

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO:

DEPARTMENT OF WATER RESOURCES

Division of Engineering
Real Estate Branch
1416 9th Street, Room 425
Sacramento, CA 95814

Certified to be a true copy of
document recorded 9/28/11
Instrument No. 11-406554
Book Page
~~SAN BERNARDINO~~ COUNTY RECORDS
Fidelity National Title By FSB

APN 0297-111-05

SPACE ABOVE THE LINE FOR RECORDER'S USE

EASEMENT
(CORPORATION TO STATE)

R&T 11922, Governmental agency
acquiring title

EAST BRANCH EXTENSION - PHASE II
Project MENTONE PIPELINE PROJECT

Parcel No. EBX-17
V-9A-02

THE CITY OF REDLANDS, a municipal corporation, GRANTS to the STATE OF CALIFORNIA, its successors or assigns, hereinafter called STATE, an EASEMENT for pipeline purposes over, on, under, and across that certain real property in the City of Redlands, County of San Bernardino, State of California, identified in the records of the Department of Water Resources as:

DWR Parcel No.

Area

Estate

EBX-17

0.62 acre

Temporary Construction Easement

(In the event of any discrepancy between the above identification and the real property described herein, the real property described will control.)

DWR 620-CP-STATE (Rev. 05/08)

THIS CA GOV'T CODE 27383
ALLOWS US TO RECORD OUR
DOCUMENTS FOR FREE

MAR 17 2011

A. STATE's rights in the easement parcel(s):

(1) STATE is granted a Permanent Non-Exclusive Pipeline and Drainage Easement over, under, across, and through the easement parcel(s) as described herein. Said grant includes the right to construct, lay, operate, patrol, maintain, repair, reconstruct, modify, alter, enlarge, add to, relay, remove, and replace a subsurface pipeline or pipelines for transportation of water, together with all fixtures, communications, data or control facilities, and any other devices or appurtenances, either above or below the ground surface, used or useful with respect to said pipeline that STATE may wish to construct or permit to be constructed.

(2) STATE is further granted the right to discharge water into any and all streams or natural channels traversed by said pipeline or pipelines, all the right of access over, ingress to and egress from and along the easement parcel(s) and on, over, and across drives and roadways which now exist or which may hereafter be constructed thereon and the use of which is reasonably necessary to accomplish STATE's purposes.

(3) It is expressly understood and agreed that GRANTOR, their successors or assigns, do not have the right to any use of the easement parcel(s) that is inconsistent with the uses granted to STATE herein. Inconsistent uses include, but are not limited to, the following:

- (a) Erection or construction of buildings or other structures;
- (b) Drilling or excavation, or operation of mines in or through the upper 300 feet of the subsurface;
- (c) Use of explosives;
- (d) Planting of trees;
- (e) Erection or construction of solid property or field barriers, such as rock, cinder block or concrete walls;
- (f) Erection or construction of cross fencing within said easement parcel(s) without including vehicular access gates therein, or the provision of reasonable alternative vehicular access to the STATE.

(4) It is expressly understood and agreed that GRANTOR, their successors or assigns, have the right to make any use of the easement parcel(s) except those uses that are inconsistent with uses granted to STATE herein. However, GRANTOR shall notify STATE prior to any such use and pursuant to State Water Code Section 12899 shall submit their plans to STATE for review and allow STATE 30 days to comment on the intended use.

Permitted uses of the easement parcel(s) requiring notification include, but are not limited to, the following:

- (a) Construction of roadways (other than dirt or gravel roads), installation of above ground, surface or subsurface utilities, or making any other surface or subsurface alterations or improvements;
 - (b) Planting of vineyards;
 - (c) Erection or construction of fencing of any kind or nature not prohibited in Paragraph A(3) above;
 - (d) Alteration of the ground surface elevation by more than 12 inches.
- (5) It is expressly understood and agreed that GRANTOR , their successors or assigns have the right to grant any easement or license, or permit any encroachment of any kind whatsoever in or over the easement parcel(s), provided that the use does not interfere with the STATE'S rights as described in Paragraphs A(1) and A(2) above, and as limited and qualified by Paragraphs A(3) and A(4). It is further expressly understood and agreed that use of the easement parcel by third persons is subject to issuance of an encroachment permit by STATE.

B. GRANTOR's rights with respect to use of the easement parcel(s):

GRANTOR , their successors or assigns, retain all aspects of fee ownership and the right to make all uses of the easement parcel(s), including, but not limited to, access, ingress, and egress over, through, and across said easement parcel(s) and to and from adjoining parcels, that do not unreasonably interfere with STATE's rights as described in Paragraphs A(1) and A(2) above, and as limited and qualified by Paragraphs A(3), A(4), and A(5) above.

STATE shall not unreasonably withhold an encroachment permit from third persons or unreasonably object to any use of the easement parcel by GRANTOR under Paragraph A(4) above, or approval under Paragraph A(5) above, so long as any proposed activity, construction, or improvement is designed in accordance with generally accepted engineering principles and practices for the protection of STATE's facilities and STATE's rights as granted herein.

That portion of the Southwest quarter of the Northwest quarter of Section 18, Township 1 South, Range 2 West, S.B.M., City of Redlands, County of San Bernardino, State of California, according to the official plat filed in the District Land Office, February 24, 1869, and being a portion of Lots 1 and 2, Block 14, as shown on the **Map of Mentone**, recorded March 21, 1892, in Book 8 of Maps, Page 81, San Bernardino County Recorder, and being a portion of the **Parcel** described in the **COVENANT RUNNING WITH THE LAND**, recorded August 16, 1963, in Book 5971, Page 76, Official Records of said County, described as follows:

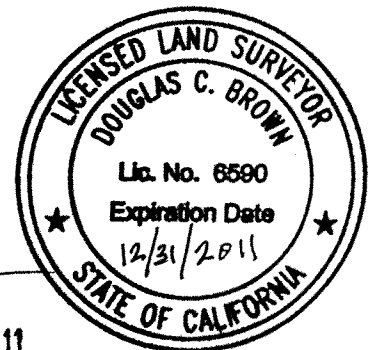
A temporary easement and right of way for the purpose of moving and/or maneuvering construction equipment and vehicles; the temporary storage of pipe, equipment, and materials necessary for laying a pipeline, together with the equipment used in the digging of trenches and other earthwork pertinent to said pipeline; the temporary storage of spoil or excavated material during the period of the laying, relaying, installing, and removing of said pipeline and related construction work, and any other operations necessary and appurtenant to the construction of said pipeline, over, through, and across said **Parcel**, described as follows:

COMMENCING at a found 2-inch iron pipe, tagged "RE 1921", marking the West quarter corner of said Section 18, as shown on the **RECORD OF SURVEY 06-294**, filed May 23, 2007, under Document No. 2007-0310543, in Book 131 of Records of Survey, Page 30, San Bernardino County Recorder, which bears South 01° 02' 36" East 2630.12 feet from a found 2-inch iron pipe with brass cap, marking the Northwest corner of said Section 18, as shown on said **RECORD OF SURVEY 06-294**; thence along the South line of said Southwest quarter of the Northwest quarter of said Section 18, South 89° 42' 28" East 759.50 feet to the Westerly boundary of that strip of land described as **PARCEL 40** in the **GRANT DEED**, recorded March 30, 1993, as Document No. 93-137041, of said Official Records; thence along said Westerly boundary North 14° 07' 45" West 528.79 feet to the Point of Beginning; THENCE FROM SAID POINT OF BEGINNING continuing along said Westerly boundary, North 14° 07' 45" West 772.68 feet; thence leaving said Westerly boundary South 76° 01' 08" West 35.00 feet to a point in a line parallel with and distant Westerly 35.00 feet, measured at right angles, from said Westerly boundary; thence along said parallel line South 14° 07' 45" East 763.96 feet; thence leaving said parallel line North 90° 00' 00" East 36.09 feet to the Point of Beginning.

Containing 0.62 acre, more or less.

Bearings and distances used in the above description are based upon the California Coordinate System, CCS83, 1991.35, Zone 5.

Douglas C. Brown
MAR 17 2011



IN WITNESS WHEREOF, said corporation has caused its corporate name to be hereunto subscribed and its corporate seal to be *affixed* here unto, this _____ day of _____, 20____.

By Pete Aguilar _____, _____
Pete Aguilar Mayor
By Sam Irwin _____, _____
Sam Irwin Clerk

[CORPORATE SEAL]

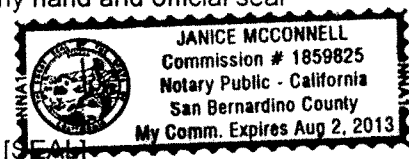
STATE OF CALIFORNIA

County of San Bernardino } SS

On May 24, 2011, before me, Janice McConnell, Notary Public
personally appeared Pete Aguilar and Sam Irwin
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



Janice McConnell
NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

(CERTIFICATE OF ACCEPTANCE, GOVERNMENT CODE, SECTION 27281)

This Is To Certify, That the State of California, grantee herein, acting by and through the Department of Water Resources, hereby accepts for public purposes the real property, or interest therein, described in the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of August, 2011

[Signature]
Director of Water Resources

By RICHARD SANCHEZ

CHIEF DIVISION OF ENGINEERING
Attorney in Fact

ACKNOWLEDGMENT

State of California

County of Sacramento)

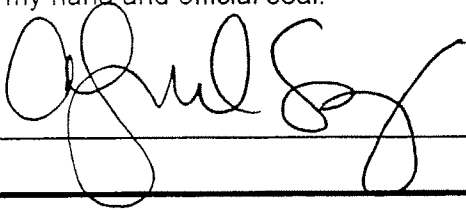
On August 1, 2011 before me, Alejandra Lopez, Notary Public
(insert name and title of the officer)

personally appeared ~~~~Richard Sanchez~~~~
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)

