

214607

187-2

Orange Coast Title

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

WHEN RECORDED MAIL TO:

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

MAY 27 1998

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ 18-

T
SR

Project: Tract No. 27982-1

R-1622384

For Recorder's Office Use Only

DECLARATION OF NOTICE OF
BUILDING SETBACK RESTRICTIONS

THIS DECLARATION OF NOTICE is made and entered into this 25TH day of March, 1998, by FIESTA DEVELOPMENT, INC., a California Corporation, ("Declarant") with reference to the following facts:

A. Declarant is the fee owner of the following described real property ("the Property") situated in the City of Riverside, County of Riverside, State of California:

Lots / through 54 of Tract No. 27982-1 as shown by map on file in Book 270 of Maps, at pages 35 through 38 inclusive, records of Riverside County, California.

B. Declarant desires to develop the Property as a residential subdivision. Therefore, Declarant has filed with the City of Riverside ("City") an application to divide the Property into approximately fifty-four (54) lots by Tract Map 27982-1.

C. The Property consists of approximately 13.765 vacant acres situated on the east side of Northrop Drive, west of Barton Street, within the City of Riverside. The Property is in the Manufacturing Park ("MP") Zone (tentatively approved for the Single Family Residential (R-1-65) Zone under Zoning Case RZ-005-934).

D. To comply with one of the conditions of approval imposed by City for the approval of Tract Map 27982-1, Declarant is required to provide a covenant and agreement or a statement in a Declaration of Covenants, Conditions and Restrictions (CC&R's) to the specifications of the Planning and Legal Departments which informs future buyers of the following:

- a. A 40 foot rear or side yard building setback on lots adjacent to March Air Force Base and existing industrially zoned property.

DESCRIPTION APPROVED 3/31/98
by
Walter R. Ayres
CITY SURVEYOR, CITY OF RIVERSIDE

- b. A 40 foot building setback from the 40 foot wide power line easement within the tract.

Declarant is required to record such covenant and agreement or CC&R's in the office of the County Recorder of Riverside County, California prior to the recording of the final map for Tract No. 27982-1.

E. It is the desire of Declarant to comply with the above noted condition by this document.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for the approval of Tract Map 27982-1, Declarant, for itself and its successors and assigns, hereby covenants and agrees with the City of Riverside that Declarant shall give in writing to any prospective purchaser of the Property prior to sale a written notice providing the following information:

Building Setback Requirements (March Air Force Base). A 40 foot rear and/or side yard building setback from the common property line shall be provided as necessary for future dwellings on residential lots adjacent to March Air Force Base.

Building Setback Requirements (Industrially Zoned Property). A 40 foot rear and/or side yard building setback from the common property line shall be provided as necessary for future dwellings on residential lots adjacent to existing industrially zoned property.

Building Setback Requirements (Power Line Easement). A 40 foot building setback shall be provided from the outer most easterly line of the 40 foot wide utilities easement within the tract as described on the attached Exhibit "A".

Declarant further covenants and agrees that the terms of this Declaration of Notice may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside bring an action to enforce any of the terms of this Declaration of Notice, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

Declarant further agrees that the Property and each lot thereof shall be held, conveyed, encumbered, leased, rented, used, occupied and improved subject to this Declaration of Notice. The terms of this Declaration of Notice shall run with the land and each and all of its terms shall be binding upon Declarant, its successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California, by a writing duly recorded.

IN WITNESS WHEREOF Declarant has caused this Declaration of Notice to be executed the day and year first written above.

FIESTA DEVELOPMENT, INC., a California Corporation

By: James Bedu
Title: Vice Pres. / Secretary

By: _____
Title: _____

APPROVED AS TO CONTENT:

Craig Aaron
Planning Department

APPROVED AS TO FORM:

Kathleen M. Gonzale
Assistant City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

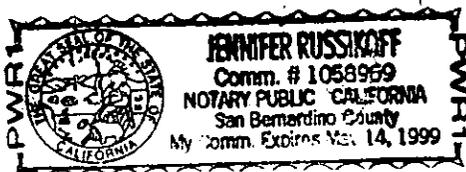
State of California

County of San Bernardino

On March 25, 1998 before me, Jennifer Russikoff, Notary Public

personally appeared Lawrence E. Redman

personally known to me - OR - proved to me on the basis of satisfactory evidence 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 acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

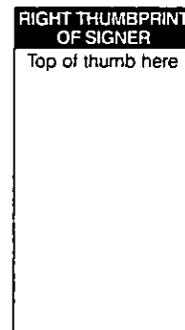
- Individual
Corporate Officer
Partner
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:



Signer Is Representing:

Signer's Name:

- Individual
Corporate Officer
Partner
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

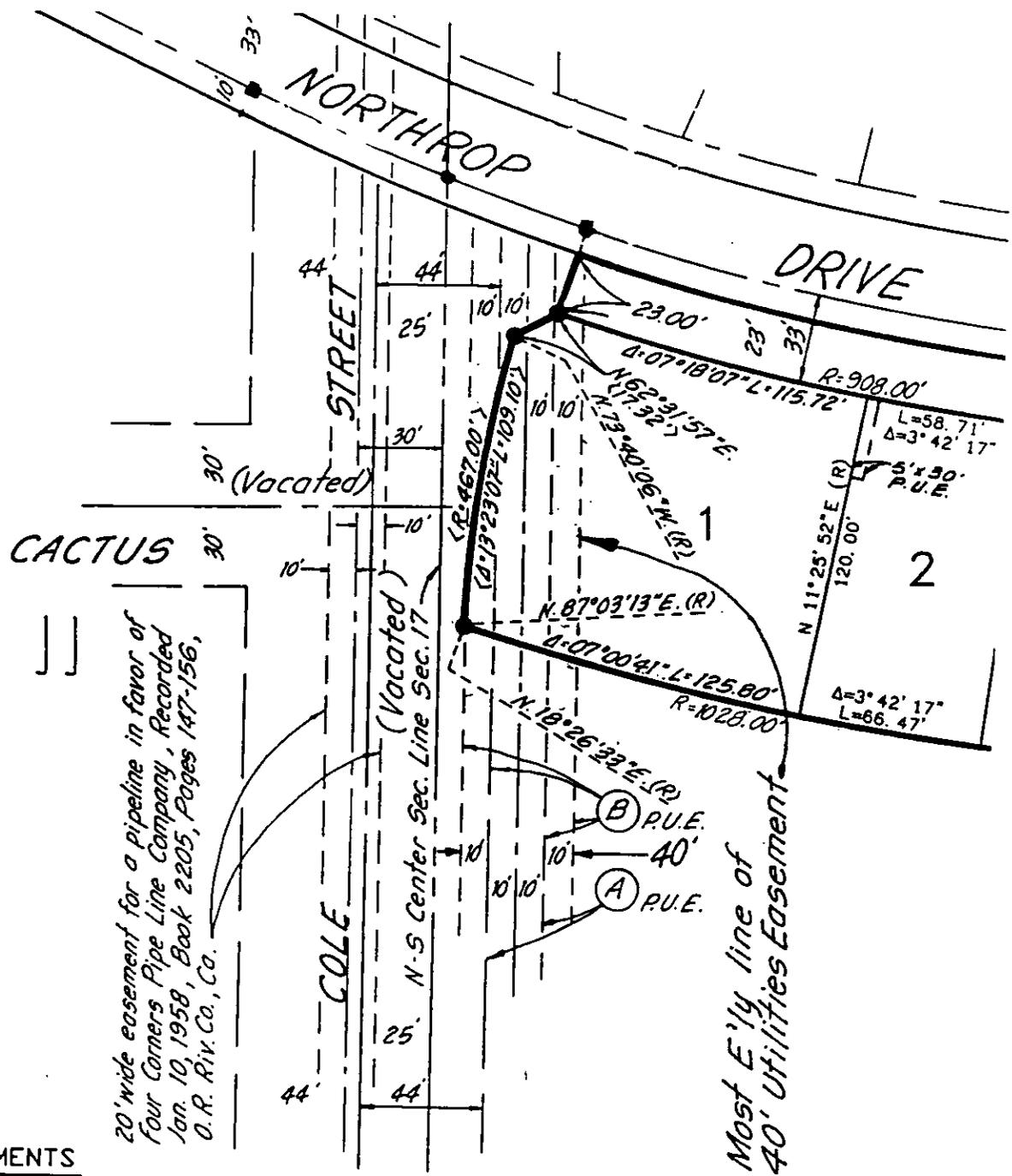


Signer Is Representing:

CLA 601

EXHIBIT "A"
**DECLARATION OF NOTICE OF BUILDING
 SETBACK RESTRICTIONS - TRACT 27982-1**

214607



SCALE 1"=60'

UTILITIES EASEMENTS

The City of Riverside, being the owner of the following described easements hereby consents to the preparation and recordation of the annexed map.

- (A) Indicates an easement for electric transmission lines and cables in favor of the City of Riverside, recorded January 20, 1966 as Instrument No. 7276. D. R. Riverside, County, CA
- (B) Indicates an easement for electric transmission facilities in favor of the City of Riverside, recorded July 29, 1993 as Instrument No. 294950, Recorded August 25, 1993 as Instrument No. 332543 and 332544, all D. R. Riverside, County, CA