

RECORDING REQUESTED BY:

173

WHEN RECORDED MAIL TO:

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

Project: Parcel Map 26373

365692

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

OCT 22 1991

Recorded in Official Records
of Riverside County, California

William S. Brown
Recorder
Fees \$

COVENANT AND AGREEMENT
ESTABLISHING PRIVATE SEWER EASEMENT

THIS COVENANT AND AGREEMENT is made and entered into this 29 day of August, 1991, by BRIAN L. GUYNN and CHERYL L. GUYNN, husband and wife, the fee owners of the following described real property located in the City of Riverside, County of Riverside, State of California:

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Parcels 1 and 4 of Parcel Map No. 26373 as shown by map on file in Book 173 of Parcel Maps at pages 7 through 9 thereof, records of Riverside County, California

For the purpose of complying with a condition imposed by the City of Riverside, California for the recordation of Parcel Map No. 26373, the undersigned, for themselves and their heirs, successors and assigns, hereby covenant and agree with the City of Riverside that a private, nonexclusive easement for sanitary sewer facilities will be and is hereby established under, along and across the herein described portion of Parcel 4 of Parcel Map 26373 for the use and benefit of and as an easement appurtenant to Parcel 1 of Parcel Map No. 26373:

The northerly twelve (12) feet of Parcel 4 of Parcel Map No. 26373 as shown by map on file in Book 173 of Parcel Maps, at pages 7 through 9 thereof, records of Riverside County, California

Said easement shall contain all rights deemed reasonable, necessary and proper for the construction, installation, use, repair, replacement and maintenance of private sanitary sewer facilities.

It is further covenanted and agreed that if either parcel of Parcel Map No. 26373 is sold, conveyed, or otherwise transferred, the undersigned shall grant or reserve as appropriate the easement above-described to ensure that the owners and occupants of said Parcel 1 of Parcel Map No. 26373 shall have access to the public sanitary sewer main located in Victoria Avenue.

First American Title Company has recorded this instrument by request as an accommodation only and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described herein.

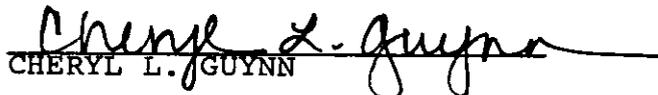
CA 289

The City of Riverside or any owner or occupant of Parcel 1 of Parcel Map No. 26373 may enforce this Covenant and Agreement. Should the City of Riverside or any owner or occupant of Parcel 1 bring suit to enforce the terms of this Covenant and Agreement, the prevailing party shall be entitled to court costs including reasonable attorneys' fees.

Any person who now or hereafter owns or acquires any right, title or interest in or to either Parcel 1 or Parcel 4 of Parcel Map No. 26373 shall be deemed (a) to have consented and agreed to every covenant, condition, restriction and easement contained herein; and (b) to have granted or be subject to the easement described above as may be appropriate whether or not any reference to this Covenant and Agreement is contained in the instrument by which any person acquired an interest in said parcel.

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


BRIAN L. GYNN


CHERYL L. GYNN

DESCRIPTION APPROVAL 9/4/91
George P. Hutchinson by [Signature]
SURVEYOR, CITY OF RIVERSIDE

BP/3319A/sb
8/28/91


APPROVED AS TO FORM
ASST. CITY ATTORNEY

