

WHEN RECORDED SEND TO:

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Riverside, California 92522

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WILLIAM E. CONERLY
County Recorder
RIVERSIDE COUNTY, CALIFORNIA

COVENANT AND AGREEMENT AND RELEASE
Arlington Avenue - Future Median
8655 Arlington Avenue
PRD-24-834

This Covenant and Agreement and Release is made and entered into this 29th day of October 1984, by PONDEROSA EQUITIES, a limited partnership, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, hereinafter referred to as "the property."

See Exhibit "A" attached hereto and made a part hereof

WHEREAS, the property is adjacent to the northerly side of Arlington Avenue, and

WHEREAS, the City of Riverside plans to install a raised median within the center of Arlington Avenue; and

WHEREAS, the construction of said raised median will eliminate access to said property from the eastbound lanes of Arlington Avenue;

NOW, THEREFORE, the undersigned acknowledges and covenants and agrees for itself and its successors and assigns that the property will not be served by an opening in the raised median and releases the City of Riverside from any and all claims, demands, suits or actions that the undersigned, its successors or assigns may have, now or in the future, arising out of the construction of the median.

It is further covenanted and agreed that in the event the median is not constructed in Arlington Avenue adjacent to the property at such time as the property is leased, sold, transferred or conveyed to another, the undersigned shall give prior written notice to the grantee that the property will not be served by an opening in the median to be constructed in Arlington Avenue.

The terms of said Covenant and Agreement and Release may be enforced by the City of Riverside, its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Release, the prevailing party shall be entitled to reasonable attorneys' and expert witnesses' fees and other reasonable costs of suit.

This Covenant and Agreement and Release shall run with the land and each and all of its terms shall be binding upon the undersigned, its successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

CIA-112

IN WITNESS WHEREOF, the undersigned has caused this Covenant and Agreement and Release to be executed the day and year first above written.

PONDEROSA EQUITIES, a Limited Partnership
By: PONDEROSA EQUITIES CORPORATION
a Nevada corporation
General Partner

[Handwritten Signature]
LEWIS HILDRETH

Title: President

APPROVED AS TO FORM:

Clarice Sumner
Assistant City Attorney

§ 6182) — (Corporation as a Partner of a Limited Partnership)
First American Title Company

STATE OF CALIFORNIA
COUNTY OF Riverside ss.

On October 30, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Lewis Hildreth and

_____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as _____ President and _____ Secretary, on behalf of _____

Ponderosa Equities Corporation
the corporation therein named, and acknowledged to me that said corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors, said corporation being known to me to be the general partner of _____
Ponderosa Equities
the limited partnership that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.
Signature Vickie Tharp



(This area for official notarial seal)

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[Handwritten initials]
[Handwritten date]
30/85

The land referred to in this Report is situated in the State of California,
County of Riverside and is described as follows:

PARCEL NO. 1:

That portion of Lot 22, BIXMILL TRACT, in the City of Riverside, County of Riverside, State of California, as per Map recorded in book 16 of Maps, page(s) 28, 29 and 30, in the Office of the County Recorder of said County.

116489

BEGINNING at the intersection of the Easterly prolongation of the tangent portion of the Northerly line of Arlington Avenue with the Southerly prolongation of the tangent portion of the Westerly line of Delmar Road, as said Avenue and Road are shown on the Map of Arlington North Subdivision No. 1, as per map recorded in book 26, pages 38, 39 and 40 of Maps, Riverside County Records; thence North 89° 30' 00" West along said prolongation and said Northerly line of Arlington Avenue, a distance of 250.00 feet to the true point of beginning for this description; thence North 0° 30' 00" East parallel with said Westerly line of Delmar Road, a distance of 200.00 feet; thence South 89° 30' 00" East parallel with said Northerly line of Arlington Avenue, a distance of 250.00 feet to said Westerly line of Delmar Road; thence South 0° 30' 00" West along said Westerly line of Delmar Road to the beginning of a tangent curve concave Northwesterly and having a radius of 20.00 feet, said curve being also tangent at its Westerly terminus to said Northerly line of Arlington Avenue; thence Southwesterly along said curve an arc distance of 31.42 feet to said point of tangency. Thence North 89° 30' 00" West along said Northerly line of Arlington Avenue to said true point of beginning.

Parcel 2
That portion of Lot 22, BIXMILL TRACT, as shown by Map on file in Book 16 pages 28, 29 and 30 of Maps, Riverside County Records, described as follows:

BEGINNING at the Southeast corner of Hampshire Subdivision, as shown by Map on file in Book 34, page 78 of Maps, Riverside County Records; thence North 0° 23' West, along the Easterly line of said Hampshire Subdivision, 255.85 feet to the Southerly line of Arlington North Subdivision No. 1 as shown by Map on file in Book 26 pages 38, 39 and 40 of Maps, Riverside County Records; thence along the Southerly line of said Arlington North Subdivision No. 1, South 80° 26' East, 338.24 feet to the Southwesterly corner of Lot 17, Arlington North Subdivision No. 1; thence along the Southeasterly line of said Lot 17, North 68° 27' 55" East 110.93 feet to the Southeasterly corner of said Lot 17; thence along the Easterly line of Arlington North Subdivision No. 1, North 10° 34' East 240.0 feet to the Southwesterly corner of Lot 45 of said Arlington North Subdivision No. 1; thence along the Southerly line of Arlington North Subdivision No. 1, South 79° 26' East 485.0 feet to the Westerly line of Delmar Road as shown on said Map of Arlington North Subdivision No. 1; thence along the Westerly line of Delmar Road, South 0° 30' West 373.08 feet to the beginning of a curve concave Northwesterly; thence curving to the right with a radius of 20 feet, through a central angle of 90°, a distance of 31.42 feet to the end of a curve; said point being also on the Northerly line of Arlington Avenue as shown on said Map of Arlington North Subdivision No. 1; thence along the Northerly line of Arlington Avenue, North 89° 30' West, 931.92 feet to the point of beginning.

EXCEPTING THEREFROM that portion described as follows:

COMMENCING at the intersection of the Easterly prolongation of the tangent portion of the Northerly line of Arlington Avenue with the Southerly prolongation of the tangent portion of the Westerly line of Delmar Road, as said Avenue and Road are shown on the Map of Arlington North Subdivision No. 1; thence North 89° 30' 00" West, along said prolongation and said Northerly line of Arlington Avenue, 250 feet to the true point of beginning; thence North 0° 30' 00" East, parallel with said Westerly line of Delmar Road, 200 feet; thence South 89° 30' 00" East, parallel with said Northerly line of Arlington Avenue, 250 feet to said Westerly line of Delmar Road; thence South 0° 30' 00" West, along said Westerly line of Delmar Road to the beginning of a tangent curve concave Northwesterly and having a radius of 20 feet, said curve being also tangent at its Westerly terminus to said Northerly line of Arlington Avenue; thence Southwesterly along said curve an arc distance of 31.42 feet to said point of tangency; thence North 89° 30' 00" West, along said Northerly line of Arlington Avenue, to the true point of beginning.

EXHIBIT "A"

DESCRIPTION APPROVAL

[Signature]
For Supervisor

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