

RECORDING REQUESTED BY AND  
WHEN RECORDED, RETURN TO:

VOSS, COOK & THEL  
840 Newport Center Drive, Suite 700  
Newport Beach, California 92660-6310  
Attn: David A. Lurker, Esq.

COPY of Document Recorded  
on OCT 18 1996 as No. 400682  
has not been compared with  
original.  
FRANK K. JOHNSON  
County Recorder  
RIVERSIDE COUNTY CALIFORNIA

CM

(Space Above This Line For Recorder's Use Only)

DECLARATION OF ACCESS EASEMENTS  
(Parcels 15 and 16)

COPY

This Declaration of Access Easements (the "Declaration") is made on October 2, 1996, by MBK RIVERSIDE MARKETPLACE PARTNERS, LTD., a California limited partnership (the "Declarant").

A. Declarant is the owner of certain real property located in the City of Riverside, County of Riverside, California (the "Real Property"), described as Parcels 1 and 2 in Exhibit A, attached hereto and incorporated herein by this reference.

B. Declarant has modified the lot lines between the two parcels of the Real Property pursuant to City of Riverside Parcel Map Waiver Case PW-011-956. As a condition to the approval of said Case PW-011-956, the City of Riverside has required the establishment of reciprocal non-exclusive easements for access across both parcels for the use and benefit of the other.

NOW, THEREFORE, Declarant for itself and its successors and assigns hereby grants, covenants and agrees as follows:

1. The owner of Parcel 2 for its benefit and the benefit of its guests, tenants, patrons, employees and invitees transacting business on or temporarily visiting Parcel 2 shall have a perpetual, non-exclusive easement on, over and across those portions of Parcel 1 which are from time to time improved with surface driveways for the purpose of vehicular and pedestrian access, ingress and egress to publicly dedicated streets. The owner of Parcel 1 for its benefit and the benefit of its guests, tenants, patrons, employees, customers and invitees transacting business on or temporarily visiting Parcel 1 shall have a perpetual, non-exclusive easement on, over and across those portions of Parcel 2 which are from time to time improved with surface driveways for the purpose of vehicular and pedestrian access, ingress and egress to publicly dedicated streets.

2. The agreements, covenants, conditions, restrictions and easements contained herein shall run with the land and shall be binding upon and inure to the benefit of the Declarant and its respective successors and assigns.

3. Any person who now or hereafter owns or acquires any right, title or interest in either Parcel 1 or Parcel 2 shall be deemed to have consented and agreed to every covenant, condition and restriction and easement contained herein whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in the property.

IN WITNESS WHEREOF, the undersigned have executed this Declaration of Access Easements as of the date first written above.

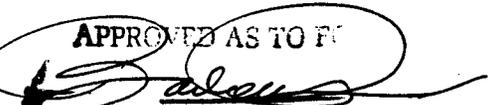
"Declarant"

MBK RIVERSIDE MARKETPLACE  
PARTNERS, LTD., a California limited  
partnership

By: MBK RIVERSIDE MARKETPLACE,  
INC., a California corporation, General  
Partner

By:   
Michael H. Voss  
Its: President

MBK Folder/MBK Riverside Mktplace/Docs/Dec. of Access Agmt2

APPROVED AS TO FORM  
  
ASST. CITY ATTORNEY

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

On 10-2, 1996, before me, the undersigned, a notary public, personally appeared Michael H. Voss, 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.



[Notarial Seal]

Michelle M. Farina  
Notary Public

Michelle M. Farina  
Name (typed or printed)

APPROVAL AND SUBORDINATION

The undersigned is currently the tenant pursuant to the terms of that certain Lease dated April 8, 1996 between MBK Riverside Marketplace Partners, Ltd., a California limited partnership, and OfficeMax, Inc., an Ohio corporation. The undersigned hereby expressly subordinates the Lease and its interest as tenant thereunder and agrees to be bound by the terms of the foregoing Declaration.

OfficeMax, Inc., an Ohio corporation

By: [Signature]

Its: Mark L. Keschl  
Senior Vice President of Real Estate

STATE OF OHIO )  
 ) ss.  
COUNTY OF CUYAHOGA )

On September 29, 1996, before me, the undersigned, a notary public, personally appeared Mark L. Keschl, the Senior Vice President of OfficeMax, Inc., personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Notary Public

William L. Arnold, Attorney - At - Law  
Notary Public - State of Ohio  
My commission has no expiration date  
Section 147.03 R.C. Name (typed or printed)

[Notarial Seal]

EXHIBIT A

PARCEL 1

Those portions of Parcels 15 and 16 of Parcel Map 26301, as shown by Parcel Map on file in Book 176 of Parcel Maps, at Pages 72 through 81, Records of Riverside County, California, more particularly described as follows:

Beginning at the most Northerly corner of said Parcel 15, as shown on said Parcel Map, said point also lying in the Southeasterly right-of-way of Vine Street, 33 feet wide, as said street is shown on said Parcel Map;

Thence South  $61^{\circ} 06' 54''$  East along the Northeast line of said Parcel 15, a distance of 94.00 feet;

Thence continuing along the said Northeast line of said Parcel 15, South  $16^{\circ} 33' 17''$  East, a distance of 58.43 feet;

Thence continuing along the said Northeast line of said Parcel 15, South  $61^{\circ} 06' 54''$  East, a distance of 174.00 feet to the most northeasterly corner of said Parcel 15;

Thence South  $28^{\circ} 52' 07''$  West, along the Southeasterly line of said Parcel 15, a distance of 18.87 feet;

Thence continuing along the said Southeasterly line of said Parcel 15, South  $3^{\circ} 42' 29''$  East, a distance of 40.86 feet;

Thence continuing along the said Southeasterly line of said Parcel 15 and along the Southeasterly line of said Parcel 16, South  $28^{\circ} 52' 07''$  West, a distance of 277.30 feet to a point therein;

Thence North  $61^{\circ} 08' 56''$  West, a distance of 207.01 feet;

Thence North  $28^{\circ} 51' 04''$  East, a distance of 67.18 feet;

Thence North  $61^{\circ} 08' 56''$  West, a distance of 88.00 feet;

Thence North  $28^{\circ} 51' 04''$  East, a distance of 17.00 feet;

Thence North  $61^{\circ} 08' 56''$  West, a distance of 36.52 feet to a point in the Northwesterly line of said Parcel 15, said point also lying on the Southeasterly right-of-way of said Vine Street, 33 feet wide;

EXHIBIT A

PARCEL 1

Thence North 28° 50' 42" East along the Northwesterly line of said Parcel 15, and along the Southeasterly right-of-way of said Vine Street, a distance of 86.76 feet to a point therein;

Thence continuing North 28° 51' 34" East, along the Northwesterly line of said Parcel 15 and along the said Southeasterly right-of-way of said Vine Street, a distance of 200.84 to the point of beginning.

Contains 2.401 acres, more or less.

*J. Thomas Baine*  
RCE NO. 15795  
Expires 6-30-97



DESCRIPTION APPROVAL 7/1/96  
Mal S. B... by W  
SURVEYOR, CITY OF RIVERSIDE

EXHIBIT A

PARCEL 2

Those portions of Parcel 16 of Parcel Map 26301, as shown by Parcel Map on file in Book 176 of Parcel Maps, at Pages 72 through 81, Records of Riverside County, California, more particularly described as follows:

Beginning at the most Westerly corner of said Parcel 16, as shown on said Parcel Map, said point also lying in the Southeasterly right-of-way of Vine Street, 33 feet wide, as said street is shown on said Parcel Map;

Thence North 28° 50' 42" East along the Northwest line of said Parcel 16, and along the Southeast right-of-way of said Vine Street, a distance of 178.94 feet to a point therein;

Thence South 61° 08' 56" East, a distance of 36.52 feet;

Thence South 28° 51' 04" West, a distance of 17.00 feet;

Thence South 61° 08' 56" East, a distance of 88.00 feet;

Thence South 28° 51' 04" West, a distance of 67.18 feet;

Thence South 61° 08' 56" East, a distance of 207.01 feet to a point the Southeast line of said Parcel 16;

Thence South 28° 52' 07" West, along the Southeast line of said Parcel 16, a distance of 94.95 feet to the end thereof;

Thence North 61° 06' 54" West, along the Southwest line of said Parcel 16, a distance of 331.48 feet to the point of beginning;

Contains 0.928 acres, more or less.

*J. Thomas Baine*  
RCE NO. 15795  
Expires 6-30-97



DESCRIPTION APPROVAL 2/10/96  
*W.F.*  
SURVEYOR, CITY OF RIVERSIDE by *W.F.*

# PARCEL MAP WAIVER

IN THE CITY OF RIVERSIDE  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

N 28°50'42" E 396.30' VNE STREET

N 28°51'34" E 396.86'

N 28°50'42" E

N 28°51'34" E 363.84'

181.00'

178.94'

N 51°08'36" W 26.32'

84.30'

86.78'

200.84'

152.00'

N 61°06'54" W 331.48'

N 61°06'54" W 331.56'

N 61°06'54" W 94.00'

N 61°06'54" W 174.00'

N 62°31'17" W 28.83'

PARCEL 2

PARCEL 1

PARCEL 1B

PARCEL 1B

PARCEL 1A

ORIGINAL LOT LINE

ORIGINAL LOT LINE

ORIGINAL LOT LINE

PROPOSED LOT LINE

66.00' VACATED  
FOURTH STREET

94.93'

86.03'

N 28°52'07" E

277.30'

191.25'

N 02°42'22" W 392.40'

18.87'

N 28°52'07" E 222.87'

193.00'

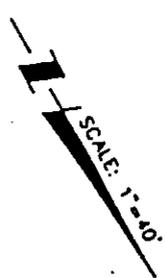


EXHIBIT A

25-7

C/A-525