

E04-1

PCL 104 ORIGINAL

2000 2-10-59 SH. 1

97853

Project No. E4
Project: Atwood Channel
Parcel No. 104

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

ANAHEIM UNION WATER COMPANY, a corporation,

do es hereby GRANT to the ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, the real property in the County of Orange, State of California, described as:

A strip of land 85.00 feet in width in Lot One, Block "K", Kramer Tract, in the Rancho San Juan Cajon de Santa Ana, in the county of Orange, state of California as shown on a map recorded in Book 12, pages 87 and 88 of Miscellaneous Records in the office of the county recorder of Los Angeles County, California, lying southerly of the southerly line of land described in a deed to the Santa Fe Land Improvement Co., in Book 177 page 393 of Deeds, in the office of the county recorder of Orange County, California; Excepting that portion lying westerly of a line beginning at a point in the northerly line of said Lot One, 959.24 feet westerly measured along said northerly line from the northeast corner of said lot; thence southerly in a direct line to a point on the southerly line of said lot (being the north line of Anaheim Avenue) 377.84 feet westerly, measured along said southerly line, from the southeast corner of said lot.

Excepting therefrom all minerals, gas, oil, petroleum, naptha and other hydrocarbon substances in and under the above-described strip of land, together with all necessary and convenient rights to explore for, develop, produce, extract, and take the same, subject to the express limitation that any and all operations for the exploration, development, production, extraction, and taking of any of said substances shall be carried on at levels below the depth of 100 feet from the surface of the above-described strip of land, by means of mines, wells, derricks and/or other equipment from surface locations on adjoining or neighboring land lying outside of the above-described strip of land, and subject further to the express limitation that the foregoing reservation shall in no way be interpreted to include any right of entry in and upon the surface of the above-described strip of land.

Reserving, however, to the grantor, its successors and assigns, an easement for the operation and maintenance of an existing 24 inch pipe line which crosses the above-described strip of land.

Also reserving to the grantor, its successors and assigns, an easement for the construction, operation and maintenance of a railroad spur track and appurtenant structures; a separate easement for the construction, operation and maintenance of a vehicular crossing; and a separate easement for public utility purposes over, and across a portion of the land granted herein, the exact location of said easements to be mutually agreed upon between the Orange County Flood Control District and the grantor, its successors and assigns.

GRANTOR understands and agrees that any structure constructed within the above easement areas shall be constructed in such a manner that, in the opinion of the Flood Control Engineer, any piers, pilings or abutments or any other portions of the contemplated structure will not impair the water carrying or side drainage capacity of either the present or the ultimate design of the channel.

GRANTOR further agrees that no construction shall be commenced within said easements until the plans therefor have been first approved in writing by the grantee's Flood Control Engineer, and grantee agrees that such plans shall be approved or disapproved by said Engineer within a reasonable time following receipt thereof, and that approval shall not be withheld except for good cause.

GRANTOR agrees to save grantee, its officers, agents and employees harmless from any or all penalties, liabilities or loss resulting from claims or court actions arising directly or indirectly out of any damage or injury to persons or property by reason of the acts or omissions of the grantor, its agents, employees or independent contractors employed by grantor in exercising any of the privileges herein reserved or in consequence thereof.

DATED:

April 18, 1960

Signed in the presence of:

ANAHEIM UNION WATER COMPANY

Lloyd M. Archer
Subscribing Witness

BY

A. N. Deary
President

By

R. Peterson
Secretary

ACKNOWLEDGMENT OF SUBSCRIBING WITNESS

STATE OF CALIFORNIA, COUNTY OF

: ss.

On....., before me, the undersigned, a Notary Public in and for said County and State, personally appeared..... personally known to me to be the person whose name is subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That.....resides in..... County, and that.....was present and saw.....

personally known to.....to be the same person.... described in and whose name..... subscribed to the within and annexed Instrument as..... thereto, execute and deliver the same, and.....acknowledged to said affiant that.....executed the same; and that said affiant subscribed.....name thereto as a Witness.

WITNESS my hand and official seal.

ACKNOWLEDGMENT OF GRANTOR

STATE OF CALIFORNIA, COUNTY OF

: ss.

On....., before me, the undersigned, a Notary Public in and for said County and State, personally appeared.....

known to me to be the person.... whose name..... subscribed to the within Instrument, and acknowledged that..... executed the same.

WITNESS my hand and official seal.

APPROVALS

THIS SPACE FOR COUNTY RECORDER'S USE

Approved as to form by County Counsel on March 23, 1959		BOOK 5271 PAGE 450 RECORDED AT REQUEST OF ORANGE COUNTY TITLE CO. IN OFFICIAL RECORDS OF ORANGE COUNTY, CALIF. 9 AM JUN 3 1960 RUBY McFARLAND, County Recorder
Description Compared		
By:	<u>George D. Shankle</u>	
Approved as to Contents H. G. Osborne Flood Control Engineer		
By:	<u>H. G. Osborne</u>	FREE
Approved as to Form County Counsel		
By:	<u>George F. Holden</u>	

ACKNOWLEDGMENT OF GRANTOR (Corporation)

STATE OF CALIFORNIA, COUNTY OF ORANGE ss:

On this 18th day of April, 1960, before me, a Notary Public in and for said County and State, personally appeared A. H. BEALLEY, known to me to be the _____ President, and L. A. Petersen

known to me to be the _____ Secretary of the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the said Corporation and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission Expires July 13, 1963

Lloyd M. Archer
Notary Public in and for said County
and State.

ACKNOWLEDGMENT OF GRANTOR (Partnership)

STATE OF CALIFORNIA, COUNTY OF _____ ss:

On this _____ day of _____, 19____, before me, a Notary Public in and for said County and State, personally appeared _____

known to me to be the partner(s) of the partnership that executed the within Instrument, and acknowledged to me that such partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for Said County
and State.

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant to the Orange County Flood Control District, a body corporate and politic, is hereby accepted under authority of a resolution adopted by the Board of Supervisors of said District on May 29, 1959, a certified copy of which is recorded in Book 4736, Page 350 of Official Records, and the Grantee consents to the recordation thereof by its duly authorized agent.

DATED this 13th day of May, 1960.

By Joseph Thomas
Asst. Chief Right of Way Agent.