

RESOLUTION NO. 3798

WHEREAS, there has been presented to the City of Newport Beach a construction easement by Charles C. Fipps and Eunice B. Fipps, husband and wife, the same being dated September 22nd, 1952, and covering the following described property situated in the City of Newport Beach, County of Orange, State of California, to-wit:

A construction easement and right-of-way for the construction of a steel pipe pressure sewer line and appurtenant work in connection therewith, hereinafter termed "structure", in, under and over that certain parcel of land in the City of Newport Beach, County of Orange, State of California, described as follows, to-wit:

The SEly 4' of Lot 16, Tract 1026, recorded in Miscellaneous Maps, Book 33, Pages 37 and 38, records of Orange County, California.

WHEREAS, it appears to be for the best interests of the citizens of the City of Newport Beach to accept said construction easement.

NOW, THEREFORE, BE IT RESOLVED, that the said construction easement hereinbefore referred to and covering the said hereinabove described real property, is accepted and approved by the City of Newport Beach and is hereby ordered recorded.

The above and foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Newport Beach, held on the 22nd day of September, 1952, by the following vote, to-wit:

AYES, COUNCILMEN: Smith, Finch, Isbell
Bennett, Miller

NOES, COUNCILMEN: None

ABSENT COUNCILMEN: None

W. J. Miller
Mayor

ATTEST:

R. F. Reed
City Clerk

CONSTRUCTION EASEMENT

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THIS INSTRUMENT, made this 22nd day of SEPT., 1952,
between Charles C. Fipps and Eunice B. Fipps,
Party of the First Part, and the CITY OF NEWPORT BEACH, A MUNICIPAL
CORPORATION, Party of the Second Part;

WITNESSETH:

That said Party of the First Part, for and in consideration of
the sum of one dollar (\$1.00), lawful money of the United States of America,
paid by the said Party of the Second Part, the receipt whereof is hereby
acknowledged, do _____ by these presents grant unto said Party of the Second
Part a construction easement and right-of-way for the construction of a
steel pipe pressure sewer line and appurtenant work in connection therewith,
hereinafter termed "structure", in, under and over that certain parcel of
land in the City of Newport Beach, County of Orange, State of California,
described as follows, to wit:

The Sely 4' of Lot 16, Tract 1026, recorded
in Miscellaneous Maps, Book 33, Pages 37
and 38, records of Orange County, California.

together with the right to enter upon and to pass and re-pass over and
along said described property, and to deposit tools, implements and other
material thereon by said Party of the Second Part, its officers, agents,
and employees, and by persons under contract with it and their employees,
whenever and wherever necessary for the purpose of constructing any and
all structures in connection with said proposed sewer improvement.

The location and extent of such sewer construction, over and
along the property hereinabove described, shall be located substantially
in accordance with the sketch hereto attached and by this reference made
a part of this construction easement.

In consideration of the foregoing grant, the Party of the Second
Part hereby agrees that in the event said structure is constructed, the
same shall be constructed in a first class workmanlike manner and in accord-
ance with Plan No. 436, consisting of 5 sheets, on file in the office of

1 the City Engineer of the City of Newport Beach and the further considera-
2 tion, that in the event the grantor herein or his successor in interest
3 improves the ground surface of said lot to a grade below the grade line
4 of said pressure line as constructed, then and in that event the City of
5 Newport Beach shall re-locate at its own expense, said pressure line at
6 least three (3) feet below the improved portion of said lot.

7 IN WITNESS WHEREOF, the said Party of the First Part ha__ here-
8 unto executed the within instrument the day and year first above written.

9 Charles C. Fipps
10 Eunice B. Fipps
11 _____
12 _____

13 STATE OF CALIFORNIA)
14 COUNTY OF ORANGE) SS

15 On this 22nd day of SEPT., in the year one thousand nine
16 hundred and fifty-two, A.D., before me, Grace P. Jasper
17 _____, a Notary Public in and for said County and
18 State, residing therein, duly commissioned and sworn, personally app-
19 eared Charles C. Fipps and Eunice B. Fipps

20 _____, personally known to me to be
21 the person s, whose name s subscribed to the
22 within instrument, and acknowledged to me that ~~he~~ they executed the
23 same.

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

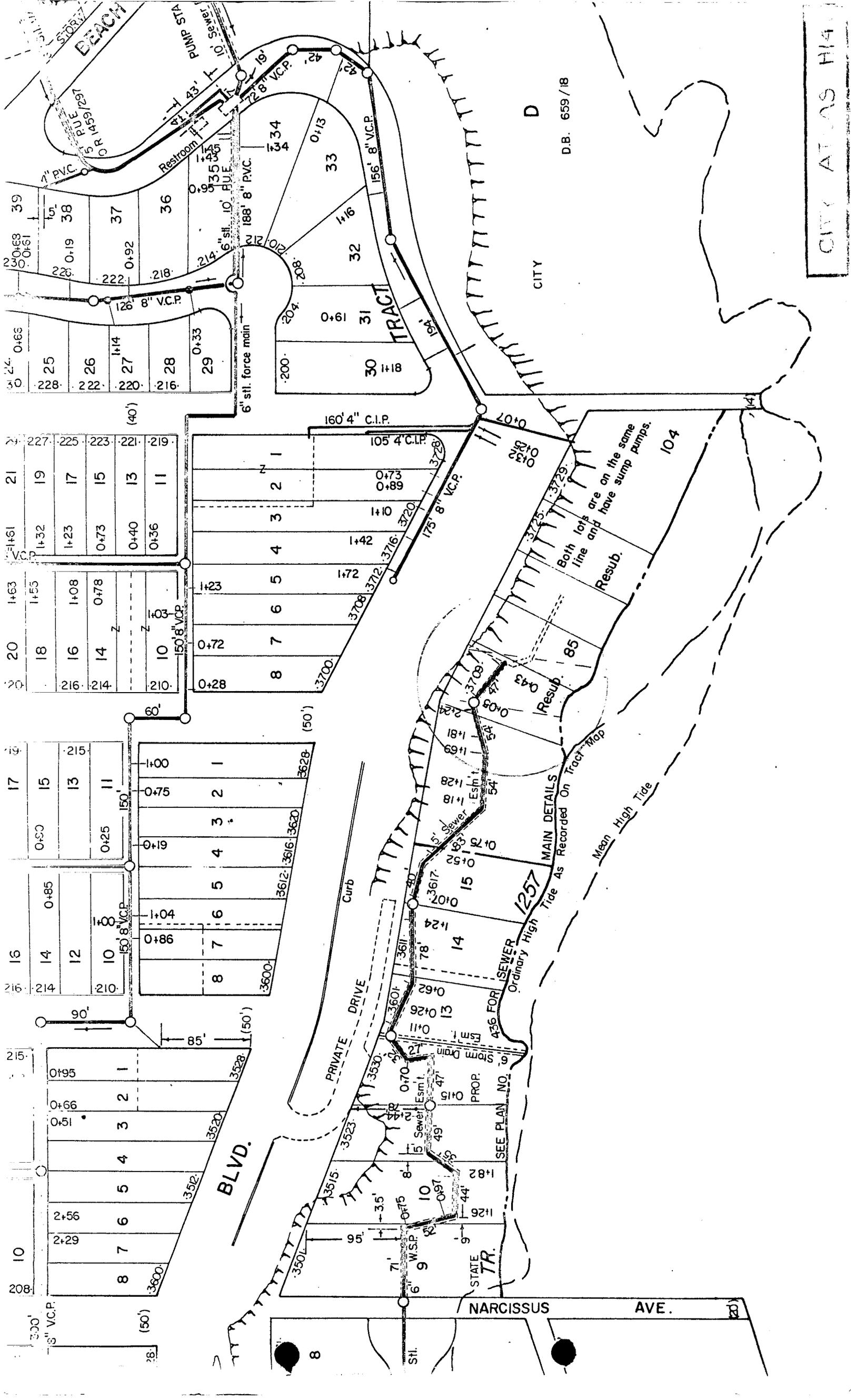
26 Grace P. Jasper
27 Notary Public in and for said
28 County and State
29 My Commission Expires Aug. 23, 1956

30 **RECORDED AT REQUEST OF**
31 **BOOK 2388 PAGE 527**
32 **SEP 26 1952**
33 AT 5 MIN. PAST 11 A.M.
34 OFFICIAL RECORDS OF
35 ORANGE COUNTY, CALIFORNIA
36 Paul J. McFarland
37 COUNTY RECORDER

38 ATLAS SHT. NO. H-14
39 _____
40 CHECKED BY acc

41 COMPARER
42 J. HUTCHISON

44 City of Newport Beach
45 City Seal
46 Newport Beach



D.B. 659/18

CITY ATLAS H14

Both lots are on the same line and have sump pumps.

MAIN DETAILS As Recorded On Tract Map

SEE PLAN NO. 1257

NARCISSUS AVE.

BLVD.

PRIVATE DRIVE

Curb

STATE TR.

436 FOR SEWER

Ordinary High Tide

Mean High Tide

160' 4" C.I.P.

105' 4" C.I.P.

175' 8" V.C.P.

156' 8" V.C.P.

188' 8" P.V.C.

126' 8" V.C.P.

150' 8" V.C.P.