave Southwesterly and having a radius of 1480.00 feet, a radial line through said point of intersection bears North $12^{\circ}55'13''$ East; Thence Westerly 103.19 feet along said curve and said South line, through a central angle of $3^{\circ}59'41''$, to a point of intersection with the West line of said Gage Canal; Thence, along the West line of said Gage Canal, North $25^{\circ}09'09''$ East, 145.28 feet to an intersection with the said North line of said parcel of land described in document recorded in Book 5469, page 257, said point of intersection also being on a non-tangent curve, concave Southwesterly and having a radius of 1620.00 feet, a radial line through said point of intersection bears North $10^{\circ}21'42''$ East; Thence Southeasterly 51.51 feet along said curve, through a central angle of $1^{\circ}49'18''$, to the **True Point of Beginning**.

Containing 0.327 acres, more or less.

Kenneth Williams

San Timoteo Channel
Par. 179
D.P. 3.400/65
Doc.#: 3E945/04015
A.P.N. 283-041-31, 32

14151

EXHIBIT "B"

1. The CITY shall reserve, from this easement grant, sufficient rights for the operation, maintenance and replacement of all existing and future CITY and Gage Canal Company facilities, installed within the easement area. The DISTRICT'S use of the easement area shall not preclude the continued use by the CITY and the Gage Canal Company.
2. The DISTRICT shall fully indemnify, defend and hold harmless the CITY, the Gage Canal Company, and the agents and employees of the CITY and the Gage Canal Company, against all liability, claims, demands, damages and related costs, arising from the DISTRICT'S use and/or occupancy of the easement area.
3. The DISTRICT shall secure and maintain insurance to ensure that indemnification, herein required, is provided for. The DISTRICT shall require its construction contractor/s to include the CITY as an additional insured under its general liability insurance policies.
4. The DISTRICT shall submit construction plans, for all intended improvements, to the CITY for review and approval to ensure that construction of DISTRICT improvements will not interfere with CITY or Gage Canal Company facilities. The DISTRICT shall protect CITY and Gage Canal Company facilities at all times.
5. The DISTRICT shall be fully responsible for all relocations, of CITY, Gage Canal Company and/or DISTRICT facilities, solely required to accommodate DISTRICT initiated construction projects.
6. The interim Right-of-Entry, previously granted by the CITY to the DISTRICT, dated June 11, 1996 and limited to a period of six months, will terminate upon recordation of this easement document.
7. All provisions, herein contained, shall remain in effect until the easement rights, hereby granted, are relinquished by the DISTRICT to the CITY.

APPROVED AS TO FORM

Robert A. Lewis 8/5/97
ASST. CITY ATTORNEY

14151-3

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

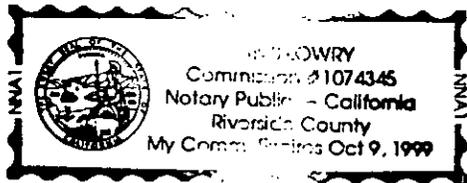
State of CALIFORNIA

County of RIVERSIDE

On OCTOBER 28, 1997 before me, JANIS LOWRY NOTARY PUBLIC
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared John E. Holmes and COLLEEN J. NIEL
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.

Janis Lowry
SIGNATURE OF NOTARY

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S) LIMITED
- ATTORNEY-IN-FACT GENERAL
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

San Bernardino County Flood Control District Acceptance Certificate

This is to certify that the interests in the real property conveyed by the within instrument to the San Bernardino County Flood Control District, a body corporate and politic of the State of California, are hereby accepted by the undersigned officer on behalf of said District pursuant to authority conferred by Resolution # 86-156 April 21, 1986 by it's Board of Supervisors and the Grantee consents to the recordation thereof by it's duly authorized officer.

DATED: 10-30-97

BY: *Adrian Schump*

179
E

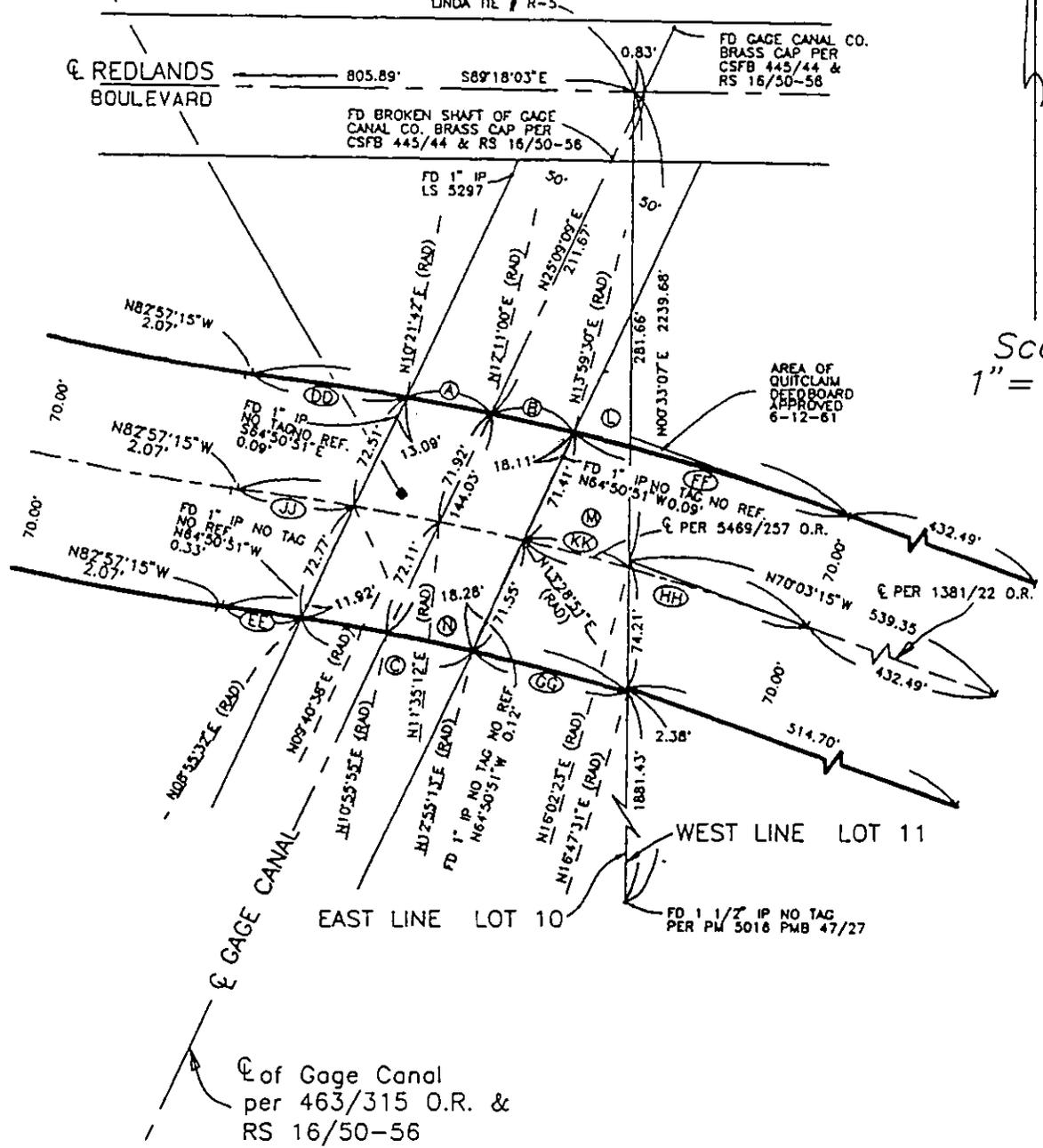
0.327 acres ±

FD L & T IN CONC.
PER RS 29/83-84 &
PM 5016 PMB 47/27
SEE ALSO CITY OF LOMA
LINDA TIE # R-5

REDLANDS
BOULEVARD

FD BROKEN SHAFT OF GAGE
CANAL CO. BRASS CAP PER
CSFB 445/44 & RS 16/50-56

FD GAGE CANAL CO.
BRASS CAP PER
CSFB 445/44 &
RS 16/50-56



Scale
1" = 100'

Center of Gage Canal
per 463/315 O.R. &
RS 16/50-56

CURVE DATA

(A) Δ=1°49'18" R=1620.00' L=51.51' T=25.76'	(L) Δ=12°54'00" R=1620.00' L=364.74' T=183.14'	(FF) Δ=05°57'15" R=1620.00' L=168.35' T=84.25'	(DD) Δ=03°18'57" R=1620.00' L=93.75' T=46.89'	(JJ) Δ=02°37'53" R=1550.00' L=71.19' T=35.60'
(B) Δ=1°48'30" R=1620.00' L=51.13' T=25.57'	(M) Δ=12°54'00" R=1550.00' L=348.98' T=175.23'	(GG) Δ=03°52'18" R=1480.00' L=101.01' T=50.02'	(EE) Δ=01°52'47" R=1480.00' L=48.55' T=24.28'	(KK) Δ=02°33'32" R=1550.00' L=69.22' T=34.62'
(C) Δ=3°59'41" R=1480.00' L=103.19' T=51.61'	(N) Δ=09°44'46" R=1480.00' L=251.75' T=126.18'	(HH) Δ=06°27'54" R=1550.00' L=174.90' T=87.54'		

San Timoteo Creek
A portion of Lot 10, Block 75,
Rancho San Bernardino.

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT		
REVISIONS	DWN BY	DATE
	Dan S.	
	FILE NO.	
	3.400/b1	
	14151	