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Please record for the benefit of the  
the City of Riverside  
Real Property Services Manager  
DESCRIPTION APPROVAL 11/17/92  
RECORDED BY [Signature]  
SURVEYOR, CITY OF RIVERSIDE

WHEN RECORDED MAIL TO:

City Clerk  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

**FREE RECORDING**

This instrument is for the benefit of the City of Riverside and is entitled to be recorded without fee. (Government Code 6103).

RECEIVED FOR RECORD  
AT 1:00 O'CLOCK

DEC 11 1992

Recorded in Official Records  
of Riverside County, California

Recorder  
Fees \$

FOR RECORDER'S OFFICE USE ONLY

Project: PARCEL MAP WAIVER 29-901  
CLEVELAND AVENUE BETWEEN GRATTON STREET AND ADAMS STREET  
DEFERMENT OF WATER MAIN EXTENSION WITHIN GRATTON STREET  
A.P.N. 238-011-003

**COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS**

This Covenant and Agreement and Declaration of Restrictions is made and entered into this 30th day of NOVEMBER, 1992, by RAY A. WIEST and JANET L. WIEST, husband & wife, AS JOINT TENANTS, (collectively the "Declarant") with reference to the following facts:

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

PARCEL 1

THE WESTERLY RECTANGULAR ONE HALF OF LOT 8 IN BLOCK 32 OF RESUB-DIVISION OF BLOCK 32 OF ARLINGTON HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 1 OF MAPS, AT PAGE 37 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 2

LOT 8 IN BLOCK 32 OF RE-SUBDIVISION OF BLOCK 32 OF ARLINGTON HEIGHTS, AS SHOWN BY MAP ON FILE IN BOOK 1 OF MAPS, AT PAGE 37 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THE WESTERLY RECTANGULAR ONE HALF OF SAID LOT 8.

CIA 660

B. By Parcel Map Waiver Case PMW-29-901, Declarant desires to adjust the property line between two parcels and to create the parcels as described above. Declarant desires to finalize PMW-29-901 and as a condition to finalization, the Public Utilities Department of the City of Riverside (the "City") has imposed the following requirements:

(1) For Parcel 1 - PMW-29-901

The installation of a water main within Cleveland Avenue between Adams Street and Gratton Street as well as the installation of a water main within Gratton Street easterly of Cleveland Avenue for a distance of approximately 720.25 feet prior to the issuance of a building permit for Parcel 1.

(2) For Parcel 2 - PMW-29-901 - 8410 Cleveland Avenue

Payment of the Distribution System Fee and the Elevation Fee.

C. Declarant is now willing to construct the 8-inch water main within Cleveland Avenue between Adams Street and Gratton Street to provide water service from Cleveland Avenue to both Parcel 1 and 2 of PMW-29-901 but desires to defer the installation of a water main within Gratton Street easterly of Cleveland Avenue for a distance of approximately 720.25 feet until such time as a water main in this portion of Gratton Street is required by the City in the future.

NOW, THEREFORE, Declarant hereby covenants and agrees with the City that the following restrictions shall apply to the Property:

1. Declarant shall forthwith install an 8-inch water main within Cleveland Avenue between Adams Street and Gratton Street for a distance of approximately 1322.30 feet.

2. Declarant may defer the installation of a water main within Gratton Street easterly of Cleveland Avenue for a distance of approximately 720.25 feet until such time as a water main in this portion of Gratton Street is required by the City.

3. Declarant or the successors or assigns of Declarant shall, upon demand from the Public Utilities Director of City, install a water main within Gratton Street easterly of Cleveland Avenue for a distance of approximately 720.25 feet at such time as it is determined by the City that the water main is required. Declarant or the successors or assigns of Declarant shall install the water main within ninety (90) days of written notification from City that the water main extension is required. In the event the water main extension is not installed within said ninety (90) days, the water service to Parcel 1 of PMW-29-901 may be terminated in

accordance with the then existing rules for nonpayment of water charges until such time as the water main is installed.

4. Declarant shall pay to City the Elevation Fee at the rate established in the Water Rules of City for both Parcel 1 and 2 of PMW-29-901 at time of finalization and as a condition for finalization of PMW-29-901.

5. Declarant shall pay to City the Backup Facility Capacity Charge at the rate established in the Water Rules of the City for Parcel 1 of PMW-29-901 at time of finalization and as a condition for finalization of PMW-29-901.

6. Declarant shall relocate the existing water service connection for Parcel 2 of PMW-29-901 from the existing location at the corner of Cleveland Avenue and Adams Street to in front of Parcel 2.

7. Declarant shall install a water service connection to Parcel 1 of PMW-29-901 which is to be located in front of Parcel 1 along Cleveland Avenue.

8. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City, its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

9. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant and the heirs, successors and assigns of Declarant and shall continue in effect until such time as released by the Public Utilities Director of the City of Riverside, California.

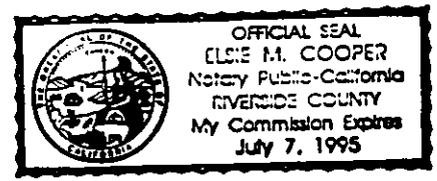
IN WITNESS WHEREOF Declarant has caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first above written.

*Ray A. Wiest*  
RAY A. WIEST

*Janet L. Wiest*  
JANET L. WIEST

APPROVED AS TO FORM:

*[Signature]*  
City Attorney



*Elsie M Cooper*