



LARRY WALKER
Auditor/Controller – Recorder

P Counter

11/06/2007

12:20 PM

FV

RECORDING REQUESTED BY:

**SAN BERNARDINO VALLEY
MUNICIPAL WATER DISTRICT**

WHEN RECORDED MAIL TO

CITY OF REDLANDS

P.O. Box 3005
Redlands, CA 92373-1505

Attn: Lorrie Poyzer, City Clerk

and

**SAN BERNARDINO VALLEY
MUNICIPAL WATER DISTRICT**

P.O. Box 5906
San Bernardino, CA, 92412-5906

Attn: Sam Fuller, Chief Engineer

Doc#: 2007-0617650



Titles: 1 Pages: 6

Fees	0.00
Taxes	0.00
Other	0.00
PAID	\$0.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

UTILITY EASEMENT

The City of Redlands, a municipal corporation, ("GRANTOR"), hereby grants to the San Bernardino Valley Municipal Water District, a municipal water district, ("GRANTEE"), and its successors and assigns, a permanent utility easement as described below, over, under, across, and through the property described in the legal description set forth in EXHIBIT "A," (the "Property") and shown on EXHIBIT "B," both of which are attached hereto and by this reference made a part hereof.

A. GRANTEE rights in the Property:

- (1) GRANTEE is granted a permanent utility easement over, under, across and through the Property for the following purposes: to construct, lay, operate, patrol, maintain, repair, reconstruct, modify, alter, enlarge, add to, relay, remove and replace a subsurface utility pipeline or pipelines for transportation of water, sewage and gas together with all fixtures, communications, data or control facilities, and any other devices or appurtenances, either above or below the ground surface except for GRANTOR approved facilities, used or useful with respect to said pipelines that GRANTEE may wish to construct or permit to be constructed.

- (2) It is expressly understood and agreed that GRANTOR, and its successors and assigns, does not have the right to any use of the Property that is inconsistent with the uses granted herein to GRANTEE. Inconsistent uses include, but are not limited to, the following:
- (a) Erection or construction of buildings or other structures, excepting the existing City of Redlands above-ground water storage reservoir tank and other appurtenances that do not conflict with GRANTEE's use;
 - (b) Drilling or excavation, or operation of mines in or through the upper 300 feet of the subsurface;
 - (c) Use of explosives;
 - (d) Erection or construction of solid property or field barriers, such as rock, cinder block or concrete walls;
 - (e) Erection or construction of cross fencing within the Property without including vehicular access gates therein, or the provision of reasonable alternative vehicular access to GRANTEE.
- (3) It is expressly understood and agreed that GRANTOR, and its successors and assigns does not have the right, without prior written consent of GRANTEE, to grant any easement or license, or permit any encroachment of any kind whatsoever in or over the Property.

B. GRANTOR's rights with respect to use of the Property:

GRANTOR, and its successors and assigns, retains all aspects of fee ownership and the right to make all uses of the Property, including, but not limited to, citrus farming, access, ingress and egress over, through and across said Property and to and from adjoining parcels, that do not unreasonably interfere with GRANTEE's rights as described in Paragraphs A(1) above, and as limited and qualified by Paragraphs A(2) and A(3) above.

GRANTEE shall not unreasonably withhold consent under Paragraph A(3) above, provided any proposed activity, construction or improvement is designed in accordance with generally accepted engineering principles and practices for the protection of GRANTEE's facilities and GRANTEE's rights as herein granted.

Document Dated: November 5, 2007

CITY OF REDLANDS, a municipal corporation

By: 
JON HARRISON, Mayor

ATTEST:


LORRIE POYZER, City Clerk

CERTIFICATE OF ACCEPTANCE OF EASEMENT

This is to certify that the interest in real property conveyed by the attached utility easement dated November 5, 2007 from the City of Redlands to San Bernardino Valley Municipal Water District, a public agency, is hereby accepted by order of the Board of Directors, and the grantee consents to the recordation thereof by its duly authorized officer.

Date: 11/5/2007

San Bernardino Valley Municipal Water District

By: 
General Manager

EXHIBIT A

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 17558 AS RECORDED IN BOOK 216, PAGES 92 AND 93 OF PARCEL MAPS OF OFFICIAL RECORDS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30.00 FEET IN WIDTH, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE, NORTH 89° 59' 24" WEST, ALONG THE SOUTH LINE OF SAID PARCEL 2, A DISTANCE OF 61.13 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, NORTH 00° 00' 36" EAST, A DISTANCE OF 102.00 FEET;

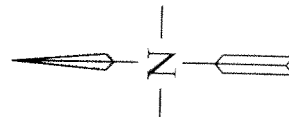
THENCE, SOUTH 75° 50' 16" WEST, A DISTANCE OF 80.00 FEET TO THE WESTERLY TERMINUS OF THIS LINE.

PREPARED UNDER THE SUPERVISION OF:


MICHAEL G. OBRYANT
PLS 4311, EXPIRES 06/30/08
07-14-05.doc MOB/bob
09/20/07



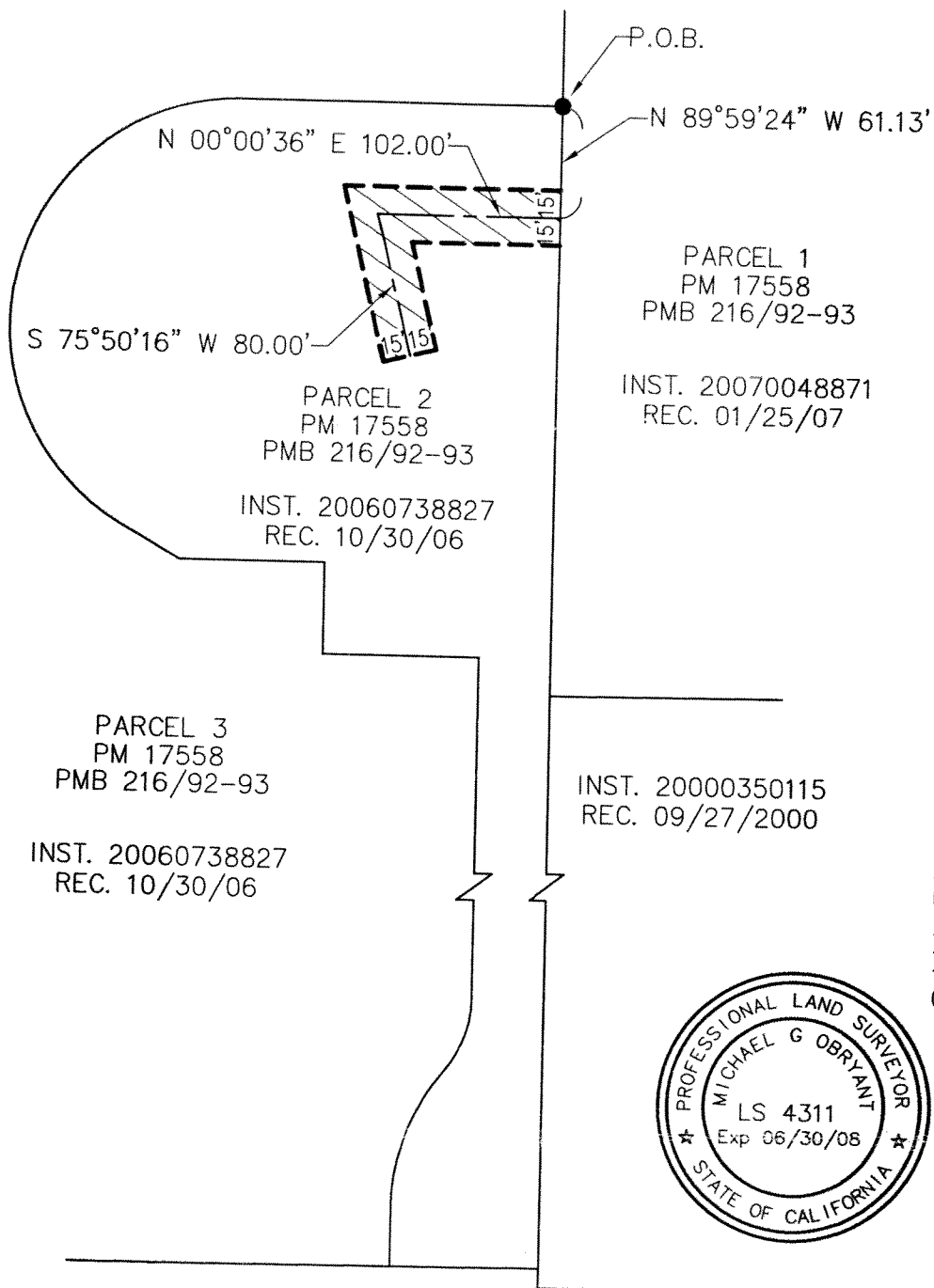
EXHIBIT "B"



BALDWIN AVENUE

SAN BERNARDINO AVENUE

TEXAS STREET



P.O.B.

N 89°59'24" W 61.13'

N 00°00'36" E 102.00'

S 75°50'16" W 80.00'

PARCEL 1
PM 17558
PMB 216/92-93

INST. 20070048871
REC. 01/25/07

PARCEL 2
PM 17558
PMB 216/92-93

INST. 20060738827
REC. 10/30/06

PARCEL 3
PM 17558
PMB 216/92-93

INST. 20060738827
REC. 10/30/06

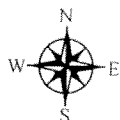
INST. 20000350115
REC. 09/27/2000



15 22

16 21

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL DESCRIBED IN THE ATTACHED DOCUMENT



OBRYANT SURVEYING

821 W. Colton Ave * Redlands CA 92374
(909) 798 - 8771 * Fax (909) 335 - 1282

PREPARED UNDER MY SUPERVISION ON: 09-20-07

Michael G. Obryant
MICHAEL G OBRYANT PLS 4311

PREPARED BY: MOB
DATE: 09-20-07
JN: 07-14-05

SCALE: 1" = 100'

SHEET 1 OF 1 SHEETS