

DOC # 2008-0632538

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



When recorded mail to:

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

**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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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
NCHGCC									514

Project: LLA P08-0130  
APN: 234-020-041  
Address: 3525 Tyler Street

**D - 16305**

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**EASEMENT**

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged MACY'S CALIFORNIA REALTY, LLC, a Delaware limited liability company, 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 WATERLINE FACILITIES, together with all necessary appurtenances, in, under, upon, over and along that certain real property described in "**EXHIBIT A**" 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 any type of paving) or trees, 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 WATERLINE FACILITIES.

NOTHING HEREIN shall affect Grantor's right, nor that of its successor and assigns, and their invitees, to use the surface area of the easement area for commercial, retail or shopping center purposes, including, but not limited to, pedestrian and vehicular ingress, egress, passage and parking, and the installation and maintenance of surface parking areas, roads, curbs, sidewalks, parking islands, gutters, lights and light standards, trees, plants, grass, sod and other landscaping, all of which shall be restored by Grantee, at Grantee's expense, upon completion of repair or maintenance of Grantee's facilities. Notwithstanding the foregoing, Grantor agrees to construct no buildings within the easement area, nor plant any trees or other plants with invasive roots within the easement area.

NO MAINTENANCE, repair, replacement, reconstruction, paving or similar types of activities, other than emergency maintenance and repairs, shall be conducted by the Grantee from the period of October 15 through December 31 of any year that any portion of the shopping center operated by Grantor adjacent to the easement area is open for business without the prior written consent of Grantor being obtained in advance of the commencement of any such work or similar types of activities, and Grantor shall not unreasonably withhold such prior written consent. Grantee shall



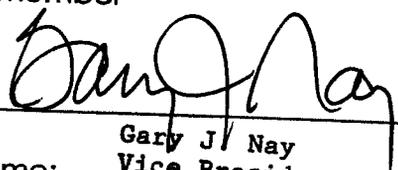
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coordinate with Grantor in the scheduling of any such work so as to minimize interference with the operation of the shopping center.

Dated October 15, 2008

**MACY'S CALIFORNIA REALTY, LLC,**  
a Delaware limited liability company

By: Macy's Department Stores, Inc.,  
an Ohio corporation,  
Its: Sole Member

By:   
Print Name: Gary J. Nay  
Vice President

Title: \_\_\_\_\_



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ACKNOWLEDGEMENT

State of ~~California~~ OHIO }  
County of HAMILTON } ss

On October 15, 2008, before me Elizabeth J. Haass, NOTARY PUBLIC  
personally appeared GARY L. MAY  
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.

*Elizabeth J. Haass*  
Notary Signature

ELIZABETH J. HAASS  
Notary Public, State of Ohio  
My Commission Expires Mar. 26, 2012



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 11/24/08

CITY OF RIVERSIDE

By: Amelia M. Vachon



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APPROVED AS TO FORM  
Susan Nelson  
DEPUTY CITY ATTORNEY

**EXHIBIT A**

APN: 234-020-041  
Waterline Easement

A 20.00 foot wide strip of land located in Parcel 14 of Parcel Map 23114, in the City of Riverside, County of Riverside, State of California, as shown by map filed in Book 169, Pages 74 through 82, of Parcel Maps, lying 10.00 feet each side of the following described centerline:

**COMMENCING** at the intersection of the centerline of Ubrun Place (vacated) with the centerline of Tyler Street as shown on Parcel Map 11852, filed in Book 64, Pages 76 through 78, inclusive, of Parcel Maps, in the Office of the County Recorder of said County of Riverside ;

Thence North 34°00'00" West, along said centerline of Tyler Street, a distance of 1055.00 feet;

Thence North 56°00'00" East, a distance of 390.00 feet;

Thence South 59°56'12" East, a distance of 61.16 feet;

Thence South 34°00'00" East, a distance of 34.41 feet to the **TRUE POINT OF BEGINNING**, said point also being "Point B", as described in "Parcel 1" in documents recorded November 18, 1969, as Instrument No. 118647, and July 10, 1970, as Instrument No. 66420, both of Official Records of said County;

Thence South 34°00'00" East, a distance of 15.00 feet;

Thence South 06°20'07" West, a distance of 97.89 feet;

Thence South 34°00'00" East, a distance of 213.97 feet;

Thence North 56°00'00" East, a distance of 53.36 feet to a point on the southeasterly prolongation of a line that is parallel with, and 10.00 feet southwesterly, measured at right angles, from that certain course described in said "Parcel 1" as having a bearing of "South 34°00'00" East" and distance of 303.59 feet;

The sidelines of said strip to be lengthened or shortened so as to terminate:

Northwesterly in the that certain course, and it's southwesterly prolongation, as said course is described in "Parcel 3" of said documents, as having a bearing of "North 56°00'00" East" and distance of 27.50 feet

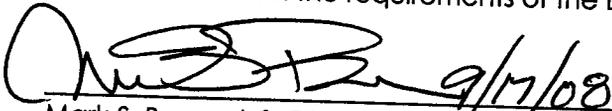
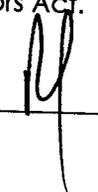
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And;

Northeasterly in the southeasterly prolongation of a line that is parallel with, and 10.00 feet southwesterly, measured at right angles, from that certain course described in said "Parcel 1" as having a bearing of "South 34°00'00" East" and distance of 303.59 feet.

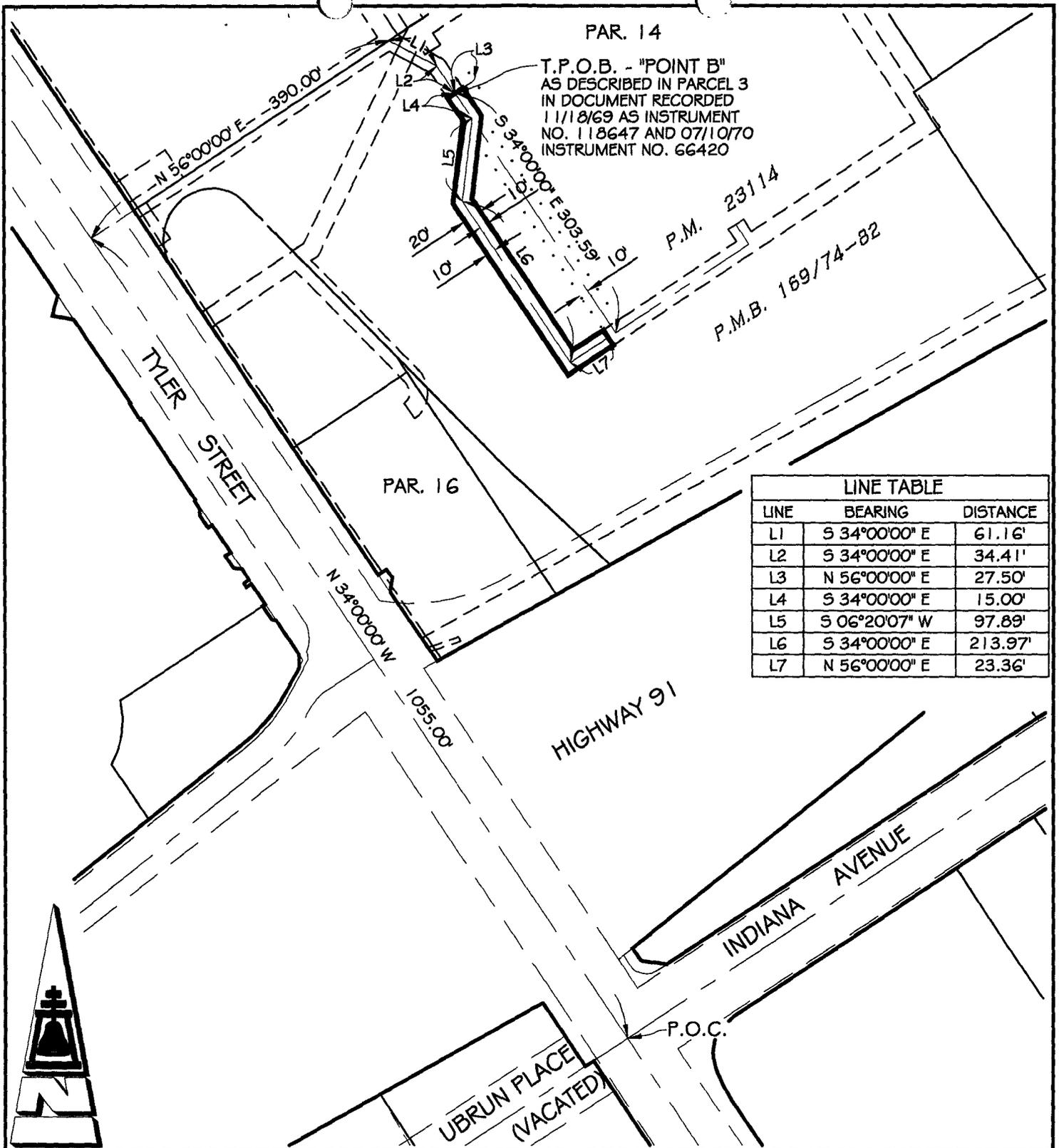
This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

 9/17/08 Date  
Prep. 

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



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● CITY OF RIVERSIDE, CALIFORNIA ●

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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

SHEET 1 OF 1

SCALE: 1"=100' DRAWN BY: RICH DATE: 06/09/08 SUBJECT: LLA P08-0130 PUE

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