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CONTRACTOR STREET,

WHEN RECORDED MAIL TO:

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

Project: Parcel Map No. 25166



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## DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS is made and entered into this 5th day of July, 1990, by MICHAEL M. SLAGLE ("Declarant") with reference to the following facts:

A. Declarant is the fee owner of the following described real property ("Parcel 2") located in the City of Riverside, County of Riverside, State of California:

Parcel 2 of Parcel Map No. 25166 as shown by map on file in Book  $\frac{16\#}{90}$  of Parcel Maps, at pages  $\frac{89}{10}$  and  $\frac{90}{10}$  thereof, records of Riverside County, California.

- B. Declarant has filed an application with the City of Riverside ("City") to divide an approximately 1.8 acre site developed with a single-family home into two parcels for residential purposes by Parcel Map No. 25166. As a condition of approval for the tentative map, Declarant must obtain a grading permit for the "borrowed" material acquired from the adjoining lot prior to map adoption. In order to meet this condition, Declarant filed an application with City for a grading permit, which application must be reviewed by the Environmental Protection Commission of the City.
- C. Declarant desires to record the parcel map prior to the time the Environmental Protection Commission is able to review the grading plan. Declarant is willing to record a document agreeing that no building permit will be applied for or issued for development on Parcel 2 until such time as a grading plan is approved on the borrowed area.
- D. As the subject grading was accomplished over two years ago, City is willing to allow Declarant to record his parcel map subject to the Declarant executing and recording this Declaration of Restrictions.

DESCRIPTION APPROVAL 7/5/20
LALLA P. SURVEYOR, CITY F RIVERSIDE by

NOW, THEREFORE, Declarant, in consideration for the approval of Parcel Map No. 25166, hereby covenants and agrees with the City of Riverside that Parcel 2 shall be held, sold, mortgaged, encumbered, leased and rented subject to the following restrictions, limitation and covenants:

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- 1. Declarant or his heirs, successors and assigns shall not apply for any building permit for Parcel 2 until such time as a grading permit has been issued by City for the "borrowed" material acquired from the adjoining lot.
- 2. Declarant shall take such action as may be necessary to expeditiously obtain a grading permit from City following the review of the grading plan by the Environmental Protection Commission in Case No. EPC-11-901.
- 3. The terms of this Declaration of Restrictions may be enforced by the City. Should the City bring an action to enforce any of the terms of this Declaration of Restrictions, the prevailing party shall be entitled to costs of suit including reasonable attorneys' fees.
- 4. This Declaration of Restrictions shall run with the land and shall be binding upon Declarant, his heirs, successors and assigns and shall continue in effect until such time as released by the City or until a grading permit is issued by the City pursuant to its Environmental Protection Commission Case No. EPC-11-901, whichever shall first occur, and as evidenced by a written notice signed by the Planning Director of City and duly recorded.

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signed by the Planning Director of City and duly recorded.
IN WITNESS WHEREOF, Declarant has caused this Declaration of
Restrictions to be duly executed the day and fear filtrest above?
written.
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1010000
MICHAEL M. SLAGLE
STATE OF CALIFORNIA)  OFFICIAL SEAL SISAN M HACKRAPIH
1000 Total Transfer of the Control o
OLINITY OF NOTARY PURILE CALIFORNIA
COUNTY OF ) RIVERSIDE COUNTY (My Comm. Engines May 2, 1994 )
On this $5^{11}$ day of $3^{12}$ , $1990$ , before me,
· $\lambda$ , the undersigned Notarv
Public, personally appeared())(()(()()()()()()()()()()()()()()()(
personally known to me
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proved to me on the basis of satisfactory
evidence
CVIdence
to be the person(s) whose name(s) subscribed to the
to be the person(s) whose name(s) subscribed to the
within instrument, and acknowledged that executed it.
THE TOTAL CONTRACT OF
WITNESS my hand and official seal.
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$\Delta M \Omega \Lambda \rightarrow C M C M C M M M M M M M M M M M M M M$
Notary's Signature

BP/2563A/jm 7/3/90