

212296

WHEN RECORDED MAIL TO:

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City of Riverside  
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Riverside, California 92522

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SEP 20 1985

Recorded in Official Records  
of Riverside County, California

W. J. E. Stoney  
RECORDER  
Fees \$

GRANT OF EASEMENTS AND  
DECLARATION OF RESTRICTIONS

This Grant of Easements and Declaration of Restrictions is made and entered into this 16<sup>th</sup> day of September 1985, by PATTY ENTERPRISES, INC., a California corporation, hereinafter referred to as the First Party, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, and hereinafter referred to as Parcel 1:

All that portion of Lots 2, 3, 4, 6 and 7 in Block 40 of La Sierra Gardens, as shown by map on file in Book 11, page 44 of Maps, records of said Riverside County, lying southwesterly of the westerly line of Parcel 1060-15, as shown by Record of Survey on file in Book 35, at Page 17 thereof, records of said Riverside County, and lying southeasterly of the following described line:

COMMENCING at the most southerly corner of said Lot 4;

THENCE North 33° 58' 21" West along the southwesterly line of said Lots 4, 3 and 2, a distance of 832.83 feet to the most westerly corner of that certain parcel of land conveyed to Patty Enterprises, by deed recorded December 21, 1984, as Instrument No. 272348, Official Records of said Riverside County, and to the True Point of Beginning;

THENCE North 56° 01' 39" East along the northwesterly line of said parcel of land 408.05 feet to the most northerly corner thereof, and to the end of this line description.

and by RSJ DEVELOPMENT, INC., a California corporation, hereinafter referred to as the Second Party, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, and hereinafter referred to as Parcel 2:

Parcel No. 1, as shown by Parcel Map on file in Book 5, Pages 37 and 38 of Parcel Maps, Riverside County Records.

DESCRIPTION APPROVAL  
9/16/85  
Surveyor

C/A-131

WHEREAS the First Party desires to develop Parcel 1 as a Planned Residential Development pursuant to Case PRD-6-845; and

WHEREAS the City of Riverside has required, as a condition of approval of Case PRD-6-845, that a joint access easement be provided over and across Parcels 1 and 2 for the use and benefit of Parcels 2 and 1 respectively; and

WHEREAS the parties hereto desire to restrict Parcels 1 and 2 with the nonexclusive, reciprocal easements and the obligations described herein;

NOW, THEREFORE, the parties hereto agree as follows:

1. For valuable consideration, receipt of which is hereby acknowledged, the First Party hereby grants to the Second Party, its successors and assigns, a nonexclusive, reciprocal easement appurtenant to Parcel 2 for ingress and egress for Parcel 2 by the owners, lessees and tenants of Parcel 2 or any part thereof and their invitees and guests, over and across the northwesterly 24 feet of the southwesterly 83 feet of Parcel 1.

2. For valuable consideration, receipt of which is hereby acknowledged, the Second Party hereby grants to the First Party, its successors and assigns, a nonexclusive, reciprocal easement appurtenant to Parcel 1 for ingress and egress for Parcel 1 by the owners, lessees and tenants of Parcel 1 or any part thereof and their invitees and guests, over and across the southeasterly 6 feet of the southwesterly 83 feet of Parcel 2.

3. The easement areas described above are planned to be developed as a joint driveway and each easement area shall be developed and maintained by the respective owner of each burdened property.

4. The owner or owners of each parcel shall obtain and at all times keep in force such insurance as will protect the holder of the easement over and across a portion of such parcel from general liability claims for bodily injury, or death, or property damage which may arise from the establishment, maintenance and use of the driveway. Such insurance shall be in a minimum amount of \$1,000,000 combined single limit and shall name such easement holder as an additional insured. Upon execution of this agreement and upon each change in ownership the owner or owners of each parcel shall provide such easement holder with a certificate that such insurance is in effect. Such certificates shall provide for thirty (30) days written notice prior to cancellation.

5. This Grant of Easements and Declaration of Restrictions is made and entered into for the purpose of

complying with a condition of approval of Case PRD-6-845 and shall not be extinguished or altered in any way by the parties hereto or their successors or assigns without the prior written and recorded consent of the City Council of the City of Riverside.

6. The terms of this Grant of Easements and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns, or by any owner, lessee or tenant of any portion of Parcel 1 or 2. Should the City or any owner, lessee or tenant bring an action to enforce any of the terms of this Grant of Easements and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witnesses' fees and reasonable costs of suit.

7. This Grant of Easements and Declaration of Restrictions shall run with the land and shall be binding upon the undersigned, their heirs, successors and assigns.

IN WITNESS WHEREOF the parties hereto have caused this Grant of Easements and Declaration of Restrictions to be executed the day and year first written above.

First Party

PATTY ENTERPRISES, INC., a California corporation

Signature <u><i>[Signature]</i></u>	Signature _____
Name <u>Doug Lee E. Patty</u>	Name _____
Title <u>President</u>	Title _____

Second Party

RSJ DEVELOPMENT, INC., a California corporation

Signature <u><i>[Signature]</i></u>	Signature _____
Name <u>RICHARD J. HOAG</u>	Name _____
Title <u>PRES.</u>	Title _____

APPROVED AS TO FORM:

*Clarice Sumner*  
Assistant City Attorney

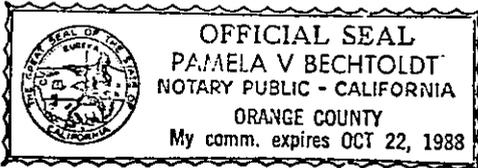
State of California  
County of Orange ) SS.

On this the 19th day of September 1985, before me,

the undersigned Notary Public, personally appeared

Douglas E. Patty

- personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument as President or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it.  
WITNESS my hand and official seal.



Pamela V. Bechtoldt  
Notary's Signature PAMELA V. BECHTOLDT

ACKNOWLEDGMENT EXECUTED BY A CORPORATION,  
Civil Code Section 1190

State of CALIFORNIA )  
County of LOS ANGELES ) SS.

On this 17th day of SEPTEMBER in the year 1985, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RICHARD J. HOAG, personally known to me to be the person(s) who executed the within instrument as president ~~(or secretary)~~ or on behalf of RSJ DEVELOPMENT, INC. the corporation therein named and acknowledged to me that the corporation executed it.

Lucille A. Lusted  
(Signature of Notary Public)

