

**WHEN RECORDED MAIL TO:**

City Clerk  
City of Manteca  
1001 W. Center Street  
Manteca, California 95337

**GRANT OF EASEMENTS****Preamble**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between CENTERPOINT PROPERTIES TRUST, a Maryland real estate investment trust, having an address of 1808 Swift Drive, Oak Brook, Illinois 60523, hereinafter referred to as "Grantor," and CITY OF MANTECA, a Municipal Corporation, hereinafter referred to as "Grantee."

**Recitals**

WHEREAS, Grantor is the owner of those certain parcels of real property located in the City of Manteca, County of San Joaquin, State of California, hereinafter referred to collectively as the "Servient Tenement," and legally described in Exhibits "A" and "C" attached hereto and incorporated herein, and

WHEREAS, Grantee desires to acquire certain easement rights in the Servient Tenement;

NOW, THEREFORE, it is agreed as follows:

**Grant of Easements**

1. For valuable consideration, Grantor hereby grants to Grantee the easements hereinafter described.

**Character of Easements**

2. The easements granted herein are easements in gross.

**Description of Easements**

3. The easements granted herein are rights to install, use, maintain and inspect a water circulation pump and an irrigation well, and appurtenances thereto, all hereto referred to as "said facilities".

**Location**

4. The easements granted herein are located in the areas legally described in Exhibits "A" and "C" and shown on Exhibits "B" and "D", attached hereto and incorporated herein by reference, all referred to as the "Easement Areas".

**Use by Grantee**

5. The easements granted herein include the following use of the Easement Areas: the right to install, repair, remove, replace, reconstruct, use, operate, inspect, and maintain said facilities.

**Exclusiveness of Easements**

6. The easements granted herein are non-exclusive.

Secondary Easements

7. The easements granted herein include incidental rights of maintenance, repair, and replacement.

Reservation of Grantor's Rights

8. Grantor reserves all rights with respect to the Easement Areas, provided no use of the Easement Areas by Grantor shall interfere with the said facilities or Grantee's use of or access to same, provided further that no building or structure other than fences, driveways, curbs, paving and parking areas shall be erected on the Easement Areas by the Grantor.

Entire Agreement

9. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

Binding Effect

10. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto.

[SIGNATURE PAGES FOLLOW]

GRANTOR'S SIGNATURE PAGE TO GRANT OF EASEMENTS

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first above written.

GRANTOR:

CENTERPOINT PROPERTIES TRUST,  
a Maryland real estate investment trust

By:   
Name: Edward R. Harrington  
Title: Senior Vice President

By:   
Name: Michael Tortorello  
Title: Senior Vice President, Treasurer

State of Illinois )  
County of DuPAGE )

On MAY 3, 2019, before me, MICHELLE M. METES,  
Notary Public, personally appeared EDWARD HARRINGTON and MICHAEL TORTORELLO, as the  
SVP and SVP, TREASURER, respectively, of CenterPoint Properties Trust, who  
proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the  
within instrument and acknowledged to me that they executed the same in their authorized capacities, and  
that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted,  
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Illinois that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Michele M. Metes

(Seal)



**GRANTEE'S SIGNATURE PAGE TO GRANT OF EASEMENTS**

IN WITNESS WHEREOF, the Grantee has executed this instrument the day and year first above written.

**GRANTEE:**

CITY OF MANTECA,  
A Municipal Corporation

\_\_\_\_\_  
Benjamin J. Cantu, Mayor

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Lisa Blackmon, City Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

All that real property situate in the City of Manteca, San Joaquin County, State of California, lying within the southeast quarter (SE 1/4) of Section 24, Township 1 South, Range 6 East, Mount Diablo Base and Meridian, being more particularly described as follows:

A portion of Resultant Parcel "C" as described in that certain Grant deed recorded January 7, 2014 in Document No. 2014-001336, San Joaquin County Records, being more particularly described as follows:

COMMENCING at the southeast (SE) corner of said Resultant Parcel "C" at intersection with the west right-of-way line of Airport Way, said point being 65.00 feet west (measured at right angles) of the east line of said Section 24; thence along the west right-of-way line of said Airport Way, North 00°00'27" East, 47.33 feet to the POINT OF BEGINNING; thence from said POINT OF BEGINNING, the following three (3) courses: (1) North 89°59'33" West, 20.00 feet; (2) parallel with said west right-of-way line, North 00°00'27" East, 20.00 feet; and (3) South 89°59'33" East, 20.00 feet to a point on the west right-of-way line of said Airport Way, said point being 65.00 feet west (measured at right angles) of the east line of said Section 24; thence along the west right-of-way line of said Airport Way, South 00°00'27" West, 20.00 feet to the POINT OF BEGINNING. A plat (Exhibit "F") showing the above described area is attached hereto and made a part thereof.

Containing 400 square feet, more or less.

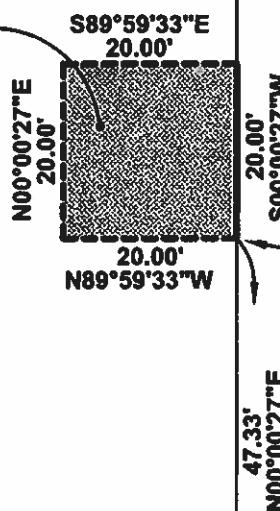
Dated: 10-24-2018





SCALE: 1"-20'

CENTERPOINT PROPERTIES TRUST  
RESULTANT PARCEL "C"  
DOC. NO. 2014-001336

CONTAINS 400 SF,  
MORE OR LESSPOINT OF  
BEGINNING

AIRPORT WAY

65'

SECTION LINE &  
CENTERLINE OF  
AIRPORT WAY

65'

POINT OF  
COMMENCEMENT

40'



CARDOZA  
DOC. NO. 2015-005602

**MCR**  
ENGINEERING

MCR ENGINEERING, INC.  
1242 DUPONT COURT  
MANTECA, CA 95336  
TEL: (209) 239-6229  
FAX: (209) 239-8839

**EXHIBIT "B"**  
**CITY WATER CIRCULATION PUMP**  
**EASEMENT ACROSS D.N. 2014-001336**  
MANTECA, CALIFORNIA

BY:	DFB
DATE:	03/13/18
SHEET:	1 OF 1
FILE:	16-030 H2O EASE.dwg

## **EXHIBIT "C"**

### **LEGAL DESCRIPTION**

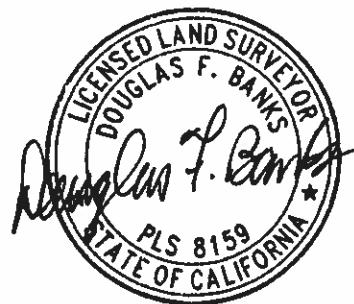
All that real property situate in the City of Manteca, San Joaquin County, State of California, lying within the northeast quarter (NE 1/4) of Section 13, Township 1 South, Range 6 East, Mount Diablo Base and Meridian, being more particularly described as follows:

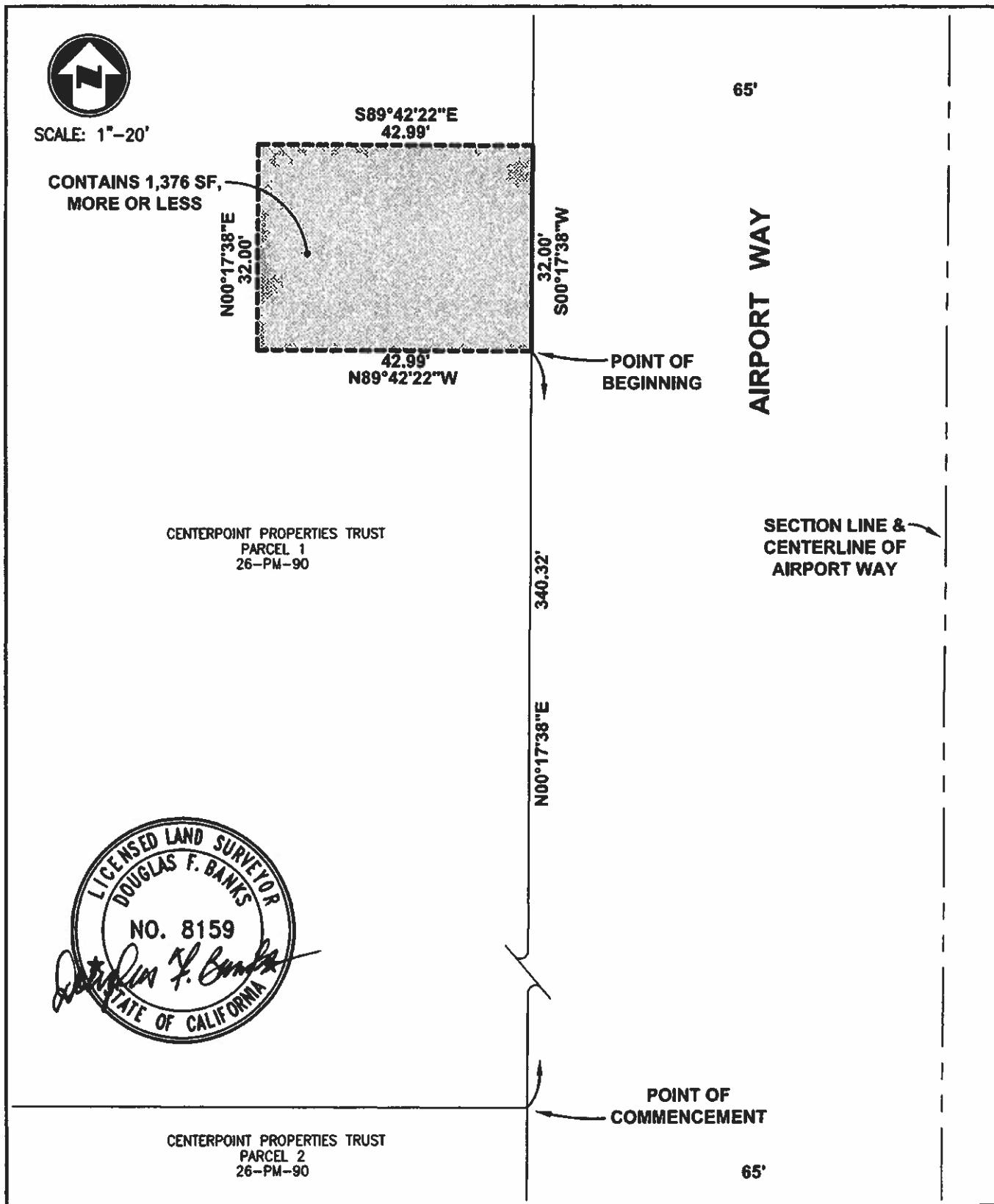
A portion of Parcel 1 as shown on that certain parcel map filed for record on September 29, 2017 in Book 26 of Parcel Maps, Page 90, San Joaquin County Records, being more particularly described as follows:

COMMENCING at the southeast (SE) corner of said Parcel 1 at intersection with the west right-of-way line of Airport Way, said point being 65.00 feet west (measured at right angles) of the east line of said Section 13; thence along the west right-of-way line of said Airport Way, North 00°17'38" East, 340.32 feet to the POINT OF BEGINNING; thence from said POINT OF BEGINNING, the following three (3) courses: (1) North 89°42'22" West, 42.99 feet; (2) parallel with said west right-of-way line, North 00°17'38" East, 32.00 feet; and (3) South 89°42'22" East, 42.99 feet to a point on the west right-of-way line of said Airport Way, said point being 65.00 feet west (measured at right angles) of the east line of said Section 13; thence along the west right-of-way line of said Airport Way, South 00°17'38" West, 32.00 feet to the POINT OF BEGINNING. A plat (Exhibit "D") showing the above described area is attached hereto and made a part thereof.

Containing 1,376 square feet, more or less.

Dated: 10.24.2018





MCR ENGINEERING, INC.  
1242 DUPONT COURT  
MANTECA, CA 95336  
TEL: (209) 239-6229  
FAX: (209) 239-8839

**EXHIBIT "D"**  
**CITY IRRIGATION WELL**  
**EASEMENT ACROSS PARCEL 1**

MANTECA,

CALIFORNIA

BY:	DFB
DATE:	03/13/18
SHEET:	1 OF 1
FILE:	16-030 H20 EASE.dwg