

173

WHEN RECORDED MAIL TO:

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

Project: PMW-22-901

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

AUG - 9 1993

Recorded in Official Records  
of Riverside County, California

Recorder  
*[Signature]*

Fees \$ 173.-

309244

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FIRST AMENDMENT TO  
COVENANT, AGREEMENT AND  
DECLARATION OF RESTRICTIONS

(Spectrum Associates No. I)

This First Amendment to Covenant, Agreement and Declaration of Restrictions ("First Amendment") is made this 3rd day of August, 1993, by SPECTRUM ASSOCIATES NO. I, a California general partnership ("Spectrum"), and the City of Riverside, a municipal corporation, ("City") with reference to the following facts:

DESCRIPTION APPROVAL 7/28/93  
for Walter R. Jones by ---  
SURVEYOR, CITY OF RIVERSIDE

A. Spectrum is the fee owner of approximately 119 acres of unimproved real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A-1", attached hereto and incorporated herein by reference. City is the fee owner of approximately 17 acres of unimproved real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A-2", attached hereto and incorporated herein by reference. The real property described in Exhibits "A-1" and "A-2" was subdivided into both developable and undevelopable parcels by Parcel Map No. 24536 as shown by Parcel Map on file in Book 162 of Parcel Maps at pages 91 through 98 thereof, Records of Riverside County, California. The real property described in Exhibits "A-1" and "A-2" is hereinafter referred to as the "Parcel Map Property" or individually by the parcel numbers shown on Exhibits "A-1" and "A-2" and Parcel Map No. 24536 is hereinafter referred to as the "Parcel Map".

B. Certain conditions for the subdivision of the Parcel Map Property have been included in a Covenant, Agreement and Declaration of Restrictions made by Spectrum, dated December 21, 1989 and recorded February 8, 1990 as Instrument No. 050529, Official Records of Riverside County, California (the "Covenant").

C. Spectrum proposes to adjust parcel lines of certain of the parcels shown on the Parcel Map as approved by the City of

Riverside for Parcel Map Waiver Case PMW-22-901. Case PMW-22-901 deletes and realigns streets and consolidates and reconfigures parcels and is hereinafter referred to as the "Parcel Map Waiver". That portion of the Parcel Map Property included in the Parcel Map Waiver is described in Exhibit "B", attached hereto and incorporated herein by reference, and is hereinafter referred to as the "Parcel Map Waiver Property". Spectrum proposes to adjust the parcel lines of the Parcel Map Waiver Property as described in Exhibit "C", attached hereto and incorporated herein by reference, by recording a Certificate of Compliance for the Parcel Map Waiver concurrently herewith. The real property described in Exhibit "C" is hereinafter referred to as the "Parcel Map Waiver Property" or individually by the parcel numbers shown on Exhibit "C".

D. Spectrum has proposed that an assessment district and/or community facilities district be formed and funded to finance a portion of the construction of the off-site improvements and the acquisition of street rights-of-way for the purpose of complying with the conditions of approval of the Parcel Map and the Parcel Map Waiver.

E. As conditions of approving Case PMW-22-901, the City of Riverside has imposed certain requirements related to the use and development of the Parcel Map Waiver Property. Spectrum proposes to meet those conditions by executing this First Amendment amending the Covenant in its entirety.

F. City joins in this First Amendment solely with regard to its ownership of Parcel 4 of the Parcel Map Property.

NOW, THEREFORE, the undersigned hereby amend the Covenant in its entirety and covenant and agree with the City of Riverside, and declare as follows:

1. There shall be no public access to any parcel of the Parcel Map Property or the Parcel Map Waiver Property until such time as (i) all off-site improvements which are required by the City of Riverside for the development of the parcel, including the construction and installation of required public utility improvements and the construction and installation of improvements not adjacent to the parcel, ("Off-site Improvements") have been completed; (ii) all public utility fees and charges which are required by the City of Riverside for the development of the parcel, including fees and charges for utilities not adjacent to the parcel, ("Utilities Fees") have been paid; and (iii) all rights-of-way dedications which are required by the City of Riverside for the development of the parcel, including dedications not adjacent to the parcel, have been satisfied; all as required by the City of Riverside in the

conditions of approval for Parcel Map 24536 and PMW-22-901, whether by the proposed assessment district and/or community facilities district or otherwise.

2. The undersigned, and their successors and assigns, shall be responsible for the preparation of plans for the Off-site Improvements; the completion of the Off-site Improvements; payment of the Utilities Fees; satisfaction of the street rights-of-way dedications; and their proportionate share of the cost of other regional infrastructure identified in the amended Sycamore Canyon Business Park Specific Plan; all prior to issuance of any building permit for any parcel of the Parcel Map Property or the Parcel Map Waiver Property, in the event the assessment district and/or community facilities district is not formed and funded to finance the Off-site Improvements, the Utilities Fees and the acquisition of the street rights-of-way. The undersigned further agree that all Off-site Improvement plans shall be approved by the City of Riverside before building permits will be issued.

3. Paragraph 2 of this First Amendment shall not apply to any parcel or portion of a parcel owned by or conveyed to City for so long as the parcel is owned by City. At such time as the parcel or portion of a parcel is not owned by City the provisions of paragraph 2 shall apply to such parcel or portion of a parcel.

4. The undersigned, and their successors and assigns, shall not improve any parcel of the Parcel Map Property or the Parcel Map Waiver Property for private use prior to (i) the acquisition of required street rights-of-way by the proposed assessment district and/or community facilities district, or, alternatively, should an assessment district and/or community facilities district not be formed and funded, the dedication of required street rights-of-way; (ii) improvement of the required streets in accordance with the then existing standards and specifications of the City of Riverside, or the execution of an improvement agreement and the provision of appropriate improvement security to secure the performance of the required street improvement work; and (iii) the construction and installation of the required public utilities and the payment of the Utilities Fees, or the execution of an improvement agreement and provision of appropriate improvement security to secure the performance of the required public utility installation work and payment of the Utilities Fees.

5. Parcels 23, 24 and 25 of the Parcel Map are intended to be acquired by the proposed assessment district and/or community facilities district (or dedicated should an assessment district and/or community facilities district not be formed) as half-street rights-of-way. In the event that adjacent property half-street rights-of-way are not acquired by the proposed assessment district and/or community facilities district (or dedicated by

their owners) prior to actual construction of street improvements, Spectrum, and its successors and assigns, shall, for the purpose of allowing standard half-street construction, allow the assessment district and/or community facilities district to acquire (or dedicate should an assessment district and/or community facilities district not be formed) ten (10) feet of additional right-of-way adjacent to Parcels 23, 24 and 25 of the Parcel Map.

6. Parcels 21 through 26 of the Parcel Map are intended to be acquired or dedicated for public street rights-of-way and are not developable parcels. Parcel 27 of the Parcel Map and Parcels 4 and 5 of the Parcel Map Waiver may be acquired or dedicated for public street rights-of-way and are not developable parcels unless they are combined with adjacent parcels pursuant to a subsequent parcel map or parcel map waiver.

7. Any parcel of the Parcel Map or the Parcel Map Waiver which will remain landlocked (without public street frontage) after the acquisition or dedication of the proposed public streets described in paragraph 6 above shall be provided with appropriate easements for ingress, egress, and utilities prior to issuance of any building permits.

7. Spectrum, for itself and its successors and assigns, agrees and acknowledges that the formation of a Landscape Maintenance Assessment District pursuant to the Landscaping and Lighting Act of 1972 is a condition of approval of Case PMW-22-901 and agrees to cooperate fully with the City of Riverside in the establishment of the required district.

8. The terms of this First Amendment may be enforced by the City of Riverside, or its successors or assigns. Should any action be brought to interpret or enforce the terms of this First Amendment, the prevailing party in such litigation shall be entitled to recover reasonable attorneys' fees, expert witnesses' fees and reasonable costs of suit.

9. This First Amendment shall run with the land and shall be binding upon the undersigned, its successors and assigns, and shall not be amended or terminated without the express written consent of the City Council of the City of Riverside, duly recorded.

/ / /

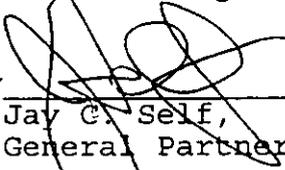
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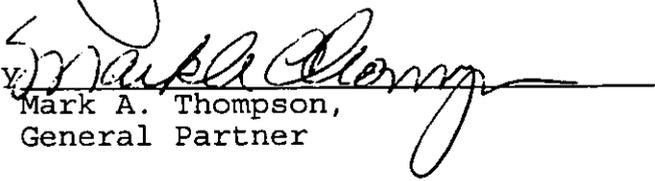
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IN WITNESS WHEREOF, the undersigned have caused this First Amendment to be executed as of the day and year first written above.

X

Spectrum Associates No. I,  
a California general partnership

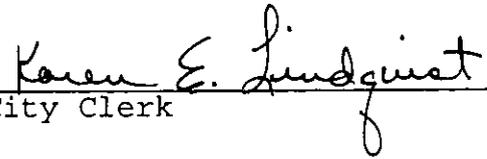
By   
Jay C. Self,  
General Partner

By   
Mark A. Thompson,  
General Partner

City of Riverside, a municipal  
corporation

By   
Mayor of the City of Riverside

Attest:

  
City Clerk

APPROVED AS TO FORM:

  
Assistant City Attorney

X

CONSENT TO  
FIRST AMENDMENT TO  
COVENANT, AGREEMENT AND  
DECLARATION OF RESTRICTIONS

WHEREAS the Covenant, Agreement and Declaration of Restrictions dated December 21, 1989 and recorded February 8, 1990 as Instrument No. 050529 of Official Records of Riverside County ("Covenant") shall not be amended or terminated without the express written consent of the City Council of the City of Riverside ("City Council"), duly recorded; and

WHEREAS on August 3 , 1993 the City Council consented to the amendment of the Covenant and authorized the execution of a written consent;

NOW, THEREFORE, the City Council of the City of Riverside hereby consents to the First Amendment to Covenant, Agreement and Declaration of Restrictions set forth above.

Terry Fregiel  
Mayor of the City of Riverside

Attest:

Karen E. Lindquist  
City Clerk

Approved as to Form:

Clarice Turney  
Assistant City Attorney

CT/sb  
6/07/93

3006 (1/91) — (General) First American Title Company

STATE OF CALIFORNIA }  
COUNTY OF RIVERSIDE } ss.

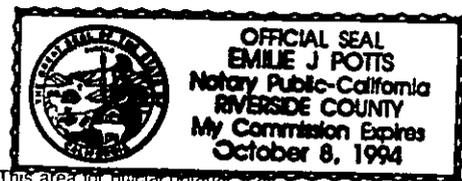
On JUNE 16<sup>TH</sup> 1993 before me, EMILIE J. POTTS,

personally appeared MARK A. THOMPSON AND

JAY C. SELF personally known to me (or proved

to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.  
Signature *Emilie J. Potts*



(This area for official notarial seal)

## EXHIBIT "A-1"

PARCELS 1 THROUGH 3 AND 5 THROUGH 29 OF PARCEL MAP NO. 24536 AS SHOWN BY MAP ON FILE IN BOOK 162 OF PARCEL MAPS AT PAGES 91 THROUGH 98 INCLUSIVE THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL 7/28/23

*Walter R. Ince*  
by \_\_\_\_\_  
SURVEYOR, CITY OF RIVERSIDE

## EXHIBIT "A-2"

PARCEL 4 OF PARCEL MAP NO. 24536 AS SHOWN BY MAP ON FILE IN BOOK  
162 OF PARCEL MAPS AT PAGES 91 THROUGH 98 INCLUSIVE THEREOF,  
RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL 7/28/23

*Walter R. Inye*  
by \_\_\_\_\_  
SURVEYOR, CITY OF RIVERSIDE

## EXHIBIT "B"

PARCELS 8 THROUGH 11, 14 THROUGH 17, 28 AND 29 OF PARCEL MAP NO. 24536 AS SHOWN BY MAP ON FILE IN BOOK 162 OF PARCEL MAPS AT PAGES 91 THROUGH 98 INCLUSIVE THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL 7/28/93  
Walter R. Frye by       
SURVEYOR, CITY OF RIVERSIDE

# EXHIBIT "C"

309244

(Revised 10/21/91)  
P.M.W.-22-901

## PARCEL 1 (Revised 4/13/92)

Those portions of Parcels 15, 28 and 29 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Beginning at the northwest corner of said Parcel 15;

Thence North  $89^{\circ} 19' 37''$  East along the north line of said Parcel 15 and along the easterly prolongation thereof, a distance of 830.49 feet to a point in the east line of said Parcel 29, said point being in a non-tangent curve, concave to the west, having a radius of 1860.13 feet, the radial line at said point bears South  $83^{\circ} 31' 36''$  East;

Thence southerly along said east line and along said curve, to the right, through a central angle of  $07^{\circ} 35' 19''$ , an arc distance of 246.36 feet to the end thereof;

Thence South  $14^{\circ} 03' 43''$  West continuing along said east line, a distance of 33.18 feet to a point therein;

Thence North  $75^{\circ} 56' 17''$  West, a distance of 105.01 feet;

Thence South  $14^{\circ} 03' 43''$  West, a distance of 95.01 feet;

Thence South  $06^{\circ} 58' 32''$  East, a distance of 69.66 feet;

Thence South  $14^{\circ} 03' 43''$  West, a distance of 173.64 feet;

Thence South  $89^{\circ} 19' 37''$  West, a distance of 218.44 feet to a point in a non-tangent curve, concave to the southwest, having a radius of 60.00 feet, the radial line at said point bears South  $89^{\circ} 19' 37''$  West;

Thence northwesterly along said curve, to the left, through a central angle of  $111^{\circ} 48' 15''$ , an arc distance of 117.08 feet to the end thereof;

Thence South  $67^{\circ} 31' 22''$  West, a distance of 59.15 feet to the beginning of a tangent curve, concave to the north, having a radius of 52.24 feet;

Thence westerly along said curve, to the right, through a central angle of  $21^{\circ} 48' 15''$ , an arc distance of 19.88 feet to the end thereof, said end of curve being a point of tangency with the south line of said Parcel 15;

Thence South  $89^{\circ} 19' 37''$  West along said south line, a distance of 124.39 feet to an angle point therein;

Thence North  $43^{\circ} 28' 14''$  West along the southwesterly line of said Parcel 15, a distance of 36.80 feet to an angle point therein;

Thence North  $00^{\circ} 40' 23''$  West along the west line of said Parcel 15, a distance of 107.25 feet to the beginning of a tangent curve, concave to the west, having a radius of 1001.32 feet;

Thence northerly along said curve, to the left, through a central angle of  $24^{\circ} 17' 22''$ , an arc distance of 424.49 feet to the point of beginning, the radial line at said point bears North  $65^{\circ} 02' 15''$  East.

PARCEL 2 (Revised 4/13/92)

Those portions of Parcels 16, 28 and 29 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Commencing at the southeast corner of said Parcel 16;

Thence North  $89^{\circ} 11' 49''$  West along the south line of said Parcel 16, a distance of 280.71 feet for the TRUE POINT OF BEGINNING;

Thence continuing North  $89^{\circ} 11' 49''$  West along said south line, a distance of 159.97 feet to an angle point therein;

Thence North  $44^{\circ} 56' 06''$  West along the southwesterly line of said Parcel 16, a distance of 97.71 feet to an angle point therein;

Thence North  $00^{\circ} 40' 23''$  West along the west line of said Parcel 16, a distance of 570.77 feet to an angle point therein;

Thence North  $43^{\circ} 31' 12''$  East along the northwesterly line of said Parcel 16, a distance of 100.42 feet to an angle point therein;

Thence North  $89^{\circ} 19' 37''$  East along the north line of said Parcel 16, a distance of 79.39 feet to the beginning of a tangent curve, concave to the south, having a radius of 52.24 feet;

Thence easterly along said curve, to the right, through a central angle of  $21^{\circ} 48' 15''$ , an arc distance of 19.88 feet to the end thereof;

Thence South  $68^{\circ} 52' 08''$  East, a distance of 59.15 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 60.00 feet;

Thence northeasterly along said curve, to the left, through a central angle of  $111^{\circ} 48' 15''$ , an arc distance of 117.08 feet to a point therein, the radial line at said point bears South  $89^{\circ} 19' 37''$  West;

Thence North  $89^{\circ} 19' 37''$  East, a distance of 218.44 feet;

Thence South  $14^{\circ} 03' 43''$  West, a distance of 125.53 feet to the beginning of a tangent curve, concave to the east, having a radius of 2040.14 feet;

Thence southerly along said curve, to the left, through a central angle of  $16^{\circ} 09' 12''$ , an arc distance of 575.17 feet to a point therein, the radial line at said point bears South  $87^{\circ} 54' 31''$  West;

Thence South  $46^{\circ} 13' 46''$  West, a distance of 30.27 feet;

Thence South  $89^{\circ} 31' 08''$  West, a distance of 142.83 feet;

Thence South  $41^{\circ} 56' 38''$  West, a distance of 48.73 feet to the true point of beginning.

### PARCEL 3

Parcel 17 and those portions of Parcels 15, 16, and 29 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Beginning at the northeast corner of said Parcel 17;

Thence South  $89^{\circ} 19' 37''$  West along the north line of said Parcel 17, a distance of 552.75 feet to the northwest corner thereof, said point being in the east line of said Parcel 29;

Thence North  $14^{\circ} 03' 43''$  East along said east line, a distance of 63.44 feet to a point therein;

Thence North  $75^{\circ} 56' 17''$  West, a distance of 105.01 feet;

Thence South  $14^{\circ} 03' 43''$  West, a distance of 95.01 feet;

Thence South  $06^{\circ} 58' 32''$  East, a distance of 69.66 feet;

Thence South  $14^{\circ} 03' 43''$  West, a distance of 299.17 feet to the beginning of a tangent curve, concave to the east, having a radius of 2040.14 feet;

Thence southerly along said curve, to the left, through a central angle of  $16^{\circ} 09' 12''$ , an arc distance of 575.17 feet to a point therein, the radial line at said point bears South  $87^{\circ} 54' 31''$  West;

Thence South  $46^{\circ} 13' 46''$  West, a distance of 30.27 feet;

Thence South  $89^{\circ} 31' 08''$  West, a distance of 142.83 feet;

Thence South  $41^{\circ} 56' 38''$  West, a distance of 48.73 feet to a point in the south line of said Parcel 16;

Thence South  $89^{\circ} 11' 49''$  East along said south line, a distance of 280.71 feet to the southeast corner of said Parcel 16, said corner being in a curve, concave to the east, having a radius of 1960.14 feet, the radial line at said corner bears South  $85^{\circ} 59' 56''$  West;

Thence southerly along said curve, to the left, through a central angle of  $00^{\circ} 10' 22''$ , an arc distance of 5.91 feet to the southwest corner of said Parcel 17, the radial line at said point bears South  $85^{\circ} 49' 34''$  West;

Thence North  $89^{\circ} 19' 37''$  East, a distance of 673.01 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 30.00 feet;

Thence northeasterly along said curve, to the left, through a central angle of  $89^{\circ} 20' 20''$ , an arc distance of 46.78 feet to the end thereof;

Thence North  $00^{\circ} 00' 43''$  West, a distance of 971.40 feet to the point of beginning.

The last three (3) courses and distances follow the boundary line of said Parcel 17.

## PARCEL 4 (Revised 4/13/92)

Those portions of Parcels 15, 16 and 28 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Beginning at the most southerly corner of said Parcel 28;

Thence North  $43^{\circ} 31' 12''$  East along the boundary line of said Parcel 28, a distance of 100.42 feet to an angle point therein;

Thence North  $89^{\circ} 19' 37''$  East along the south line of said Parcel 28, a distance of 79.39 feet to the beginning of a tangent curve, concave to the south, having a radius of 52.24 feet;

Thence easterly along said curve, to the right, through a central angle of  $21^{\circ} 48' 15''$ , an arc distance of 19.88 feet to the end thereof;

Thence South  $68^{\circ} 52' 08''$  East, a distance of 59.15 feet to the beginning of a tangent curve, concave to the west, having a radius of 60.00 feet;

Thence easterly, northerly and westerly along said curve, to the left, through a central angle of  $223^{\circ} 36' 30''$ , an arc distance of 234.16 feet to the end thereof;

Thence South  $69^{\circ} 31' 22''$  West, a distance of 59.15 feet to the beginning of a tangent curve, concave to the north, having a radius of 52.24 feet;

Thence westerly along said curve, to the right, through a central angle of  $21^{\circ} 48' 15''$ , an arc distance of 19.88 feet to the end thereof, said end of curve being a point of tangency with the north line of said Parcel 28;

Thence South  $89^{\circ} 19' 37''$  West along said north line, a distance of 124.39 feet to an angle point therein;

Thence North  $43^{\circ} 28' 14''$  West along the northerly line of said Parcel 28, a distance of 36.80 feet to an angle point therein;

Thence South  $00^{\circ} 40' 23''$  East along the west line of said Parcel 28, a distance of 159.00 feet to the point of beginning.

## PARCEL 5

Those portions of Parcels 10, 11, 14 and 29 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Commencing at the most westerly corner of said Parcel 29;

Thence North  $89^{\circ} 34' 03''$  East along the northerly line of said Parcel 29, a distance of 60.00 feet for the TRUE POINT OF BEGINNING;

Thence continuing North  $89^{\circ} 34' 03''$  East along said northerly line, a distance of 54.00 feet to an angle point therein;

Thence South  $84^{\circ} 43' 18''$  East along the north line of said Parcel 11, a distance of 54.42 feet to a point therein;

Thence South  $46^{\circ} 46' 12''$  West, a distance of 28.83 feet;

Thence South  $00^{\circ} 25' 57''$  East, a distance of 66.28 feet to the beginning of a tangent curve, concave to the west, having a radius of 280.00 feet;

Thence southerly along said curve, to the right, through a central angle of  $23^{\circ} 33' 27''$ , an arc distance of 115.12 feet to a point of reverse curvature with a curve, concave to the east, having a radius of 315.00 feet, the radial line at said point bears South  $66^{\circ} 52' 30''$  East.

Thence southerly along said curve, to the left, through a central angle of  $44^{\circ} 40' 41''$ , an arc distance of 245.63 feet to a point in the northeasterly line of said Parcel 29, said point being a point of compound curvature with a curve, concave to the northeast, having a radius of 470.00 feet, the radial line at said point bears South  $68^{\circ} 26' 50''$  West;

Thence southeasterly along said last mentioned curve, to the left, through a central angle of  $47^{\circ} 24' 09''$ , an arc distance of 388.84 feet to the end thereof;

Thence South  $68^{\circ} 57' 19''$  East, a distance of 100.57 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 60.00 feet;

The last two (2) courses and distances follow the boundary line of said Parcel 29;

Thence southeasterly, southerly and northwesterly along said curve, to the right, through a central angle of  $219^{\circ} 50' 21''$ , an arc distance of 230.22 feet to the end thereof;

Thence North  $29^{\circ} 06' 58''$  West, a distance of 65.00 feet to the beginning of a tangent curve, concave to the southwest, having a radius of 19.08 feet;

Thence northwesterly along said curve, to the left, through a central angle of  $39^{\circ} 50' 21''$ , an arc distance of 13.27 feet to a point in the southwesterly line of said Parcel 29, said point being a point of reverse curvature with a curve, concave to the northeast, having a radius of 530.00 feet, the radial line at said point bears North  $21^{\circ} 02' 41''$  East;

Thence northwesterly along said southwesterly line and along said curve, to the right, through a central angle of  $47^{\circ} 24' 09''$ , an arc distance of 438.48 feet to a point of compound curvature with a curve, concave to the east, having a radius of 375.00 feet, the radial line at said point bears South  $68^{\circ} 26' 50''$  West;

Thence northerly along said last mentioned curve, to the right, through a central angle of  $44^{\circ} 40' 41''$ , an arc distance of 292.42 feet to a point of reverse curvature with a curve, concave to the west, having a radius of 220.00 feet, the radial line at said point bears North  $66^{\circ} 52' 30''$  West;

Thence northerly along said last mentioned curve, to the left, through a central angle of  $23^{\circ} 33' 27''$ , an arc distance of 90.45 feet to a point of tangency with the east line of said Parcel 29;

Thence North  $00^{\circ} 25' 57''$  West along said east line, a distance of 66.28 feet to an angle point therein;

Thence North  $47^{\circ} 38' 06''$  West, a distance of 36.80 feet to the true point of beginning.

#### PARCEL 6

Those portions of Parcels 14 and 29 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California, described as follows:

Beginning at the southwest corner of said Parcel 14;

Thence North  $89^{\circ} 19' 37''$  East along the south line of said Parcel 14 and along the easterly prolongation thereof, a distance of 500.88 feet to a point in the east line of said Parcel 29, said point being in a non-tangent curve, concave to the west, having a radius of 1860.13 feet, the radial line at said point bears South  $83^{\circ} 31' 36''$  East;

Thence northerly along said curve, to the left, through a central angle of  $05^{\circ} 33' 37''$ , an arc distance of 180.52 feet to a point of compound curvature with a curve, concave to the southwest, having a radius of 280.00 feet, the radial line at said point bears South  $89^{\circ} 05' 13''$  East;

Thence northwesterly along said curve, to the left, through a central angle of  $69^{\circ} 52' 06''$ , an arc distance of 341.44 feet to the end thereof;

Thence North  $68^{\circ} 57' 19''$  West, a distance of 96.10 feet to a point of cusp with a curve, concave to the northwest, having a radius of 60.00 feet;

The last three (3) courses and distances follow the boundary line of said Parcel 29;

Thence southeasterly, southerly and northwesterly along said curve, to the right, through a central angle of  $219^{\circ} 50' 21''$ , an arc distance of 230.22 feet to the end thereof;

Thence North  $29^{\circ} 06' 58''$  West, a distance of 65.00 feet to the beginning of a tangent curve, concave to the southwest, having a radius of 19.08 feet;

Thence northwesterly along said curve, to the left, through a central angle of  $39^{\circ} 50' 21''$ , an arc distance of 13.27 feet to a point in the southwesterly line of said Parcel 29, said point being a point of reverse curvature with a curve, concave to the northeast, having a radius of 530.00 feet, the radial line at said point bears North  $21^{\circ} 02' 41''$  East, said point also being in the northeasterly line of said Parcel 14;

Thence northwesterly along said northeasterly line and along said curve, to the right, through a central angle of  $04^{\circ} 22' 49''$ , an arc distance of 40.52 feet to the most northerly corner of said Parcel 14;

Thence South  $25^{\circ} 25' 30''$  West along the northwesterly line of said Parcel 14, a distance of 219.10 feet to an angle point therein;

Thence South  $00^{\circ} 40' 23''$  East along the west line of said Parcel 14, a distance of 284.50 feet to the point of beginning.

## PARCEL 7

Parcel 10 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California.

EXCEPTING THEREFROM that portion of said Parcel 10 described as follows:

Beginning at the northwest corner of said Parcel 10;

Thence North  $88^{\circ} 46' 29''$  East along the north line of said Parcel 10, a distance of 9.72 feet to a point in a non-tangent curve, concave to the east, having a radius of 315.00 feet, the radial line at said point bears North  $86^{\circ} 43' 43''$  West;

Thence southerly along said curve, to the left, through a central angle of  $24^{\circ} 49' 28''$ , an arc distance of 136.48 feet to a point in the southwesterly line of said Parcel 10, said point being a point of tangency with a curve, concave to the northeast, having a radius of 470.00 feet, the radial line at said point bears South  $68^{\circ} 26' 50''$  West;

Thence northerly along said southwesterly line and along said last mentioned curve, to the right, through a central angle of  $16^{\circ} 46' 19''$ , an arc distance of 137.58 feet to the point of beginning, the radial line at said point bears South  $85^{\circ} 13' 09''$  West.

## PARCEL 8

Parcel 11 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California.

EXCEPTING THEREFROM that portion of said Parcel 11 described as follows:

Beginning at the southwest corner of Parcel 24 of said Parcel Map No. 24536;

Thence South  $84^{\circ} 43' 18''$  East along the north line of said Parcel 11, a distance of 54.42 feet to a point therein;

Thence South  $46^{\circ} 46' 12''$  West, a distance of 28.83 feet;

Thence South  $00^{\circ} 25' 57''$  East, a distance of 66.28 feet to the beginning of a tangent curve, concave to the west, having a radius of 280.00 feet;

Thence southerly along said curve, to the right, through a central angle of  $23^{\circ} 33' 27''$ , an arc distance of 115.12 feet to a point of reverse curvature with a curve, concave to the west, having a radius of 315.00 feet, the radial line at said point bears South  $66^{\circ} 52' 30''$  East;

Thence southerly along said last mentioned curve, to the left, through a central angle of  $19^{\circ} 51' 13''$ , an arc distance of 109.15 feet to a point in the south line of said Parcel 11, the radial line at said point bears North  $86^{\circ} 43' 43''$  West;

Thence South  $88^{\circ} 46' 29''$  West along said south line, a distance of 9.72 feet to the southwest corner of said Parcel 11;

Thence North  $00^{\circ} 42' 20''$  West along the west line of said Parcel 11, a distance of 283.87 feet to an angle point therein;

Thence North  $46^{\circ} 46' 12''$  East along the northwesterly line of said Parcel 11, a distance of 36.80 feet to the point of beginning.

#### PARCEL 9

Parcel 9 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California.

TOGETHER WITH that portion of Parcel 29 of said Parcel Map No. 24536, described as follows:

Beginning at the southeast corner of said Parcel 9;

Thence South  $82^{\circ} 57' 57''$  East along the easterly prolongation of the south line of said Parcel 9, a distance of 3.50 feet to a point in a non-tangent curve, concave to the east, having a radius of 375.00 feet, the radial line of South  $82^{\circ} 33' 52''$  West;

Thence northerly along said curve, to the right, through a central angle of  $30^{\circ} 33' 38''$ , an arc distance of 200.02 feet to a point of reverse curvature with a curve, concave to the west, having a radius of 220.00 feet, the radial line at said point bears North  $66^{\circ} 52' 30''$  West;

Thence northerly along said last mentioned curve, to the left, through a central angle of  $23^{\circ} 33' 27''$ , an arc distance of 90.45 feet to a point of tangency with the east line of said Parcel 29;

Thence North  $00^{\circ} 25' 57''$  West along said east line, a distance of 66.28 feet to an angle point therein;

Thence North  $47^{\circ} 38' 06''$  West, a distance of 36.80 feet to a point in the north line of said Parcel 29;

Thence South  $89^{\circ} 34' 03''$  West along said north line, a distance of 60.00 feet to the most westerly corner of said Parcel 29;

Thence South  $47^{\circ} 38' 06''$  East along the southwesterly line of said Parcel 29, a distance of 36.80 feet to an angle point therein;

Thence South  $00^{\circ} 25' 57''$  East along the west line of said Parcel 29, a distance of 248.24 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 530.00 feet;

Thence southerly along said west line and along said curve, to the left, through a central angle of  $10^{\circ} 59' 55''$ , an arc distance of 101.74 feet to the point of beginning, the radial line at said point bears South  $78^{\circ} 34' 08''$  West.

#### PARCEL 10

Parcel 8 of Parcel Map No. 24536 as shown by map on file in Book 162 of Parcel Maps at pages 91 through 98 inclusive thereof, Records of Riverside County, California.

TOGETHER WITH that portion of Parcel 29 of said Parcel Map No. 24536, described as follows:

Beginning at the northeast corner of said Parcel 10;

Thence South  $82^{\circ} 57' 57''$  East along the easterly prolongation of the northerly line of said Parcel 10, a distance of 3.50 feet to a point in a non-tangent curve, concave to the east, having a radius of 375.00 feet, the radial line at said point bears South  $82^{\circ} 33' 52''$  West;

Thence southerly along said curve, to the left, through a central angle of  $14^{\circ} 07' 02''$ , an arc distance of 92.40 feet to a point in the northeasterly line of said Parcel 10, said point being a point of compound curvature with a curve, concave to the northeast, having a radius of 530.00 feet, the radial line at said point bears South  $68^{\circ} 26' 50''$  West;

Thence northerly along said northeasterly line and along said last mentioned curve, to the right, through a central angle of  $10^{\circ} 07' 18''$ , an arc distance of 93.63 feet to the point of beginning, the radial line at said point bears South  $78^{\circ} 34' 08''$  West.

PREPARED UNDER MY SUPERVISION:

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

4/22/92  
Date

Prepared by: plm  
Checked by: AKS

DESCRIPTION APPROVAL 5/11/92  
George P. Hutchinson by WF  
SURVEYOR, CITY OF RIVERSIDE





CITY OF RIVERSIDE

COUNCILMEMBERS

July 6, 1993

WARDS

L O V E R I D G E	C L A R K E	D E F E N B A U G H	T A V A G L I O N E	C L I F F O R D	T H O M P S O N	P E A R S O N
1	2	3	4	5	6	7

proposed resolution adopting Consultant Selection Procedures of Administrative Manual Sections II-4 and II-5, increasing monetary limits of authority of the City Manager and Department Heads to execute contracts negotiated under Administrative Manual Section VIII-14; and authorizing the City Manager to enter into and execute public works contracts on behalf of the City not exceeding \$5,000. The recommendation was approved as presented; and Resolution No. 18277 of the City Council of the City of Riverside, California, Adopting Revised Administrative Manual Sections II-4 and II-5 Which Establish Consultant Selection Procedures and Monetary Limits of Authority of the City Manager and Department Heads to Enter Into Contracts on Behalf of the City; Increasing the Monetary Limits of Authority of the City Manager and Department Heads to Enter Into Contracts Negotiated on Behalf of the City Under Administrative Manual Section VIII-14; and Authorizing the City Manager to Execute Public Works Contracts Not Exceeding \$5,000, was presented; and the title having been read, and further reading waived by the unanimous consent of Councilmembers present, was adopted.

FIRST AMENDMENT TO COVENANT, AGREEMENT AND DECLARATION OF RESTRICTIONS - SPECTRUM ASSOCIATES NO. 1 - CASE PMW-22-901

A written report was submitted from the City Manager and the City Attorney, concurred in by the Public Works Director, recommending that the City Council (1) authorize the Mayor to execute the First Amendment on behalf of the City with Spectrum Associates No. 1 with regard to the City's ownership of Parcel 4 of Parcel Map 24536 which is part of Sycamore Canyon Wilderness Park, in connection with Case PMW-22-901; and (2) consent to the First Amendment and authorize the Mayor to execute the Consent attached to the First Amendment. The recommendations were approved as presented.

RESOLUTIONS REGARDING ZONING CASE GP-003-923 AND CASE EP-064-889 - RIVERSIDE MUNICIPAL AIRPORT 2010 MASTER PLAN AND EIR - CONTINUED

Presentation of resolutions to be considered for adoption relative to the Riverside Airport Master Plan to (1) set forth the necessary findings required by the California Environmental Quality Act, the State CEQA Guidelines and City Council Resolution No. 16787; and (2) amend the current Riverside General Plan to include the Riverside Municipal Airport 2010 Master Plan and rescind the currently adopted Riverside Municipal Airport Master Plan (Year 2000), was continued to July 27, 1993.

UNIVERSITY NEIGHBORHOOD ENHANCEMENT TEAM (UNET)

A written report was submitted from the City Manager and the Chief of Police recommending that the City Council authorize execution of the necessary documents to authenticate the Memorandum of Understanding between the City of Riverside and the University of California, Riverside, to provide community-ori-

CITY OF RIVERSIDE



CITY COUNCIL MEMORANDUM

HONORABLE MAYOR AND CITY COUNCIL

DATE: July 6, 1993

ITEM NO.: 17

SUBJECT: FIRST AMENDMENT TO COVENANT, AGREEMENT AND DECLARATION OF RESTRICTIONS (SPECTRUM ASSOCIATES NO. I) - PMW-22-901

Background:

On December 21, 1989, Spectrum Associates No. I (Spectrum) executed a Covenant, Agreement and Declaration of Restrictions (Covenant) to meet certain conditions of approval for Parcel Map 24536. It was recorded February 8, 1990 as Instrument No. 050529. Subsequently, Spectrum proposed to adjust the parcel lines of certain of the parcels shown on the recorded parcel map pursuant to case PMW-22-901. The conditions of approval for the parcel map waiver required that the Covenant be revised to reflect the new parcel lines. The First Amendment to Covenant, Agreement and Declaration of Restrictions (First Amendment) has been prepared and executed by Spectrum. The Covenant provides that it shall not be amended or terminated without the express written consent of the City Council of the City of Riverside, duly recorded. In addition, the City is now the owner of Parcel 4 of Parcel Map 24536, which was conveyed to the City pursuant to the Funding and Acquisition Agreement relating to the Sycamore Canyon Business Park Community Facilities District between the City and Spectrum. Parcel 4 is a part of Sycamore Canyon Wilderness Park. Therefore, in addition to consenting to the First Amendment, the City must also sign it as an owner.

Fiscal Impact:

None.

Alternatives:

The Consent to First Amendment must be approved by the City Council, executed and recorded in order for the parcel map waiver to be completed. The City Council could determine not to execute the First Amendment as an owner; however, this would require that Parcel 4 be exempted by the City Council from the requirements of Parcel Map 24536 and that the First Amendment be rewritten. The provisions of the First Amendment have been drafted to take into account the City's current ownership and the remote possibility that the property would return to private ownership.

WHEN RECORDED MAIL TO:

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

Project: PMW-22-901

FIRST AMENDMENT TO  
COVENANT, AGREEMENT AND  
DECLARATION OF RESTRICTIONS

(Spectrum Associates No. I)

This First Amendment to Covenant, Agreement and Declaration of Restrictions ("First Amendment") is made this \_\_\_\_\_ day of \_\_\_\_\_, 1993, by SPECTRUM ASSOCIATES NO. I, a California general partnership ("Spectrum"), and the City of Riverside, a municipal corporation, ("City") with reference to the following facts:

A. Spectrum is the fee owner of approximately 119 acres of unimproved real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A-1", attached hereto and incorporated herein by reference. City is the fee owner of approximately 17 acres of unimproved real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A-2", attached hereto and incorporated herein by reference. The real property described in Exhibits "A-1" and "A-2" was subdivided into both developable and undevelopable parcels by Parcel Map No. 24536 as shown by Parcel Map on file in Book 162 of Parcel Maps at pages 91 through 98 thereof, Records of Riverside County, California. The real property described in Exhibits "A-1" and "A-2" is hereinafter referred to as the "Parcel Map Property" or individually by the parcel numbers shown on Exhibits "A-1" and "A-2" and Parcel Map No. 24536 is hereinafter referred to as the "Parcel Map".

B. Certain conditions for the subdivision of the Parcel Map Property have been included in a Covenant, Agreement and Declaration of Restrictions made by Spectrum, dated December 21, 1989 and recorded February 8, 1990 as Instrument No. 050529, Official Records of Riverside County, California (the "Covenant").

C. Spectrum proposes to adjust parcel lines of certain of the parcels shown on the Parcel Map as approved by the City of

conditions of approval for Parcel Map 24536 and PMW-22-901, whether by the proposed assessment district and/or community facilities district or otherwise.

2. The undersigned, and their successors and assigns, shall be responsible for the preparation of plans for the Off-site Improvements; the completion of the Off-site Improvements; payment of the Utilities Fees; satisfaction of the street rights-of-way dedications; and their proportionate share of the cost of other regional infrastructure identified in the amended Sycamore Canyon Business Park Specific Plan; all prior to issuance of any building permit for any parcel of the Parcel Map Property or the Parcel Map Waiver Property, in the event the assessment district and/or community facilities district is not formed and funded to finance the Off-site Improvements, the Utilities Fees and the acquisition of the street rights-of-way. The undersigned further agree that all Off-site Improvement plans shall be approved by the City of Riverside before building permits will be issued.

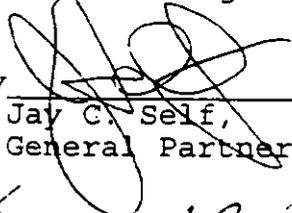
3. Paragraph 2 of this First Amendment shall not apply to any parcel or portion of a parcel owned by or conveyed to City for so long as the parcel is owned by City. At such time as the parcel or portion of a parcel is not owned by City the provisions of paragraph 2 shall apply to such parcel or portion of a parcel.

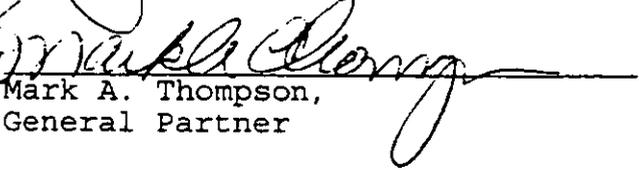
4. The undersigned, and their successors and assigns, shall not improve any parcel of the Parcel Map Property or the Parcel Map Waiver Property for private use prior to (i) the acquisition of required street rights-of-way by the proposed assessment district and/or community facilities district, or, alternatively, should an assessment district and/or community facilities district not be formed and funded, the dedication of required street rights-of-way; (ii) improvement of the required streets in accordance with the then existing standards and specifications of the City of Riverside, or the execution of an improvement agreement and the provision of appropriate improvement security to secure the performance of the required street improvement work; and (iii) the construction and installation of the required public utilities and the payment of the Utilities Fees, or the execution of an improvement agreement and provision of appropriate improvement security to secure the performance of the required public utility installation work and payment of the Utilities Fees.

5. Parcels 23, 24 and 25 of the Parcel Map are intended to be acquired by the proposed assessment district and/or community facilities district (or dedicated should an assessment district and/or community facilities district not be formed) as half-street rights-of-way. In the event that adjacent property half-street rights-of-way are not acquired by the proposed assessment district and/or community facilities district (or dedicated by

IN WITNESS WHEREOF, the undersigned have caused this First Amendment to be executed as of the day and year first written above.

Spectrum Associates No. I,  
a California general partnership

By   
Jay C. Self,  
General Partner

By   
Mark A. Thompson,  
General Partner

City of Riverside, a municipal  
corporation

By \_\_\_\_\_  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney

CONSENT TO  
FIRST AMENDMENT TO  
COVENANT, AGREEMENT AND  
DECLARATION OF RESTRICTIONS

WHEREAS the Covenant, Agreement and Declaration of Restrictions dated December 21, 1989 and recorded February 8, 1990 as Instrument No. 050529 of Official Records of Riverside County ("Covenant") shall not be amended or terminated without the express written consent of the City Council of the City of Riverside ("City Council"), duly recorded; and

WHEREAS on \_\_\_\_\_, 1993 the City Council consented to the amendment of the Covenant and authorized the execution of a written consent;

NOW, THEREFORE, the City Council of the City of Riverside hereby consents to the First Amendment to Covenant, Agreement and Declaration of Restrictions set forth above.

\_\_\_\_\_  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Assistant City Attorney

CT/sb  
6/07/93