

FA

158437

/101-4

RECORDED AT THE REQUEST OF
AND WHEN RECORDED RETURN TO:

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522
Project: Parcel Map 28543

APR 23 1998

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ 12 -

T
SR

12
2

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

This Covenant and Agreement and Declaration of Restrictions ("Declaration") is made and entered into this 10th day of March, 1998, by Rick Fritts, a married man, the owner of record of the real property (the "Property") situated in the City of Riverside, County of Riverside, State of California and legally described as:

Parcels 1 through 8 of Parcel Map No. 28543, as shown by map on file in Book 191 of Parcel Maps, Pages 60 through 61 thereof, Records of Riverside County, California.

WHEREAS, application has been made for a Parcel Map for the Property, Case PM 28543, and the application has been approved subject to certain conditions, and

WHEREAS, the undersigned desire to develop the Property and build improvements therein; and

WHEREAS, appropriate sanitary sewer facilities are not currently available in Van Buren and Dauchy Avenues, the public streets adjacent to the Property; and

WHEREAS, the undersigned desire to provide sanitary sewer service for the Property when appropriate sanitary sewer facilities become available in Van Buren and Dauchy Avenues in accordance with the conditions of approval of Case PM 28543;

NOW, THEREFORE, the undersigned hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The Property and the improvements to be located thereon shall be connected to the sanitary sewer facilities when such facilities are available in Van Buren and Dauchy Avenues adjacent to the Property. Determination as to whether sanitary sewer facilities are available for each of the respective Parcels shall be made by the City of Riverside Public Works Department. The owners of the Property shall be required to pay all of the then applicable fees and all installation costs to construct the sewer line and to connect

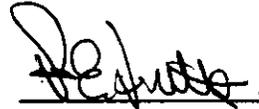
3-12-98
Walter R. Ange

to the sanitary sewer facilities in Van Buren and Dauchy Avenues, as applicable. Connection of each Parcel of the Property to sanitary sewer facilities shall be completed within 60 days of notification by the City of Riverside Public Works Department that sewer facilities are available to the Property. The sewer line installation and connection shall meet all of the applicable rules and regulations of the City of Riverside.

2. The terms of this Declaration may be enforced by the City of Riverside, its successors or assigns. Should the City bring an action to enforce any of the terms of this Declaration, the prevailing party shall be entitled to reasonable attorneys' fees, expert witnesses; fees and reasonable costs of suit.

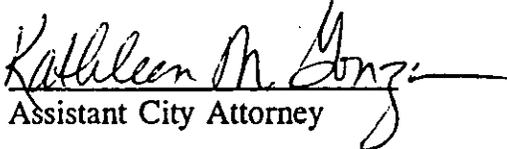
3. This Declaration shall run with the land and each and all of its terms shall be binding upon the undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the Public Works Director and the Planning Director of the City of Riverside, California.

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed effective the day and year first written above.



Rick Fritts, a married man as sole
owner

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


Public Works Department

APPROVED AS TO CONTENT:


Planning Department

ALL-PURPOSE ACKNOWLEDGMENT

158437

State of California
County of Riverside

On 3/10/98 before me, Linda Vanderveldt, Notary
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Rick E. Gritts
NAME(S) OF SIGNER(S)

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.
Linda Vanderveldt
SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL(S)
- CORPORATE OFFICER(S) _____ TITLE(S)
- PARTNERS
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- SUBSCRIBING WITNESS
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document Covenant and Agreement
Number of Pages 3 Date of Document 3/10/98
Signer(s) Other Than Named Above _____