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WILLIAM E. CONERLY  
County Recorder  
RIVERSIDE COUNTY, CALIFORNIA

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

LAW OFFICES OF HAL A. YOUNG, JR.  
13400 Maxella Avenue, Suite 210  
Marina del Rey, California 90291-5649  
(213) 822-0990

DECLARATION OF GRANT OF  
NONEXCLUSIVE EASEMENT(S)

THIS DECLARATION OF GRANT OF NONEXCLUSIVE EASEMENT(S)  
(this "Declaration") is made this 22<sup>nd</sup> day of March, 1983,  
by L. C. SMULL, a married man, with regard to his sole and  
separate property ("Declarant").

R E C I T A L S

A. Declarant is the owner of certain property located in  
the City of Riverside, County of Riverside, State of California,  
more particularly described on Exhibit "A" attached hereto and  
incorporated herein by this reference ("Property").

B. Declarant desires to subdivide the Property for the  
purposes of selling and/or leasing all or portions of said  
Property. Declarant has processed and applied for such a  
subdivision of the Property and has been granted approval  
therefor by the City of Riverside pursuant to Tentative Parcel  
Map No. 16073, subject to the condition that mutual access and  
drainage rights be maintained across the Property for the benefit  
of "Parcels" created thereon. Based thereon, Declarant  
establishes certain nonexclusive easements for the benefit of its  
successors.

ARTICLE I

Easements

1.01 Declarant does hereby establish a perpetual

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nonexclusive easement(s) for: (i) the ingress and egress of motor vehicles and pedestrians into, out of, on, over and across the Property, as necessary, so as to assure that the owner(s) or occupant(s) of said Property, or their successors, shall have reasonable access for motor vehicles and pedestrians onto and from public streets across the Parcels created thereon; and (ii) the reasonable drainage of surface storm waters into, out of, over and across the Property, pursuant to a grading and drainage plan to be reviewed and approved in writing by the City of Riverside prior to the construction of any improvements on the Property.

## ARTICLE II

### General Provisions

2.01 In the event of any interference or threatened interference with the nonexclusive easement(s) established in Article I, Declarant or the owner of any portion of the Property shall have the right to enjoin such interference or threatened interference in a court of competent jurisdiction.

2.02 This Declaration may never be modified in any respect whatsoever by Declarant or his successors, or rescinded in whole or in part without the written approval of the City of Riverside, which approval shall not be unreasonably withheld.

2.03 In the event of any controversy, claim or dispute relating to this Declaration or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable attorneys' fees and costs.

2.04 This Declaration shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of Declarant.

2.05 The easement(s) created hereby shall run with each and every portion of the Property and shall inure to and pass with each and every such portion, and shall apply and pass to the respective successors in interest thereof.

IN WITNESS WHEREOF, Declarant has duly executed this Declaration on the day and year first written above.

L. C. SMULL, a married man with regard to his sole and separate property

"Declarant"

APPROVED AS TO FORM AND CONTENT

BARBARA PURVIS, Assistant City Attorney for the City of Riverside

ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

On MARCH 23, 1983, before me, the undersigned, a Notary Public in and for said State, personally appeared L. C. SMULL, a married man as to his sole and separate property, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

  
NOTARY PUBLIC

EXHIBIT "A"

Legal Description

Parcels 1, 2, 3 and 4 of Parcel Map No. 16073, as shown by Map on file in Book 116 of Parcel Maps at Pages 92493, inclusive hereof, Records of Riverside County, California.

DESCRIPTION APPROVAL  
George P. Hutchins  
1/20/83 by WF