

WHEN RECORDED MAIL TO:

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

Project: P03-1312
Mission Grove Plaza
Riverside, California

DOC # 2006-0033672
01/13/2006 08:00A Fee:22.00
Page 1 of 6
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		6						
					1				AS
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

23

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



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 29th day of December, 2005, by MISSION VILLAGE SHOPPING CENTER, L.P., a California limited partnership, with reference to the following facts:

A. Declarant is the fee owner of certain real property (the "Property"), known as Mission Grove Plaza located on the block bounded by Alessandro Boulevard, Mission Grove Parkway, Mission Village Drive and Northrop Drive, in the City of Riverside, County of Riverside, State of California, described as follows:

See attached Exhibit "A"

B. Declarant has submitted an application to the City of Riverside ("City") in Planning Case P03-1312 for a variance related to the construction of a 20-foot high, 100 square-foot pylon sign with three lines of copy where the Code limits a secondary monument sign to six-feet high, 25 square feet in the C-2-SP (Restricted Commercial and Specific Plan (Mission Grove) Combining Zone.

C. As a condition of approval of Planning Case P03-1312, Declarant is required to execute and record a covenant and agreement and declaration of restrictions subject to review and approval of the Planning Department and the City Attorney's office, that prohibits any additional monument signs along Mission Village Drive, Northrop Drive, and Alessandro Boulevard.

C/A 972

D. Declarant desires to record a covenant and agreement and declaration of restrictions acceptable to the Legal and Planning Departments of City which meets the above-referenced condition and restricts the use of the Property.

NOW, THEREFORE, Declarant hereby declares that the Property is and hereafter shall be held, conveyed, transferred, mortgaged, encumbered, leased, rented, used, occupied, sold and improved subject to the following declarations, limitations, covenants, conditions, and restrictions, all of which are imposed as equitable servitudes for the purpose of enhancing and protecting the value and attractiveness of the Property, and ensuring compatibility with the surrounding neighborhood, and for the purpose of complying with a condition imposed by the City for Planning Case P03-1312, and in consideration of such, Declarant hereby covenants and agrees with the City of Riverside that the Property is, and shall hereafter be held subject to the following covenants, conditions and, restrictions:

1. Any additional monument signs along Mission Village Drive, Northrop Drive and Alessandro Boulevard are prohibited.

2. Any person, whether an individual, corporation, association, partnership or other entity, 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 attorney's fees.

4. The terms of this Covenant and Agreement and Declaration of Restrictions shall run with the land for the benefit of the Property and each and all of its terms shall be binding upon Declarant, its heirs, successors and assigns.

5. As this Covenant and Agreement and Declaration of Restrictions is made and entered for the purpose of complying with conditions of approval imposed by the City for the approval of the Planning Case P03-1312, it shall not be extinguished, terminated, modified, amended or altered in any way and shall continue in effect until such time as it is released with the prior written consent of the Planning Director of the City of Riverside, by a writing duly recorded in Riverside County, 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.

APPROVED AS TO CONTENT:

Typed Name: Clara Plummer
Planning Department

APPROVED AS TO FORM:

Kristi J. Smith
Deputy City Attorney

Declarant:

MISSION VILLAGE SHOPPING CENTER, L.P.,
A California limited partnership

By:

Typed Name: MARK RUBIN

Title: Gen.

By:

Typed Name: ALEX LOWY

Title: SECRETARY

O:\Cycom\WPDocs\D008\P002\00029981.WPD
CA: 04-1299
06/08/04



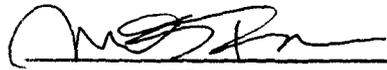
EXHIBIT "A"

P03-1312

**MISSION VILLAGE PLAZA
Parcel Map 30214**

All of Parcels 2, and 4 through 17 of Parcel Map 30214 as shown by map on file in Book 201 of Parcel Maps at Pages 37 through 39 thereof, Records of Riverside County, California.

DESCRIPTION APPROVAL:


MARK S. BROWN
CITY SURVEYOR

1/4/06
DATE



2006-0033672
01/13/2006 08:00A
4 of 6

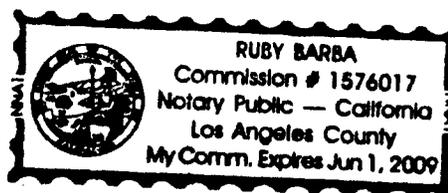
C/A 972

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)
 Los Angeles

On December 29, 2005, before me, Ruby Barba, Notary Public, the undersigned, a notary public in and for said State, personally appeared Mark Rubin 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.

Ruby Barba
Notary Signature



2006-0033672
01/13/2006 08:00A
5 of 6

CIA972

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)
 Los Angeles

On December 29, 2005, before me, Ruby Barba, the undersigned, a notary public in and for said State, personally appeared ALEX LOWMY ~~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.

Ruby Barba
Notary Signature



2006-0033672
01/13/2006 08:00A
6 of 6

72-7

CIA 972