

DOC # 2011-0231789

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Page 1 of 9

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

APN: 193-222-028

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PARTIAL RELEASE OF COVENANT, AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS PARTIAL RELEASE OF COVENANT, AGREEMENT AND
DECLARATION OF RESTRICTIONS ("Partial Release") is made and entered into this 21st
day of April, 2011, by and between PARKVIEW COMMUNITY HOSPITAL
MEDICAL CENTER, a California nonprofit corporation, ("Parkview"), and the RIVERSIDE
BAPTIST CHURCH OF RIVERSIDE, CALIFORNIA, a California corporation ("Church"),
with reference to the following facts:

RECITALS

A. Church is the fee owner of that certain real property located at 9006 Miller Street, situated on the north side of Magnolia Avenue, west of Sherman Drive, in the City of Riverside, County of Riverside, State of California, which legal description is set forth specifically in Exhibit "A" attached hereto and incorporated herein by this reference and known as Assessor's Parcel No. 193-222-028 ("Subject Property").

B. In February 1988, the City Council approved a parking variance to allow for the construction of a four-story medical office building at 9041 Magnolia Avenue.

C. In order to ensure that sufficient parking was available, Parkview, Arlington Community Hospital Corporation and Arlington Community Hospital Services Corporation entered into that certain Covenant and Agreement and Declaration of Restrictions and Grant of Easements for Access, Parking and Utilities dated July 10, 1989, and recorded on June 13, 1990, as Instrument Number 218231, in the Official Records of the County of Riverside ("Covenant").

D. Parkview was formally known as Arlington Community Hospital Corporation and is the successor in interest to Arlington Community Hospital Services Corporation.

E. The Subject Property is included in the Covenant and was developed with a parking lot. Parkview shared the parking lot with other nearby medical facilities.

CIA 1152

F. In 2010, the Subject Property was sold to the Church for the Church's use.

G. The Church would like the Subject Property to be removed from the Covenant so that it can secure the Subject Property and restrict the use to its members.

H. Parkview has provided the City of Riverside ("City") with a parking analysis establishing that Subject Property is no longer needed for parking or access and sufficient parking remains on the remainder of the properties subject to the Covenant.

NOW, THEREFORE, Parkview and Church agree as follows:

1. Partial Termination. The Subject Property (Exhibit "A") is hereby released from the Covenant and said Covenant has no further force and effect or burden on the Subject Property.

2. Consent of the City Council of the City of Riverside. Pursuant to Paragraph 13 of the Covenant, the Covenant cannot be terminated or modified without the consent of the City Council of the City of Riverside, and by placement of the signature on this document, the City Council of the City of Riverside has expressly consented to the Partial Release of the Covenant.

3. Covenant. The Covenant, as it relates to the remainder of the properties, is still in full force and effect.

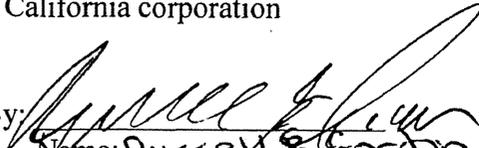
4. Signatures. This Partial Release may be executed in counterparts.

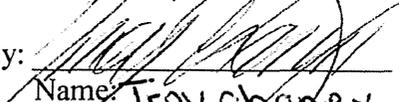
[SIGNATURES ON FOLLOWING PAGE]

CIA 1152

IN WITNESS WHEREOF, Parkview has caused this Partial Release of Covenant, Agreement and Declaration of Restrictions to be executed the day and year first above written.

RIVERSIDE BAPTIST CHURCH
OF RIVERSIDE, CALIFORNIA,
a California corporation

By: 
Name: Russell B. Gordon
Its: Pastor/Administrator

By: 
Name: Troy Chaney
Its: Chairman Board of Trustees

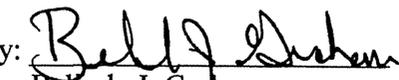
PARKVIEW COMMUNITY
HOSPITAL MEDICAL CENTER, a
California nonprofit corporation

By: _____
Name:
Its:

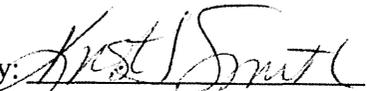
By: _____
Name:
Its:

Consent to Recordation of this Partial Release:

Attest:
City Clerk

By: 
Belinda J. Graham
Assistant City Manager

APPROVED AS TO FORM:

By: 
Kristi J. Smith
Supervising Deputy City Attorney

Attest: 
City Clerk

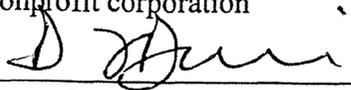
IN WITNESS WHEREOF, Parkview has caused this Partial Release of Covenant, Agreement and Declaration of Restrictions to be executed the day and year first above written.

RIVERSIDE BAPTIST CHURCH
OF RIVERSIDE, CALIFORNIA,
a California corporation

By: _____
Name:
Its:

By: _____
Name:
Its:

PARKVIEW COMMUNITY
HOSPITAL MEDICAL CENTER, a
California nonprofit corporation

By: 
Name: Doug Drumwright
Its: CEO

By: 
Name: Patty Lepe
Its: CFO

Consent to Recordation of this Partial Release:

By: _____
Belinda J. Graham
Assistant City Manager

APPROVED AS TO FORM:

By: _____
Kristi J. Smith
Supervising Deputy City Attorney

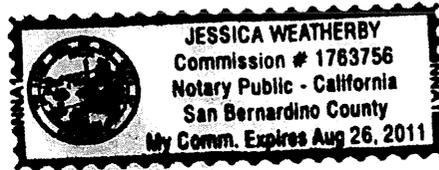
STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On May 1, 2011, before me, Jessica Weatherby, Notary, personally appeared Russell B Gordon who 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.

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

WITNESS my hand and official seal.

Jessica Weatherby
Notary Signature



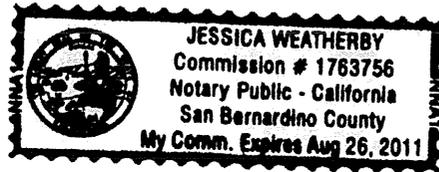
STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On May 1, 2011, before me, Jessica Weatherby, Notary, personally appeared Troy Chaney who 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.

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

WITNESS my hand and official seal.

Jessica Weatherby
Notary Signature



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

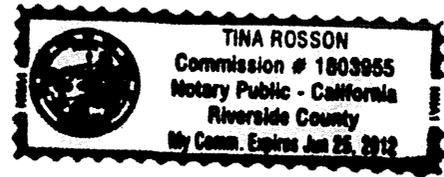
On April 21, 2011, before me, Tina Rosson, Notary Public, personally appeared Doug Drumwright who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ 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.

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

WITNESS my hand and official seal.



Notary Signature

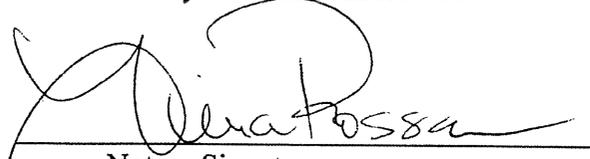


STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On April 21, 2011, before me, Tina Rosson, Notary Public
personally appeared Patricia Lepe who proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/~~is~~ 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.

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

WITNESS my hand and official seal.



Notary Signature

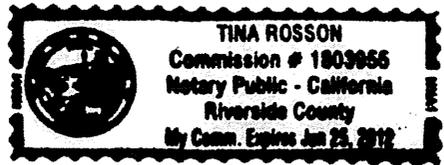


EXHIBIT "A"

That portion of Lot 13 in Block 13 of the Lands of the Riverside Land and Irrigating Company, as shown by Map on file in Book 1, page 70, of Maps, Records of San Bernardino County, California, described as follows:

Beginning at the Southeasterly corner of said Lot 13;
Thence Southwesterly along the Northwesterly line of Magnolia Avenue, 60 feet;
Thence at right angles Northwesterly and parallel with Jackson Street, 330 feet;
Thence at right angles Northeasterly 60 feet to the Northeasterly line of said Lot 13;
Thence Southeasterly along the Northeasterly line of said Lot 13, 330 feet to the point of beginning;

EXCEPTING therefrom that portion lying Southeasterly of the Southwesterly prolongation of the Southeasterly line of Lot 10 of Magnolia Acres as shown by Map on file in Book 18, page 11 of Maps, Records of Riverside County, California;

ALSO EXCEPTING therefrom that portion thereof described in Deed to City of Riverside recorded February 9, 1962 in Book 3075, page 256 of Official Records of Riverside County, California.

C/A 1152

DATE: May 12, 2011

CONTRACTOR: Parkview Community Hospital and Riverside Baptist Church

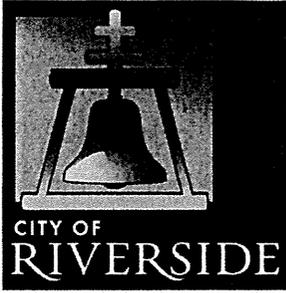
DESCRIPTION: Partial Release of Covenant Agreement and Declaration of Restrictions

DEPARTMENT: Community Development Department

DEPT. HEAD APPROVAL:  _____

RETURN TO Stephanie Chairez EXT. 4276, CITY CLERK'S OFFICE

CIA 1152



City of Arts & Innovation

**CITY COUNCIL,
REDEVELOPMENT AGENCY,
AND
HOUSING AUTHORITY
REGULAR AND SPECIAL MEETING
MINUTES**

TUESDAY, MARCH 22, 2011, 3 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

**COUNCIL/AGENCY
MEMBERS**

G A R D N E R	M E L E N D R E Z	B A I L E Y	D A V I S	M A C A R T H U R	H A R T	A D A M S
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read and further reading waived, Resolution No. 22190 of the City Council of the City of Riverside, California, Initiating Proceedings to Levy and Collect Assessments for Fiscal Year 2011/2012 in Landscape Maintenance District No. 88-1 (Sycamore Highlands) Pursuant to the Landscaping and Lighting Act of 1972, Appointing the Engineer of Record and Ordering Preparation of An Engineer's Report, was presented and adopted.

CASE P10-0507 - STERLING IOWA STUDENT HOUSING - IOWA AND BLAINE - ORDINANCE ADOPTED

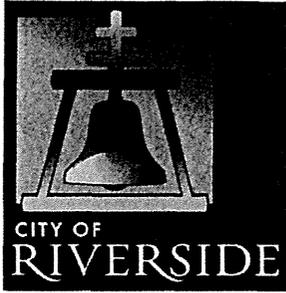
The City Council adopted an ordinance amending the Zoning Code (Title 19) relative to the proposal by Josh Vasbinder of Din/Cal2, Inc., to rezone three contiguous vacant parcels, totaling approximately 8.14 acres from the R-1-7000 - Single Family Residential Zone to the R-3-1500 - Multiple Family Residential Zone to facilitate development of a 598-bed student housing facility located on the northeasterly corner of Iowa Avenue and Blaine Street; whereupon, the title having been read and further reading waived, Ordinance No. 7120 of the City of Riverside, California, Amending the Zoning Map of the City of Riverside Pursuant to Chapter 19.090 of the Riverside Municipal Code by Rezoning Land From Zone R-1-7000 To Zone R-3-1500, was presented and adopted.

CASE P10-0799 - SUMMARY VACATION - PAYTON AND JURUPA - RESOLUTION

The City Council (1) approved Case P10-0799 relative to the proposal of Michael Knapton of Kimley-Horn and Associates on behalf of Manheim Investments to summarily vacate approximately 52,593 square feet of excess right-of-way; (2) adopted a summary vacation resolution; and (3) authorized the City Manager, or his designee, to execute quitclaim deeds as necessary; whereupon, the title having been read and further reading waived, Resolution No. 22191 of the City Council of the City of Riverside, California, Providing for the Summary Vacation (Case No. P10-0799) of an Approximately 60-Foot by 880-Foot Long Portion of Payton Avenue, Situated Approximately 900 Feet Northerly of Jurupa Avenue, Bounded by the City's Riverside Energy Resource Center (RERC) to the West and the Existing Manheim Riverside Auto Auction Vehicle Storage Yard to the East, in the City of Riverside, California, was presented and adopted.

AGREEMENT AMENDMENT - MUTUAL PARKING AND ACCESS - 9005 MAGNOLIA

The City Council (1) determined that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of CEQA; (2) approved the request of



City of Arts & Innovation

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REDEVELOPMENT AGENCY,
AND
HOUSING AUTHORITY
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TUESDAY, MARCH 22, 2011, 3 P.M.
ART PICK COUNCIL CHAMBER
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**COUNCIL/AGENCY
MEMBERS**

G A R D N E R	M E L E N D R E Z	B A I L E Y	D A V I S	M A C A R T H U R	H A R T	A D A M S
1	2	3	4	5	6	7

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Parkview Community Hospital and Riverside Baptist Church to remove the property at 9005 Magnolia Avenue from the mutual parking and access agreement; and (3) authorized staff to prepare the necessary amendment to the previously approved Covenant and Agreement and Declaration of Restrictions.

FOURTH AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT

The City Council (1) approved the Fourth Amended and Restated Joint Exercise of Powers Agreement creating the Western Riverside County Regional Conservation Authority (RCA) and adding the City of Eastvale to the Joint Powers Agreement as approved by the Board of Directors on February 7, 2011; and (2) authorized the Mayor to execute the necessary documents.

JOINT ITEM WITH HOUSING AUTHORITY - NEIGHBORHOOD STABILIZATION PROGRAM AMENDMENT - GRANT APPLICATION

The City Council (1) approved the Neighborhood Stabilization Program Plan Round 3 (NSP3) Substantial Amendment for use of Federal NSP3 funding allocation as outlined in the written staff report; (2) authorized the City Manager, or his designee, to approve the amendment incorporating Target Areas 2, 3, and 4; and (3) authorized the City Manager, or his designee, to execute all documents and instruments including amendments to the grant application and making minor non-substantive changes necessary to implement and carry out this overall transaction.

The Housing Authority adopted the Neighborhood Stabilization Program Plan Round 3 (NSP3) Plan Substantial Amendment as outlined in the written staff report for use of the Federal NSP3 funding allocation.

SEIZING OUR DESTINY - ELECTRIC VEHICLE CHARGING STATIONS

The City Council (1) accepted a grant award of 11 electric vehicle public charging stations from United States Department of Energy (DOE) through Coulomb Technologies, Inc., for vehicle infrastructure improvements at various locations; and (2) authorized the City Manager, or his designee, to execute the necessary contract documents.

MAYOR'S COMMISSION ON AGING APPOINTMENT

The City Council appointed Grosvenor W. Fish (Ward 3) to a Citywide seat on the Mayor's Commission on Aging for a four-year term ending March 1, 2015.