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067371

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

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

MAR - 3 1995

Recorded in Official Records
of Riverside County, California

Recorder *[Signature]*
Fees \$ *[Signature]*

FREE RECORDING

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

Project: Parcel Map 19327 *AMB 138/72-74*
Parcel Map 24758 *AMB 184/68-70*

[Handwritten marks]

RELEASE OF
COVENANT AND AGREEMENT FOR
ACCEPTANCE OF SURFACE DRAINAGE WATER

THIS RELEASE OF COVENANT AND AGREEMENT FOR ACCEPTANCE OF SURFACE DRAINAGE WATER is made and entered into this 17th day of February, 1995, by the CITY OF RIVERSIDE, a municipal corporation ("City"), with reference to the following facts:

A. As a condition of the approval of Parcel Map 19327, SPRINGBROOK CENTER, a general partnership, as owner of the subject parcel ("Parcel Map Property") was required by City to construct and install a public street across a portion of the Parcel Map Property to become a part of Garner Road. The Parcel Map Property is located on the west side of Main Street northerly of Alamo Street within the City of Riverside, California. Springbrook Center also owned another parcel ("Adjacent Parcel") westerly of and immediately adjacent to the Parcel Map Property.

B. As Garner Road as proposed to be constructed would concentrate surface water runoff and storm water from the adjoining property into the street and would discharge such waters from the street onto the Adjacent Parcel, Springbrook Center executed a Covenant and Agreement for Acceptance of Surface Drainage Water ("Original Covenant") on September 4, 1986. The Original Covenant was then recorded on September 12, 1986, as Instrument No. 223386, Official Records of Riverside County, California.

C. By Parcel Map 24758, a portion of the Adjacent Parcel is being divided for industrial purposes. The property being subdivided by Parcel Map 24758 is located on the westerly side of Main Street on both sides of Garner Road (extended) and easterly of the Santa Ana River. By Parcel Map 24758, Rivera Street is to be constructed in a north-south direction as a cul-de-sac and Garner Road is to be extended westerly to Rivera Street.

D. As a condition of the approval of the drainage plans for Parcel Map 24748, two new Covenants and Agreements for Acceptance of Drainage Waters (collectively, "New Covenants") were executed and recorded accepting the drainage waters from the open concrete channel and appurtenances that transport drainage waters from Rivera Street and from the future extension of Rivera Street and Alamo Street. One Covenant and Agreement for Acceptance of Drainage Waters was executed by ALAMO PROPERTIES INC., a California corporation, on December 15, 1994, and recorded on December 22, 1994, as Instrument No. 475853, Official Records of Riverside County, California. The other Covenant and Agreement for Acceptance of Drainage Waters was executed by SPRINGBROOK CENTER, a general partnership, on December 14, 1994, and recorded December 22, 1994, as Instrument No. 475854, Official Records of Riverside County, California.

E. As the need for the Original Covenant has been superseded by the execution and recordation of the New Covenants, it is appropriate to release the Original Covenant. The release is also a requirement of the new Covenant and Agreement for Acceptance of Drainage Waters executed by Alamo Properties Inc. The Original Covenant provided that it would run with the land and continue in effect until such time as released by the City Council of the City of Riverside.

F. By action duly taken on February 14, 1995, the City Council of the City of Riverside authorized the release of the Original Covenant and directed the City Manager to execute such release on its behalf.

NOW, THEREFORE, incorporating the above recitals, the City of Riverside, acting by and through its City Manager as authorized and directed by its City Council, hereby releases the Covenant and Agreement for Acceptance of Surface Drainage Water executed by SPRINGBROOK CENTER, a general partnership, on September 4, 1986, and recorded on September 12, 1986, as Instrument No. 223386, Official Records of Riverside County, California, and said Covenant and Agreement for Acceptance of Surface Drainage Water shall be of no force and effect as of the date this Release is recorded in the Office of the County Recorder of Riverside County, California.

IN WITNESS WHEREOF this Release of Covenant and Agreement for

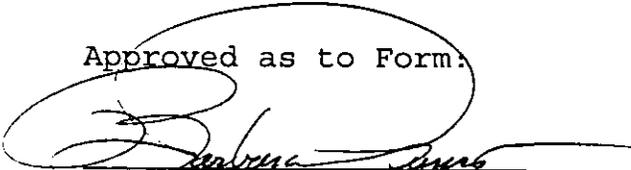
Acceptance of Surface Drainage Water has been duly executed by its authorized officers the day and year first written above.

CITY OF RIVERSIDE, a
municipal corporation

By John E. Holmes
City Manager

Attest Karen E. Lindquist
City Clerk

Approved as to Form.


Assistant City Attorney