

Lawyers Title Co.

DOC # 202-177835

04/08/2002 08:00A Fee:16.00
Page 1 of 4

Recorded in Official Records
County of Riverside
Gary L. Orso
Assessor, County Clerk & Recorder

RECORDING REQUESTED BY:
WHEN RECORDED MAIL TO:
City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522



M	S	U	PAID	SELL	UN	PLUR	INSTR	SMF	MISC.
			4						
									13
A	R	L			COPY	LONG	REFUND	CHG	EXAM

Project: Parcel Map 30214

**COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS ON
FUTURE USES OF THE PROPERTY**

16
T
JB

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 2nd day of April, 2002, by MISSION VILLAGE SHOPPING CENTER, L.P., a California Limited Partnership, ("Declarant"), with reference to the following facts:

A. Declarant is the fee owner of that certain real property ("the Property") in the City of Riverside, County of Riverside, State of California, described as follows:

All of Parcels 1 through 17 of Parcel Map 30214 as shown by map file in Book 201 of Parcel Maps at Pages 37 through 39 thereof, Records of Riverside County, California.

B. The Property consists of 23.36 acres located in the Mission Grove area, South of Alessandro Boulevard, North of Mission Village Drive, East of Mission Grove Parkway South, and West of Northrop Drive. An application has been filed with the City of Riverside ("City") as Case No. PM 30214 to subdivide one (1) parcel consisting of approximately 23.6 acres into seventeen (17) parcels, ranging in size from 0.39 acres to 3.92 acres for commercial purposes.

C. As a condition to the approval by the City of Case No. PM 30214, Declarant is required to submit documentation prior to recordation of the final map for approval by the Planning and Legal Departments of the City of Riverside to prohibit automobile oriented uses, including drive-thru restaurants, automobile services or repair, stereo installation or other similar uses, on Parcels 6 through 15 of Parcel Map 30214. Any changes to this Covenant necessary to reflect future lot line adjustments are subject to administrative approval.

E. Declarant desires to record a covenant and agreement acceptable to the Planning and Legal Departments of City, which meets the above-referenced condition and restricts the use of the Property to the uses listed above to ensure its compatibility with the surrounding neighborhood.

NOW, THEREFORE, for the purpose of complying with a condition imposed by the City for the approval of Parcel Map 30214, Declarant hereby covenants and agrees with the City that the Property is, and shall hereafter be held, transferred, sold, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the following covenants, conditions and restrictions:

4015168-11
2004
DESCRIPTION APPROVAL
4
7
APPROVED AND ACCEPTED
RECORDED

1. Parcels 6 through 15 of Parcel Map 30214 are prohibited from being developed with or having thereon any automobile oriented uses, including drive-thru restaurants, automobile services or repair, stereo installation or other similar uses.

2. Any person, whether an individual, corporation, association, partnership or otherwise, who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed to have consented and agreed to the restrictions on the use of the Property as set forth hereinabove.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by City, and its successors and assigns. Should 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.

4. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Planning Director of the City of Riverside, California, by a writing duly recorded.

MISSION VILLAGE SHOPPING CENTER, L.P., a California Limited Partnership

By: REGIONAL PROPERTIES, INC., a California corporation, General Partner

By: [Signature] (Mark Rubin, President)
[Printed Name] [Title]

By: [Signature] (Alex Lowy, Secretary)
[Printed Name] [Title]

APPROVED AS TO CONTENT:

By: [Signature]
Planning Department

APPROVED AS TO FORM:

By: [Signature]
Deputy City Attorney



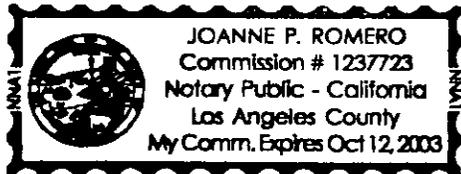
2002-177835
04/08/2002 08:00A
2 of 4

State of California
County of Los Angeles

On January 31, 2002 before me, Joanne P. Romero
(DATE) (NAME/TITLE OF OFFICER-i.e. "JANE DOE, NOTARY PUBLIC")
personally appeared Mark Rubin and Alex Wady
(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.

(SEAL)

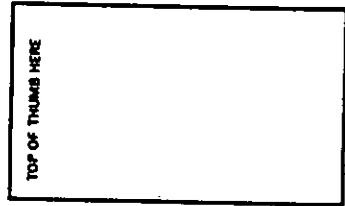
Joanne P. Romero
(SIGNATURE OF NOTARY)

ATTENTION NOTARY

The information requested below and in the column to the right is **OPTIONAL**. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:
Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

RIGHT THUMBPRINT (Optional)

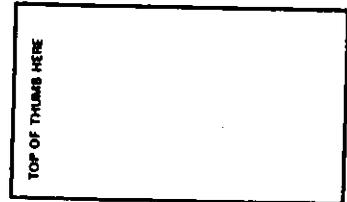


CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE _____

OFFICER(S) _____
(TITLE)
 PARTNER(S) LIMITED
 GENERAL
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE _____

OFFICER(S) _____
(TITLE)
 PARTNER(S) LIMITED
 GENERAL
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))



PENALTY OF PERJURY FOR NOTARY SEAL

(GOVERNMENT CODE 27361.7)

I certify under penalty of perjury that the Notary Seal on the document to which this statement is attached reads as follows:

NAME OF NOTARY: JOANNE P. ROMERO

DATE COMMISSION EXPIRES: OCTOBER 12, 2003

COUNTY WHERE BOND IS FILED (if applicable): LOS ANGELES

STATE WHERE BOND IS FILED: CALIFORNIA

COMMISSION NUMBER (if applicable): 1237723

PLACE OF EXECUTION: SAN BERNARDINO, CALIFORNIA

DATE: April 5, 2002

SIGNATURE: Scott A. Hoogerwerf

PRINT NAME: Scott A. Hoogerwerf



2002-177835
04/08/2002 08:00A
4 of 4

CA 771