

RECORDING REQUEST:

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: VAC-2-890

075787

RECEIVED FOR RECORD
AT 2:00 O'CLOCK P.M.

MAR 1 1990
Recorded in Official Records
of Riverside County, California
William S. Bondy
Recorder
Fees \$ _____

GRANT OF EASEMENTS AND
DECLARATION OF RESTRICTIONS

This Grant of Easements and Declaration of Restrictions is made and entered into this 5th day of February, 1990, by MAKRAM ABISKARON and HANAA ABISKARON, husband and wife as joint tenants, hereinafter referred to as the Abiskarons, the owners of record of the following described real property located in the City of Riverside, County of Riverside, State of California, hereinafter referred to as Parcel A:

That portion of Lots 33 and 34 of Block 12 of the Village of Arlington, as per Map recorded in Book 1 of Maps, page 62, Records of San Bernardino County, California, described as follows:

BEGINNING at the most Northerly corner of said Lot 34;
THENCE South 55° 59' 40" West, 148.71 feet on the Southeasterly line of Garfield Street (80 feet wide) to the Northeasterly line of Kruse Tract, as shown by map on file in Book 28, page 29 of Maps, Records of Riverside County, California;

THENCE South 33° 59' 35" East, 848.23 feet on the Northeasterly line of said Kruse Tract to the Northwesterly line of LaFayette Street (66 feet wide) as shown on said Map;

THENCE North 56° 01' East, 148.73 feet on said Northwesterly line to the Southwesterly line of Jackson Street (80 feet wide);

THENCE North 33° 59' 40" West, 848.29 feet on said Southwesterly line to the point of beginning.

EXCEPT the interest in the Northeasterly 4.00 feet of said land which was granted for public street purposes to the City of Riverside, a municipal corporation, by deed dated June 28, 1963, executed by Hunt Park Apartments, a partnership, as shown in Book 3494, page 122 of Official Records of Riverside County, California.

WHEREAS Parcel A has been improved with an apartment development and a public alley; and

WHEREAS 12 improved single-family residential lots are situated adjacent to and southwesterly of Parcel A and have had legal access to the alley from the rear of each lot; and

WHEREAS application has been made to vacate and close the alley and to limit access to the owners, lessees, tenants, invitees and guests of Parcel A and the 12 adjacent lots to the southwest; and

WHEREAS the City of Riverside has held the appropriate public hearing and has approved the vacation of the alley (Case VAC-2-890) subject to a condition that continued rear lot access be assured for the 12 adjacent lots; and

WHEREAS the Abiskarons desire to restrict Parcel A with the nonexclusive easements and the obligations described below;

NOW, THEREFORE, the Abiskarons hereby agree as follows:

1. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to David J. Arnold and Michele W. Arnold, husband and wife, and Michael Dugovanec, a married man as his sole and separate property, all as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 14 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 14 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

2. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Merle Kenneth Steffen and Katherine Ernst Steffen, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 15 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 15 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

3. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Clayton T. Monks and Ruth E. Monks, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 16 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 16 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

4. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to George Ogilvie and Roxielee Ogilvie, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 17 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by

the owners, lessees and tenants of said Lot 17 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

5. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to James L. Harden and Esther Harden, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 18 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 18 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

6. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Ronald G. Quinn and Bette J. Quinn, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 19 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 19 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

7. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to George J. Goodman, Trustee of the George J. Goodman Trust dated February 9, 1979, his successors and assigns, a nonexclusive easement appurtenant to Lot 20 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 20 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

8. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Charles L. Parks, a single man, his heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 21 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 21 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

9. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Charles M. Ferguson and Gloria J. Ferguson, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 22 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 22 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

10. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Kevin Sikkenga and Melissa Sikkenga, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 23 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps,

Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 23 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

11. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Glen E. Campbell and Marilyn A. Campbell, husband and wife, as joint tenants, their heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 24 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 24 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

12. For valuable consideration, receipt of which is hereby acknowledged, the Abiskarons hereby grant to Nathalie A. Siegel, her heirs, successors and assigns, a nonexclusive easement appurtenant to Lot 25 of Kruse Tract, as shown by map on file in Book 28, Page 29 of Maps, Records of Riverside County, California, for ingress and egress by the owners, lessees and tenants of said Lot 25 and their invitees and guests, over and across the southwesterly 12 feet of Parcel A.

13. The easement area described above in paragraphs 1 through 12 shall be established by the owners of Parcel A as a one-way driveway and shall be maintained by the owners of Parcel A in accordance with the standards of the City of Riverside for private driveways and in a good, usable and safe condition at all times. In addition, the easement area shall be kept in a free and open condition at all times to permit unimpeded access to Lots 14 through 25 of Kruse Tract, as described above, except that a security gate may be established by the owners of Parcel A at each end of the easement area provided that the owners, lessees and tenants of said Lots 14 through 25 of Kruse Tract shall have a reasonable means of access through said gated entrance and exit points such as a key, key card or access code.

14. The owners of Parcel A hereby release the City of Riverside, its officers, employees and agents from any and all claims, demands, suits or actions that the undersigned, their heirs, successors or assigns may now or in the future have arising out of or incurred as a result of the City of Riverside vacating the public alley (VAC-2-890) and permitting its closure and change to a private driveway. Further, the owners of Parcel A hereby agree to defend, indemnify and hold harmless the City of Riverside, its officers, employees and agents and the easement holders from any and all liabilities, expenses, claims or causes of action arising out of or alleged to be caused by or resulting from the City of Riverside vacating the public alley (VAC-2-890) or the establishment, maintenance or use of the easement area.

15. The owners of Parcel A shall obtain and at all times keep in force such insurance as will protect the holders of the easements described in paragraphs 1 through 12 above from general liability claims for bodily injury, or death, or property damage which may arise from the establishment, maintenance or use of the easement

area. Such insurance shall be in a minimum amount of \$1,000,000 combined single limit and shall name the easement holders as additional insureds. Upon request by an easement holder, the owners of Parcel A shall provide such easement holder with a certificate that such insurance is in effect. Such certificates shall provide for thirty days' written notice prior to cancellation.

16. 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 of Lots 14 through 25 of Kruse Tract as described above. 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.

17. This Grant of Easements and Declaration of Restrictions is made and entered into for the purpose of complying with a condition of approval for the vacation of the public alley pursuant to Case VAC-2-890 and shall not be extinguished or altered in any way without the prior written and recorded consent of the City Council of the City of Riverside.

18. 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.

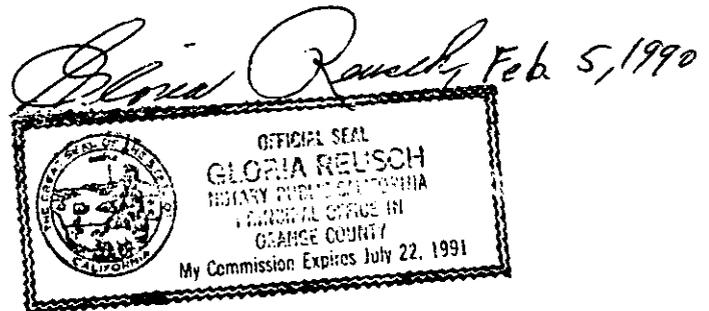
IN WITNESS WHEREOF the undersigned have caused this Grant of Easements and Declaration of Restrictions to be executed the day and year first written above.

Makram H. Abiskaron
MAKRAM ABISKARON

Hanaa Abiskaron
HANAA ABISKARON

APPROVED AS TO FORM:

Clarice Surney
Assistant City Attorney



DESCRIPTION APPROVAL 1/30/90
George P. Hutchinson by *[Signature]*
SURVEYOR, CITY OF RIVERSIDE