

RECORDING REQUESTED BY:
Commonwealth Land Title Company
4100 Newport Place, Suite 120
Newport Beach, CA 92660
Escrow and Order No. _____

WHEN RECORDED MAIL TO:
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY
1170 W. 3rd Street, 2nd Floor
San Bernardino, California 92410-1715

Portion of APN(s): 0281-431-01

EXEMPT FROM RECORDING FEES PER GOVT. CODE §27383
EXEMPT FROM DOCUMENTARY TRANSFER TAX PER REV. & TAX CODE §11922

GRANT OF EASEMENT AND AGREEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **City of Riverside, a municipal corporation and City of Riverside, a California charter city and municipal corporation, as their interest appears of record** ("Grantor") do(es) hereby GRANT(S) and CONVEY(S) to **San Bernardino County Transportation Authority** ("Grantee"), and its successors and assigns, an easement for access purposes ("Easement") over, above, on, under, in, across, along and through, that certain portion of Grantor's real property located in the City of San Bernardino, County of San Bernardino, State of California, more particularly described in the legal description attached hereto as Exhibit "A" and depicted or illustrated on the map attached hereto as Exhibit "B" ("Permanent Easement Area"); both of such attachments / exhibits are incorporated herein by this reference.

Grantee agrees that its use of the Permanent Easement Area is limited to access for maintenance and emergency vehicle access for the onsite and immediately adjacent parts of its Redlands Passenger Rail Project, which use does not include overnight parking of any vehicle or overnight storage of any materials.

Grantor has a water transmission line that diagonally crosses the north-east corner of the Permanent Easement Area as depicted in Exhibit "B". To avoid damaging the pipeline, Grantee agrees that it will not use any heavy equipment not otherwise permitted on public roadways, and it will not construct, place or operate any permanent structures within a ten (10) foot radius of that north-eastern corner of the Permanent Easement Area, unless Grantee obtains prior written approval from Grantor. Grantee's use of the Permanent Easement Area shall not interfere with Grantor's access to and construction, operation and maintenance of that water transmission line. The improvements within the fee acquisition area, which consist of a concrete block fencing pilaster, 2 linear feet of wrought iron fencing, and 2-four foot high pipe posts, will remain in place during construction.

The term "Grantor" as used in this Instrument shall mean and include, and this conveyance is binding upon, the Grantor named herein as well as such Grantor's executors, administrators, heirs, successors and/or assigns, including without limitation successors-in-interest.

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be executed on the date set forth below.

Dated: _____

GRANTOR:

City of Riverside, a municipal corporation and City of Riverside, a California charter city and municipal corporation, as their interest appears of record

By: _____

Its:

Name:

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ before me, _____, Notary Public, personally appeared _____ 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: _____

(SEAL)

CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)

This is to certify that the interest in real property conveyed by this Grant of Easement to the undersigned San Bernardino County Transportation Authority (“SBCTA”), the provisions of which instrument are incorporated by this reference as though fully set forth in this certificate, is hereby accepted by the undersigned officer on behalf of SBCTA pursuant to authority conferred by the San Bernardino County Transportation Authority’s Board of Directors, Agenda Item 12, adopted on June 5, 2013, and the Grantee consents to recordation thereof by its duly authorized officer.

Description/ identification of real property: **1295 S. Waterman Avenue, San Bernardino, CA 92408**
APN: 0281-431-01

Dated: _____ By: _____
Carrie Schindler, PE
Director of Transit and Rail Programs

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ before me, _____, Notary Public, personally appeared _____ 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:

(SEAL)

**EXHIBIT "A" TO
GRANT OF EASEMENT**

LEGAL DESCRIPTION OF EASEMENT AREA
[APN(s): 0281-431-01]

[attached behind this page]

**EXHIBIT “B” TO
GRANT OF EASEMENT**

MAP OF EASEMENT AREA

[APN(s): 0281-431-01]

Note – this exhibit needs to show the pipeline

[attached behind this page]

