

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

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

Project: Fire Hydrant Service Connection
Building Permit for 7200 Indiana
Avenue, Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

NOV 3 1992

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$
W. J. [Signature]

419308

COVENANT AND AGREEMENT
AND GRANT OF EASEMENT
FOR FIRE HYDRANT SERVICE CONNECTION

THIS COVENANT AND AGREEMENT AND GRANT OF EASEMENT is made and entered into this 23rd day of OCTOBER, 1992, by A. C. NEJEDLY, SAM HARMATZ AND CHRISTINA HODOWSKI as the duly appointed and acting Executor of the Estate of B. R. HODOWSKI, deceased, hereinafter collectively referred to as "FIRST PARTY" and RIVERSIDE SELF-SERVICE STORAGE, a limited partnership, hereinafter referred to as "SECOND PARTY", with reference to the following facts:

A. FIRST PARTY is the fee owner of the real property, hereinafter referred to as "Parcel A", known as 7280 Indiana Avenue, Riverside, California, and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

B. SECOND PARTY is the fee owner of the real property, hereinafter referred to as "Parcel B", located in the City of Riverside, County of Riverside, State of California, known as 7200 Indiana Avenue, Riverside, California, and more particularly described in Exhibit B, attached hereto and incorporated herein by this reference.

C. SECOND PARTY has been issued a building permit for an addition to an existing mini-storage complex existing on Parcel B. As a condition to the issuance of the building permit, SECOND PARTY must furnish adequate on-site fire protection service for the new addition including a fire hydrant served by an eight-inch fire service water line.

D. FIRST PARTY has an existing eight-inch water service connection on Parcel A and is willing to allow SECOND PARTY to connect to said eight-inch line to provide water for the on-site fire hydrant on Parcel B and to grant an easement for such purpose.

EXHIBIT A

That portion of Lot 8 in Block 66 of Lands of W. T. Sayward and S. C. Evans, as shown by map on file in Book 3, page 2 of Maps, records of San Bernardino County, California, described as follows:

Beginning at the most westerly corner of said Lot 8, said corner being in the southeasterly line of Indiana Avenue as shown by said map;

Thence North 56° 00' 00" East along said southeasterly line of Indiana Avenue, a distance of 237.00 feet to a point therein;

Thence at a right angle South 34° 00' 00" East, a distance of 423.61 feet, more or less, to the northwesterly right-of-way line of The Atchison, Topeka and Santa Fe Railway;

Thence South 49° 25' 30" West along said northwesterly right-of-way line, a distance of 238.57 feet to a point of intersection with the southwesterly line of said Lot 8;

Thence North 34° 00' 00" West along the said southwesterly line of Lot 8, a distance of 450.93 feet to the point of beginning;

EXCEPTING THEREFROM the northwesterly 4.00 feet conveyed to the City of Riverside for street purposes by Deeds recorded November 15, 1963 as Instrument No. 121383 and February 24, 1984 as Instrument No. 38252, both of Official Records of Riverside County, California.

DESCRIPTION APPROVAL

11. 2. 92

George P. Hutchinson
 SHERIFF, CITY OF RIVERSIDE

BP/2827Z/jm
 11/2/92

EXHIBIT B

That portion of Lot 8 in Block 66 of lands of W. T. Sayward and S. C. Evans as shown by Map on file in Book 3, Page 2 of Maps, records of San Bernardino County, California, described as follows:

Commencing at the most westerly corner of said Lot 8, said corner being in the southeasterly line of Indiana Avenue as shown by said map;

Thence North $56^{\circ} 00' 00''$ East along said southeasterly line of Indiana Avenue, a distance of 237.00 feet for the true point of beginning;

Thence continuing North $56^{\circ} 00' 00''$ East along said southeasterly line of Indiana Avenue, a distance of 555.70 feet to a point distant 529.73 feet southwesterly from the most northerly corner of said Lot 8;

Thence South $33^{\circ} 59' 30''$ East parallel with the southwesterly line of Washington Street, a distance of 359.57 feet, more or less, to the northwesterly right-of-way line of The Atchison, Topeka and Santa Fe Railway;

Thence South $49^{\circ} 25' 30''$ West along said northwesterly right-of-way line, a distance of 559.33 feet;

Thence North $34^{\circ} 00' 00''$ West, a distance of 423.61 feet to the true point of beginning.

Excepting therefrom the northwesterly 4.00 feet conveyed to the City of Riverside for street purposes by deeds recorded June 8, 1962 as Instrument No. 53738 and November 15, 1963 as Instrument No. 121383, both of Official Records of Riverside County, California.

DESCRIPTION APPROVAL:

11, 2, 92
George P. Hutchinson
 SURVEYOR, CITY OF RIVERSIDE

EXHIBIT "C"

The northwesterly 14.00 feet of the following described parcel:

That portion of Lot 8 in Block 66 of Lands of W.T. Sayward and S.C. Evans, as shown by map on file in Book 3, page 2 of Maps, Records of San Bernardino County, California, described as follows:

Beginning at the most westerly corner of said Lot 8, said corner being in the southeasterly line of Indiana Avenue as shown by said map;

Thence North $56^{\circ} 00' 00''$ East along said southeasterly line of Indiana Avenue, a distance of 237.00 feet to a point therein;

Thence at a right angle South $34^{\circ} 00' 00''$ East, a distance of 423.61 feet, more or less, to the northwesterly right-of-way line of the Atchison, Topeka and Santa Fe Railway;

Thence South $49^{\circ} 25' 30''$ West along said northwesterly right-of-way line, a distance of 238.57 feet to a point of intersection with the southwesterly line of said Lot 8;

Thence North $34^{\circ} 00' 00''$ West along the said southwesterly line of Lot 8, a distance of 450.93 feet to the point of beginning.

EXCEPTING THEREFROM the northwesterly 4.00 feet conveyed to the City of Riverside for street purposes by Deeds recorded November 15, 1963 as Instrument No. 121383 and February 24, 1984 as Instrument No. 38252, both of Official Records of Riverside County, California.

PREPARED UNDER MY SUPERVISION:

Matthew E. Webb
Matthew E. Webb, L.S. 5529

11/2/92
Date

Prepared by: [Signature]
Checked by: [Signature]

DESCRIPTION APPROVAL: 11/2/92
George P. Hutchins
SURVEYOR, CITY OF RIVERSIDE



NOW, THEREFORE, FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, and the promises herein made, FIRST PARTY and SECOND PARTY mutually agree as follows:

1. FIRST PARTY hereby grants to SECOND PARTY, its successors and assigns, an easement for utility purposes over, along, across and under that portion of Parcel A described in Exhibit C, attached hereto and incorporated herein by this reference, for the use benefit of and as an easement appurtenant to Parcel B.

2. FIRST PARTY shall be responsible for payment to the City of Riverside of all charges for the eight-inch service connection on Parcel A including that serving Parcel B; provided, however, FIRST PARTY may bill to SECOND PARTY and SECOND PARTY shall pay to FIRST PARTY the proportionate share of such charges as may be attributable to the service connection for Parcel B.

3. FIRST PARTY and SECOND PARTY acknowledge and agree that the provision of water to Parcel A and Parcel B is and shall be governed by the rules and regulations promulgated from time to time by the Public Utilities Board of the City of Riverside and approved by the City Council of said City, and both parties agree to be bound by and to comply with such rules and regulations as they may be promulgated and amended from time to time.

4. This Covenant and Agreement and Grant of Easement shall run with the land and shall be binding upon the parties hereto and their heirs, successors and assigns.

IN WITNESS WHEREOF the parties hereto have caused this Covenant and Agreement and Grant of Easement to be duly executed the day and year first above written.

FIRST PARTY

SECOND PARTY

A. C. Nejedly
A C. NEJEDLY

RIVERSIDE SELF-SERVICE STORAGE,
a limited partnership

By A. C. Nejedly
a general partner

Sam Harnatz
SAM HARNATZ

Christina Hodowski
CHRISTINA HODOWSKI

BP/3871A/sb
10/23/92

APPROVED AS TO FORM
[Signature]
CHIEF ASSISTANT CITY ATTORNEY