

WHEN RECORDED MAIL TO:

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

Project: Zoning Case R-40-889

320947

RECEIVED FOR RECORD
AT 4:30 O'CLOCK P.M.

AUG 28 1990

Recorder in Official Records
of Riverside County, California
Recorder
Fees \$ 12.00

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS is made and entered into this 13th day of August, 1990, by M.E.T. PROPERTIES, a general partnership (hereinafter called the "Declarant") with reference to the following facts:

A. Declarant is the fee owner of the real property (hereinafter called the "Property") located in the City of Riverside, County of Riverside, State of California, described in Exhibit "A", attached hereto and incorporated herein by this reference. The Property is situated on the northerly side of Indiana Avenue between Washington Street and Brockton Avenue southerly of the Riverside 91 Freeway.

B. As a condition of the rezoning of a portion of the Property from the Single-Family Residential ("R-1-65") Zone to the Restricted Office ("RO") Zone with the Height of Buildings ("S-2") Combining Zone and the Building Setback ("X") Combining Zone in Zoning Case R-40-889, the City of Riverside (hereinafter called the "City") is requiring the execution of a covenant, running with the land, precluding the provision of windows oriented toward the Riverside Freeway whose primary purpose is to display merchandise, temporary signing or services.

C. Declarant seeks to comply with the above-noted condition imposed by the City for the rezoning of a portion of the Property in Zoning Case R-40-889.

NOW, THEREFORE, Declarant hereby declares that the Property described above shall be developed, improved, held, sold, conveyed, leased, used and occupied subject to the following restrictions, covenants and conditions which are for the purpose of complying with a condition of approval imposed by the City in Zoning Case R-40-889 and for protecting the value and desirability of the Property.

1. All buildings will be constructed on the Property to preclude the provisions of windows oriented toward the Riverside Freeway whose primary purpose could be to display merchandise, temporary signing or services.

EXHIBIT "A"

THOSE PORTIONS OF LOTS 43, 45, AND 46 IN BLOCK 2, AND LOTS 1 AND 2 IN BLOCK 3 OF ORANGE ACRES, AS SHOWN BY MAP ON FILE IN BOOK 13, PAGE 7 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF HARDING STREET AS VACATED BY THE CITY OF RIVERSIDE PER RESOLUTION NO. 17322 OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, RECORDED DECEMBER 1, 1989 AS INSTRUMENT NO. 421334 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 2, SAID CORNER BEING ON THE NORTHWESTERLY R/W LINE OF INDIANA AVENUE (80 FEET WIDE);

THENCE NORTH 33° 39' 04" WEST ON THE NORTHEASTERLY LINE OF SAID LOT 2, A DISTANCE OF 157.08 FEET TO THE SOUTHEASTERLY LINE OF STATE HIGHWAY 91 AS SHOWN BY CAL TRANS RIGHT OF WAY MAP 8-RIV-91 (OLD RIV-43-RIV) SHEET 21 OF 23 ON FILE WITH THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 49° 33' 09" WEST ON SAID SOUTHEASTERLY LINE, A DISTANCE OF 215.83 FEET TO THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY ONE HALF OF SAID LOT 45;

THENCE SOUTH 33° 42' 24" EAST ON SAID PROLONGATION AND SOUTHWESTERLY LINE, A DISTANCE OF 155.96 FEET TO THE NORTHWESTERLY R/W LINE OF INDIANA AVENUE (80 FEET WIDE);

THENCE NORTH OF 49° 50' 40" EAST ON SAID R/W LINE, A DISTANCE OF 215.55 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION DEEDED TO THE CITY OF RIVERSIDE BY DEED RECORDED APRIL 13, 1990 AS INSTRUMENT NO. 135497 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL 5/29/90
George P. Hutchinson by *DB*
 SURVEYOR, CITY OF RIVERSIDE

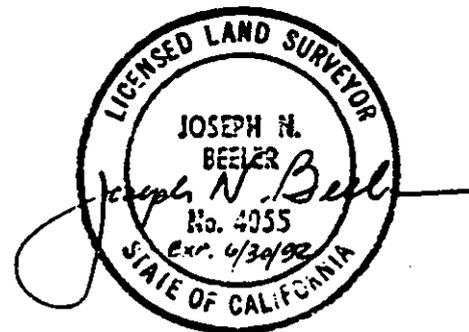


EXHIBIT A



BLOCK
155.96'

RIVERSIDE

FREEMWAY

HWY. 91

N 49° 33' 09" E

215.83'

N 33° 42' 24" W

45

2

46

ORANGE

M. B. 13 / 7

PORTION OF HARDING STREET
VACATED PER VAC-15-889

N 49° 50' 40" E

215.55'

ACRES

REC. OF RIV. CO.

BLOCK

1

2

3

3

N 33° 39' 04" W

157.08'

INDIANA AVENUE

40'

40'

2. No windows oriented toward the Riverside Freeway in any building located on the Property shall be used for the display of merchandise, temporary signing or services.

3. Any person, whether an individual, corporation, partnership, association or otherwise who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed to have consented and agreed to the provisions of this Declaration of Restrictions and to be subject to the provisions contained herein whether or not the instrument conveying such interest makes any reference to this Declaration of Restrictions.

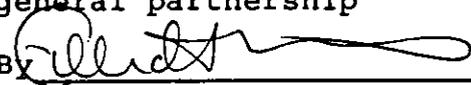
4. The Property and all buildings located thereon shall be held, conveyed, encumbered, leased, rented, used and occupied subject to the restrictions established hereinabove.

5. The terms of this Declaration of Restrictions may be enforced by the City or by any owner, lessee, tenant or occupant of the Property or any buildings located thereon.

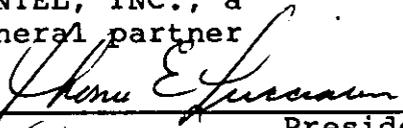
6. This Declaration of Restrictions shall run with the land and each and every term or condition thereof shall be binding upon the Declarant and its successors and assigns, and shall continue in effect until released by the City Council of the City of Riverside.

IN WITNESS WHEREOF, the Declarant has executed this Declaration of Restrictions the day and year first above written.

M.E.T. PROPERTIES, a
general partnership

By 
ELLIOTT LUCHS, a
general partner

By: JANTEL, INC., a
general partner

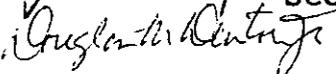
By 
President

By 
Secretary

BY: MCP, INC., a
general partner

By 
President

By 
Secretary

By: 
DOUGLAS M. DENTON, JR., a
general partner