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WHEN RECORDED MAIL TO:

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

Project: MP-8-789

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.

DEC - 4 1990

Recorded in Official Records
of Riverside County, California

W. J. [Signature]
Recorder
Fees \$ 18

AMENDMENT TO COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

This AMENDMENT TO COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 26th day of NOVEMBER 1990, by GUSTAV G. KUHN and ERNA M. KUHN, husband and wife ("Declarants") with reference to the following facts:

A. Declarants are the fee owners of that certain real property (the "Property") situated in the City of Riverside, County of Riverside, State of California, consisting of two parcels ("Parcel A" and "Parcel B" respectively) described as follows:

PARCEL A

All that portion of Lot 1 in Block 28 of Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1 of Maps, at page 70 thereof, Records of San Bernardino County, California, more particularly described as follows:

Commencing at the most westerly corner of said Lot 1;

Thence South 34° 00' 30" East, a distance of 4.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 34° 00' 30" East, a distance of 590.28 feet to a point on the northerly right-of-way of the Atchison, Topeka and Santa Fe Railway, said point being on a curve concave to the northwest, having a radius of 2814.94 feet, the radial bearing at said point bears South 27° 59' 40" East;

Thence Northeasterly along said curve, to the left, through a central angle of 06° 00' 20", an arc distance of 295.05 feet to a point on a tangent line;

Thence North 56° 00' 00" East, a distance of 201.35 feet;

Thence North 34° 00' 30" West, a distance of 213.00 feet;

Thence South 56° 00' 00" West, a distance of 312.76 feet;

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11-27-90
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Thence North 34° 00' 30" West, a distance of 393.00 feet;

Thence South 56° 00' 00" West, a distance of 183.00 feet to the true point of beginning.

PARCEL B

That portion of Lot 2 in Block 28 of lands of Riverside Land and Irrigating Company, as shown by Map on file in Book 1, Page 70 of Maps, San Bernardino County Records, described as follows:

Parcels 1 and 2 of Record of Survey on file in Book 32, Page 34 of Record of Surveys, records of Riverside County, California.

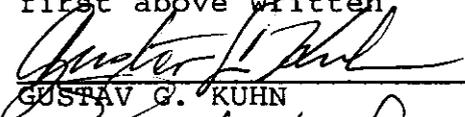
B. As a condition of the development of the Property as part of an industrial business park, Declarants executed a Covenant and Agreement and Declaration of Restrictions on January 29, 1987 establishing thereon easements for ingress and egress and private utility services. The Covenant and Agreement and Declaration of Restrictions was recorded on January 30, 1987 as Instrument No. 27708, Official Records of Riverside County, California.

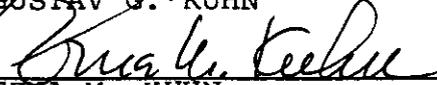
C. A recently conducted survey has disclosed an error in the metes and bounds description of the easement area. Declarants desire to correct the description contained in the recorded Covenant and Agreement and Declaration of Restrictions by amending it with the consent of the City of Riverside.

NOW, THEREFORE, Declarants hereby amend Paragraph 1 of the Covenant and Agreement and Declaration of Restrictions dated January 29, 1987 and recorded as Instrument No. 27708, Official Records of Riverside County, California, to read as follows in order to correct the description of the easement area:

"1. A nonexclusive easement for ingress and egress and private utility services is hereby established over, under and across that portion of the Property described in Exhibit A, attached hereto and incorporated herein by this reference, for the use and benefit of and as an easement appurtenant to Parcel B."

IN WITNESS WHEREOF, Declarants have caused this Amendment to Covenant and Agreement and Declaration of Restrictions to be duly executed the day and year first above written.


GUSTAV G. KUHN


ERNA M. KUHN

CONSENT TO AMENDMENT

By action duly taken by the City Council of the City of Riverside on November 27, 1990, the City of Riverside hereby consents to the above amendment to the Covenant and Agreement and Declaration of Restrictions dated January 29, 1987, and recorded January 30, 1987 as Instrument No. 27708, Official Records of Riverside County, California.

CITY OF RIVERSIDE, a municipal corporation

By Terry Frizzel
Mayor

Attest Alice A. Hare
City Clerk

APPROVED AS TO FORM
N.Y. Hervey
CHIEF ASSISTANT CITY ATTORNEY

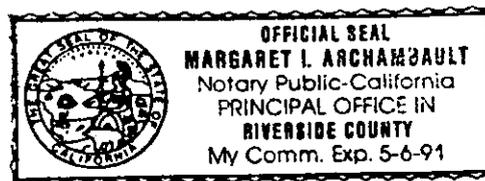
NYH/2843A/jm
11/20/90

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

On this 28th day of November, 1990, before me, MARGARET I. ARCHAMBAULT, a Notary Public in and for said State, personally appeared TERRY FRIZZEL and ALICE A. HARE, personally known to me to be the persons who executed this instrument as Mayor and City Clerk of the City of Riverside, a municipal corporation, and acknowledged to me that the municipal corporation executed it.

WITNESS my hand and official seal.

Margaret I. Archambault
Notary Public in and for said State



CORRECTED LEGAL DESCRIPTION OF EASEMENT AREA

That portion of Lot 1 in Block 28 of lands of Riverside Land and Irrigating Company, as shown by Map on file in Book 1, Page 70 of Maps, San Bernardino County Records, described as follows:

Beginning at the most westerly corner of said Lot 1;

Thence South 34° 00' 30" East, a distance of 4.00 feet;

Thence North 56° 00' 00" East, a distance of 20.0 feet to the TRUE

POINT OF BEGINNING;

Thence South 34° 00' 30" East, a distance of 395.00 feet;

Thence South 56° 00' 00" West, a distance of 20.00 feet;

Thence South 34° 00' 30" East, a distance of 23.00 feet;

Thence North 56° 00' 00" East, a distance of 20.00 feet;

Thence South 34° 00' 30" East, a distance of 121.00 feet;

Thence South 56° 00' 00" West, a distance of 20.00 feet;

Thence South 34° 00' 30" East, a distance of 23.00 feet;

Thence North 56° 00' 00" East, a distance of 43.00 feet;

Thence North 34° 00' 30" West, a distance of 144.00 feet;

Thence North 56° 00' 00" East, a distance of 132.00 feet;

Thence North 34° 00' 30" West, a distance of 418.00 feet;

Thence South 56° 00' 00" West, a distance of 23.00 feet;

Thence South 34° 00' 30" East, a distance of 395.00 feet;

Thence South 56° 00' 00" West, a distance of 109.00 feet;

Thence North 34° 00' 30" West, a distance of 395.00 feet;

Thence South 56° 00' 00" West, a distance of 23.00 feet to the TRUE

POINT OF BEGINNING.

DESCRIPTION APPROVAL 11/14/90
George P. Hutchinson by LF
 SURVEYOR, CITY OF RIVERSIDE



EXHIBIT A

CLARKE	1
LOVERIDGE	2
WANEFIELD	3
BESTER	4
OSBORN	5
TOWNSEND	6
FEELSON	7

November 27, 1990

WARDS

prepare plans, specifications and a cost estimate for the proposed Second and Third Street Assessment District for paving of the alley. The recommendation was approved as presented.

LEGAL DEPARTMENT

CONSENT TO AMENDMENT TO COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS - CASE MP-8-789

A written report was submitted from Chief Assistant City Attorney Herring recommending that the City Council consent to the amendment of the Covenant and Agreement and Declaration of Restrictions dated January 29, 1987, and recorded January 30, 1987, as Instrument No. 27708, Official Records of Riverside County, required as a condition of Case MP-8-789, relating to property located at 9990 Indiana Avenue, to correct the description of the easement area. The recommendation was approved as presented.

PARKING, TRAFFIC AND STREETS COMMISSION

SPEED LIMITS AND PARKING PROHIBITION IN VARIOUS LOCATIONS - ORDINANCE INTRODUCED

Written reports were submitted by Chairman Kelley of the Parking, Traffic and Streets Commission recommending that the City Council introduce the appropriate ordinance to (1) establish speed limits as follows: (a) 45 miles per hour on Washington Street from Overlook Parkway to the City limits, (b) 35 miles per hour on Indiana Avenue from Fillmore Street to the City limits, and (c) 35 miles per hour on Century Avenue from Alessandro Boulevard to Claridge Drive; (2) prohibit parking along the frontage of 3544 Elmwood Drive; (3) prohibit parking on Brockton Avenue, 180 feet north and south of Fourteenth Street; and (4) establish two-hour parking limits between 9 a.m. and 6 p.m., except Sundays and holidays, on (a) Indiana Avenue from Adams Street to Vance Street, (b) Adams Street, west side, from Indiana Avenue to the railroad tracks, (c) Auto Drive from Adams Street to Jefferson Street, and (d) Jefferson Street, east side, from Indiana Avenue to Casa Blanca Street. The recommendations were approved as presented; and an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Title 10 of the Riverside Municipal Code by Amending Section 10.76.010 to Increase the Speed Limit on a Portion of Washington Street From 40 to 45 Miles Per Hour, and to Establish a 35 Miles Per Hour Speed Limit on Portions of Indiana and Century Avenues; by Amending Section 10.76.050 to Prohibit Stopping, Standing and Parking at All Times on an Additional Portion of Brockton Avenue; by Amending Section 10.76.060 to Prohibit Parking at All Times on a Portion of Elmwood Drive; and by Amending Section 10.76.170 to Limit Parking to Two Hours on Portions of Indiana Avenue, Adams Street/Auto Center Drive, Auto Drive, and Jefferson Street," was presented and introduced.

CITY COUNCIL

RECOMMENDATIONS ON COMMUNITY RELATIONS COMMISSIONER APPOINTMENTS

A written report was submitted from Chairperson Pearson of the City Council Governmental Affairs Committee presenting the Committee's recommendations that the City Council (1) continue Community Relations Commission membership at 25; (2) endorse the plans for an orientation session with prospective applicants; and (3) encourage close participation from the Commission Chairperson with the City Council regarding Commission applicants. The recommendations were approved as presented.

CDAC COMPOSITION - REVISIONS IN MEMBERSHIP

A written report was submitted from Chairperson Pearson of the City Council Governmental Affairs Committee presenting the Committee's recommendations that the City Council (1) confirm the appointments of Oscar Harper and Rosa McGrath to serve as Community Development Advisory Committee representatives from the Black Summit and United Way, respectively; (2) authorize the Mayor to send thank you letters on behalf of the City Council to Waudier Rucker-Hughes, Scott Smith and Dorothy Argow for their valuable participation on the CDAC; and (3) direct staff to identify the cost of and a source of funds for a part-time Community Services Representative position to provide outreach services City-wide. The recommendations were approved as presented.

UNIVERSITY OF CALIFORNIA EXPANSION

A written report was submitted from Chairperson Pearson of the City Council Governmental Affairs Committee presenting the Committee's recommendation that the City Council request the Mayor to send a letter of support for the School of Law and the School of Medicine at the University of California, Riverside. The recommendation was approved as presented.

November 27, 1990

JOHN WOODHEAD
City Attorney

To the Mayor and City Council
of the City of Riverside

Re: Consent to Amendment to Covenant and Agreement
and Declaration of Restrictions - MP-8-789

On January 29, 1987 a Covenant and Agreement and Declaration of Restrictions was executed by Gustav G. Kuhn and Erna M. Kuhn establishing ingress and egress and private utility easements for the development of the property at 9990 Indiana Avenue pursuant to MP-8-789. The Covenant and Agreement was recorded on January 3, 1987 as Instrument No. 27708, Official Records of Riverside County, California.

The owners of the property have advised that a recently conducted survey has uncovered an error in the metes and bounds description of the easement areas. A corrected description satisfactory to the City's Surveyor has been provided.

In order to correct the legal description in the Covenant and Agreement, it would be appropriate for the City Council to consent to its amendment.

RECOMMENDATION:

The City Council consent to the amendment of the Covenant and Agreement and Declaration of Restrictions dated January 29, 1987 and recorded January 30, 1987 as Instrument No. 27708, Official Records of Riverside County, required as a condition in MP-8-789, to correct the description of the easement area.

Respectfully submitted,

Norman Y. Herring

NORMAN Y. HERRING
Chief Assistant City Attorney

NH/0690C/lm

cc: City Manager
City Clerk
Public Works Director
Planning Director

NOV 27 1990

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