

WHEN RECORDED SEND TO:
CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: R-64-856
2025 Chicago Avenue

COPY of Document Recorded
on MAY 5 1986 as No. 102639
has not been compared with
original.
WILLIAM E. CONERLY
County Recorder
RIVERSIDE COUNTY, CALIFORNIA

Document recorded for effect upon the
recording of this instrument by
the County Recorder of Riverside
County, California.

COVENANT AND AGREEMENT AND RELEASE
CHICAGO AVENUE FUTURE MEDIAN

This Covenant and Agreement and Release is made and entered into this 27th day of January, 1986, by Delta Chicago Partnership, a General 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":

The South One-Half of Block 10 of the Wilbur Tract, as shown by Map on file in Book 4 page 36 of Maps, records of San Bernardino County, California;
Excepting therefrom the portion included in Chicago Avenue.

WHEREAS the property hereinabove described abuts the West side of Chicago Avenue, a public street within the City of Riverside; and

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

WHEREAS the construction of said raised median will eliminate access to said property from the North bound lanes of Chicago Avenue;

NOW, THEREFORE, in consideration of the approval by the City of Riverside of Zoning Case R-64-856, the undersigned acknowledges, and covenants and agrees for itself, its successors, and assigns that the property will not be served by an opening in the raised median and hereby releases the City of Riverside, its officers and employees 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 or the loss of access from the north bound lanes of Chicago Avenue.

It is further covenanted and agreed that in the event the median is not constructed in Chicago Avenue adjacent to the property at such time as the property is leased, sold,

DESCRIPTION APPROVAL: 2/14/86
George P. Hutchinson
SURVEYOR, CITY OF RIVERSIDE

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transferred or conveyed to another, the undersigned shall give prior written notice to said party that the property will not be served by an opening in the median to be constructed in Chicago 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 witness' 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.

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

STATE OF CALIFORNIA
COUNTY OF Orange) ss.

On January 30, 1986 before me, the undersigned, a Notary Public in and for said State, personally appeared William B. Burke

Partnership,
hip



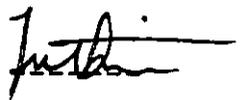
STATE OF CALIFORNIA
COUNTY OF Orange) ss.

On January 30, 1986 before me, the undersigned, a Notary Public in and for said State, personally appeared Brian R. Burke



STATE OF CALIFORNIA
COUNTY OF Orange) ss.

On January 30, 1986 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert W. Guthrie



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ATTORNEY

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person that executed the within instrument as Delta Chicago partner(s), on behalf of Partnership, the partnership therein named and acknowledged to me that the partnership executed it.



WITNESS my hand and official seal.

Signature Lynn Kardos

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San Title Company

Title Company

3003 (6/82) (Partnership) First American Title Company