

DOC # 2003-015566

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

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

Project: EP-018-012  
2824 La Loma Place  
Riverside, California 92503

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

This Covenant and Agreement and Declaration of Restrictions on Future Uses of the Property is made and entered into this November day of 20<sup>th</sup>, 2002, by **ROBERT W. TRANTOW** and **CYNTHIA S. TRANTOW**, husband and wife, and **RALPH TRANTOW**, an unmarried man (collectively "Declarants") with reference to the following facts:

A. Declarants are the fee owners of that certain real property (the "Property") located in the City of Riverside, County of Riverside, State of California, described as follows:

Parcel 1 as shown on map recorded in Book 42, Page 3, Records of Survey, official records of Riverside County, California.

B. The Property consists of approximately 2.1 acres located at 2824 La Loma Place, Riverside, California, in the RA-5 (residential agricultural) Zone. An initial study under Administrative Initial Study Case EP-018-012 was performed in connection with an application to approve and legalize a grading plan on the Property. Declarants had graded an approximately 19,000 square foot pad in the rear of the Property and were seeking approval to grade approximately 36,000 square feet. In connection with the initial study, it was determined that an exception to the City of Riverside's Grading Ordinance was required to allow the total anticipated graded area.

C. As a condition to the approval of the grading plan, and legalization of the existing grading on the Property, and the approval of the grading exception, the City of Riverside ("City") is requiring Declarants to execute and record a covenant and agreement, acceptable to the Planning and Legal Departments of the City, which places restrictions and limitations on the future development of the Property.

DESCRIPTION APPROVAL 1/8/03  
by  
Walter R. [Signature]  
SURVEYOR, CITY OF RIVERSIDE

SAME AS CIA 309  
CIA 810

D. Declarants desire to record a covenant and agreement acceptable to the Planning and Legal Departments of the City which sets forth limitations on the construction of the Property due to the uncompacted fill, and that future development is subject to the review and approval by the Planning and Legal Departments of the City, and to put future owners on notice of these conditions and restrictions.

NOW, THEREFORE, for the purpose of complying with the conditions imposed by the City for the approval of a grading permit, the grading exception and EP-018-102, Declarants hereby covenant and agree 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:

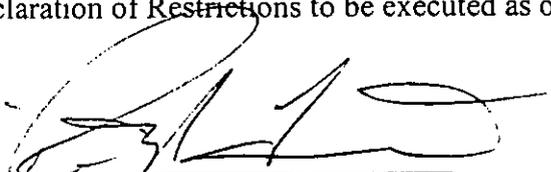
1. Should that portion of the Property, shown and depicted as uncertified fill in Exhibit "A" attached hereto and incorporated herein by reference, remain in an uncompacted condition, Declarants, their successors, assigns, and heirs, are prohibited from constructing any improvements on that uncertified portion of the Property without the review, approval, and subsequent conditions of the Planning and Legal Departments.

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 herein above.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City, and 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.

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 Planning Director of the City, or his/her designee, by a writing duly recorded.

IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement and Declaration of Restrictions to be executed as of the day and year first written above.

By:   
Robert W. Trantow

By:   
Cynthia S. Trantow

By: Ralph Trantow  
Ralph Trantow

APPROVED AS TO CONTENT:

By: [Signature]  
Planning Department

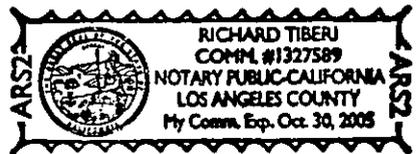
APPROVED AS TO FORM:

By: [Signature]  
Deputy City Attorney

STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On 11-20-02, before me, Richard Tiberi, the undersigned, a notary public in and for said State, personally appeared Robert W. Trantow, Cynthia S. Trantow personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) Robert W. Trantow 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.

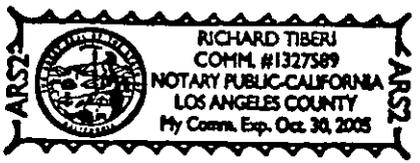


[Signature]  
Notary Signature

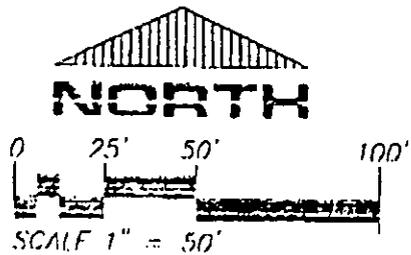
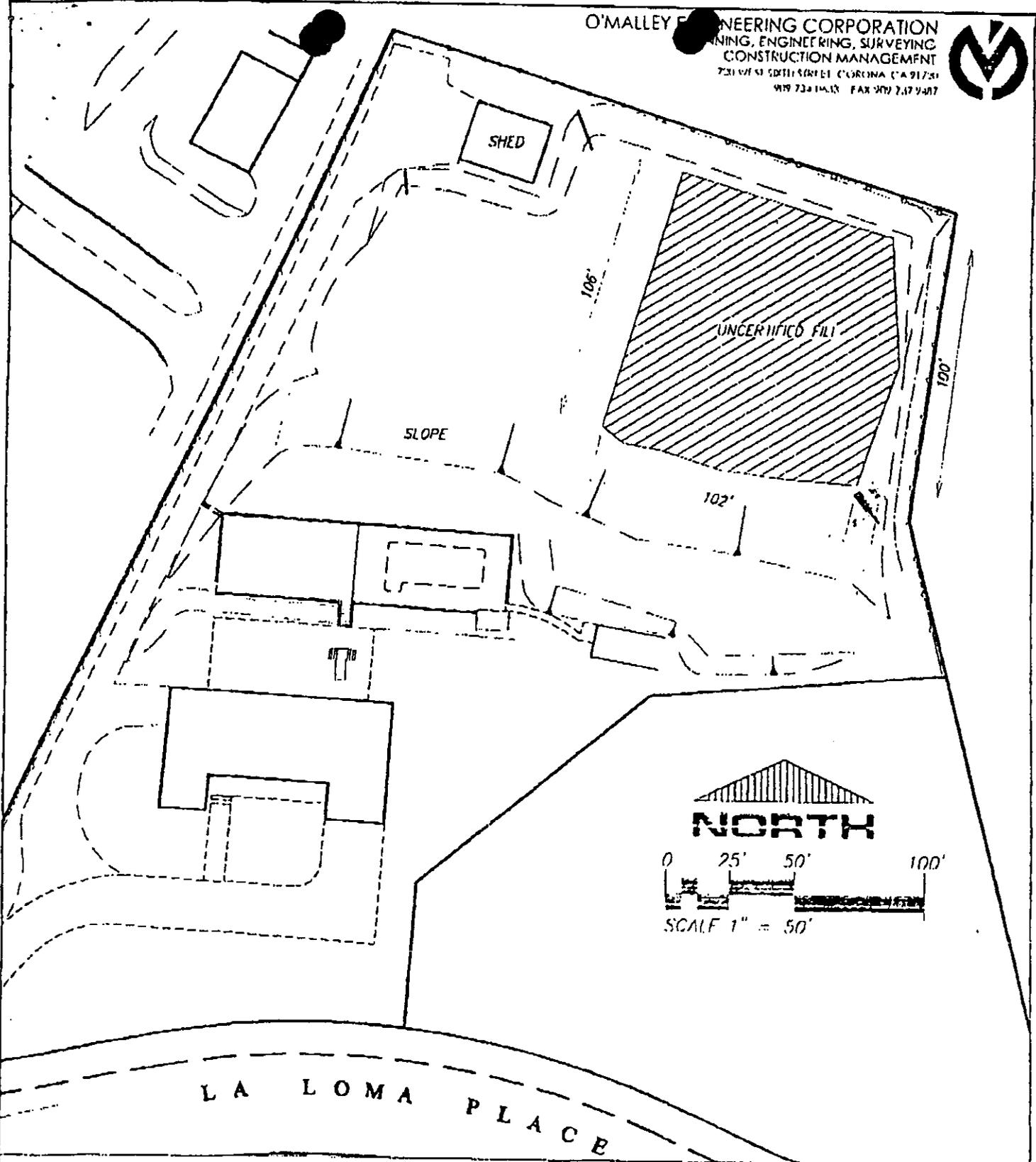
STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On 11/20/02, before me, Richard Tiberi, the undersigned, a notary public in and for said State, personally appeared Ralph W. Trantow 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.



[Signature]  
Notary Signature



LA LOMA PLACE

EXHIBIT 'A'

2824 La Loma, Riverside, CA

DRAWN BY: DD  
 SCALE: 1" = 50'  
 DATE: June 10, 2002

CHECKED BY: JO'M  
 JOB NUMBER 645  
 SHEET 1 of 1

DECLARATION THAT UNCERTIFIED EXISTS ON PROPERTY

80-6

CIA 810