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RECORDING REQUESTED BY:

The Magnon Companies

AND WHEN RECORDED MAIL TO:

City Clerk  
City of Riverside  
City Hall  
3900 Main Street  
Riverside, CA 92502

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PARTIAL TERMINATION OF COVENANT,  
AGREEMENT AND DECLARATION OF RESTRICTIONS

36

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Title of Document

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THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3:00 Additional Recording Fee Applies)

**RECORDING REQUESTED BY:**

THE MAGNON COMPANIES  
815 Marlborough Avenue, Ste. 200  
Riverside, CA 92507

**WHEN RECORDED MAIL TO:**

City Clerk  
CITY OF RIVERSIDE  
City Hall  
3900 Main Street  
Riverside, CA 92502

(Above for Recorder's Use)

**PARTIAL TERMINATION OF COVENANT,  
AGREEMENT AND DECLARATION OF RESTRICTIONS**

This Partial Termination of Covenant, Agreement and Declaration of Restrictions ("Termination") is made this 3<sup>rd</sup> day of July, 2007, by SYCAMORE III, LLC, a California limited liability company, ("Sycamore III"), SP SYCAMORE B, LLC, a Delaware limited liability company, ("SP Sycamore B") and SP SYCAMORE C, LLC, a Delaware limited liability company, ("SP Sycamore C") with reference to the following:

**RECITALS**

**A.** Sycamore III is the fee owner of certain real property in the City of Riverside, County of Riverside, State of California, identified as parcel 1 of parcel map no. 33246 and more particularly described in Exhibit A attached hereto and made a part hereof.

**B.** SP Sycamore B is the fee owner of certain real property in the City of Riverside, County of Riverside, State of California, identified as parcel 2 of parcel map no. 33246 and more particularly described in Exhibit B attached hereto and made a part hereof. SP Sycamore C is the fee owner of certain real property in the City of Riverside, County of Riverside, State of California, identified as parcel 3 of parcel map no. 33246 and more particularly described in Exhibit C attached hereto and made a part hereof. Throughout this Termination, any of parcel 1, parcel 2, and parcel 3 shall be referred to as a "Parcel" and collectively as either the "Parcels" or the "Property." The owner of fee title of one or more Parcels, or any portion thereof, shall be referred to in this Termination generically as an "Owner " or "Owners."

**C.** Owners predecessor in interest, the Lance Family Revocable Trust, dated August 14, 1981, sought approval for a parcel map application from the City of Riverside. As a condition of its approval, the City of Riverside required a certain Covenant, Agreement and Declaration of Restrictions for offsite

CIA 1015

improvements and right of way dedications to be recorded (the "CC&Rs"). Upon recordation of the CC&Rs, the City of Riverside approved the parcel map application as parcel map no. 24733.

D. On May 29, 1991, the Owner's predecessor in interest, the Lance Family Revocable Trust, dated August 14, 1981, caused to be recorded the CC&Rs which was recorded in the Official Records of the County of Riverside, State of California, as Instrument No. 178390 (the "CC&Rs").

E. On April 19, 1993, the Owner's predecessor in interest, Cecilia Lance, surviving Trustee of the Lance Family Revocable Trust, dated August 14, 1981, caused to be recorded the First Amendment to the CC&Rs which was recorded in the Official Records of the County of Riverside, State of California, as Instrument No. 142841 (the "First Amendment").

F. On November 15, 1994, the Owner's predecessor in interest, Cecilia Lance, surviving Trustee of the Lance Family Revocable Trust dated August 14, 1981, caused to be recorded the Second Amendment to the CC&Rs which was recorded in the Official Records of the County of Riverside, State of California, as Instrument No. 433029 (the "Second Amendment").

G. All off-site improvements, required development related public utility improvements, and right-of-way dedications have been completed, paid and satisfied as to the Parcels. The City of Riverside has approved a new parcel map, no. 33246 which renders a portion of parcel map no. 24733 obsolete. Owner hereby wishes to record this Termination to terminate the CC&Rs, the First Amendment and Second Amendment from being of any further force or effect as to the Parcels only.

**NOW, THEREFORE**, Sycamore III, SP Sycamore B and SP Sycamore C agree as follows:

1. **Termination.** The CC&Rs, the First Amendment and the Second Amendment are hereby terminated as to the Parcels only. Following recordation of this Termination, no Owner shall have any easement rights across any Parcel, nor will any Parcel be subject to any of the easements, covenants or equitable servitudes which were created by the CC&Rs, the First Amendment and the Second Amendment. Owner shall execute such further documentation in order to terminate the effect of the CC&Rs, the First Amendment and the Second Amendment as a matter of record title.

2. **Consent of the City Council of the City of Riverside.** Pursuant to Section 8 of the CC&Rs, the CC&Rs cannot be terminated or modified without the consent of the City Council of the City of Riverside, and by placement of its signature on this document, the City Council of the City of Riverside expressly consents to the termination of the CC&Rs as to the Parcels only.

[SIGNATURES FOLLOW]

**SYCAMORE III, LLC**

a California limited liability company

DATED: July 3/2007

By: Raymond Magnon  
Raymond Magnon, Manager

**SP SYCAMORE B, LLC**

a Delaware limited liability company

DATED: July 3/2007

By: [Signature]  
its PHILIP G. HENCH  
VICE PRESIDENT

DATED: July 3/2007

By: [Signature]  
its MING J. LEE  
ASSISTANT VICE PRESIDENT

**SP SYCAMORE C, LLC**

a Delaware limited liability company

DATED: July 3/2007

By: [Signature]  
its PHILIP G. HENCH  
VICE PRESIDENT

DATED: July 3/2007

By: [Signature]  
its MING J. LEE  
ASSISTANT VICE PRESIDENT

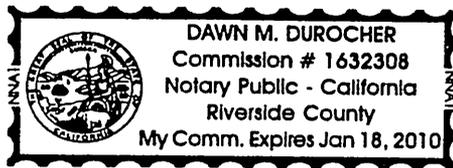
[SIGNATURES CONTINUE ON NEXT PAGE]

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of Riverside } ss.  
On July 3, 2007 before me, DAWN M. DUROCHER,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared RAYMOND MAGNAN  
Name(s) of Signer(s)

- personally known to me
- 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.



WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

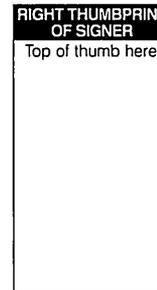
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



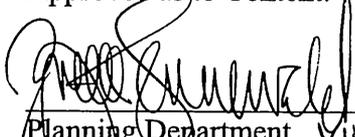
CIA 1015

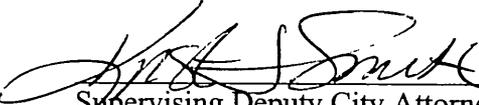
CITY COUNCIL OF THE CITY OF RIVERSIDE

By:   
\_\_\_\_\_  
City Manager  
Michael J. Beck

Approved as to Content:  
  
\_\_\_\_\_  
Public Works Department  
Rob van Zanten

Attest   
\_\_\_\_\_  
City Clerk  
Colleen J. Nicol

Approved as to Content:  
  
\_\_\_\_\_  
Planning Department Yvette Sennewald

Approved as to Content:  
  
\_\_\_\_\_  
Supervising Deputy City Attorney  
Kristi J. Smith

CIA 1015

**NOTARY ACKNOWLEDGMENT**

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On 6/29/07, before me, MARIA L. ROCA, NOTARY personally appeared  
Date Name and Title of Officer (e.g. "James Doe, Notary Public")  
Philip G. HENCH & MING LEE  
Name(s) of Signer(s)

- personally known to me -OR-
- 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.

WITNESS my hand and official seal.

Maria L. Roca



**EXHIBIT A**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1 of Parcel Map No. 33246, in the City of Riverside, County of Riverside, State of California, as per map filed in Book 220, Pages 11 through 17 inclusive of Parcel Maps, in the Office of the County Recorder of said County.

**DESCRIPTION APPROVAL:**

BY: K. Stewart 07/10/2007  
DATE

FOR: MARK S. BROWN  
CITY SURVEYOR

EXHIBIT A

CIA 1015

**EXHIBIT B**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 2 of Parcel Map No. 33246, in the City of Riverside, County of Riverside, State of California, as per map filed in Book 220, Pages 11 through 17 inclusive of Parcel Maps, in the Office of the County Recorder of said County.

DESCRIPTION APPROVAL:

BY: K. Stout      07/10/2007  
DATE

FOR: MARK S. BROWN  
CITY SURVEYOR

EXHIBIT B

C/A 1015

**EXHIBIT C**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 3 of Parcel Map No. 33246, in the City of Riverside, County of Riverside, State of California, as per map filed in Book 220, Pages 11 through 17 inclusive of Parcel Maps, in the Office of the County Recorder of said County.

DESCRIPTION APPROVAL:

BY: K. Shaw                      07/10/2007  
DATE

FOR: MARK S. BROWN  
CITY SURVEYOR

EXHIBIT C

C/A 1015