

83159

No Fee - 6103 Government Code

City of Riverside
City Clerk's Office
City Hall-3711 Orange
Riverside, Calif. 92501

AGREEMENT

RECEIVED FOR RECORD

JUL 11 1975

40 Min. Past o'clock
At Request of

CITY CLERK

Book 1975, Page 83159

Recorded in Official Records
of Riverside County, California

W.W. DeLoach

Recorded
FEES \$

(Installation of Street Improvements at 6811 Mitchell Street)

8426

WHEREAS the undersigned, VERNON W. EDMONDS and JUNE M. EDMONDS, applied to the City of Riverside for a building permit to construct a building at 6811 Mitchell Street; and

WHEREAS street improvements are required by ordinances of the City as a condition of obtaining a building permit and building pursuant to said permit; and

WHEREAS the City Council of said City at its regularly adjourned meeting on June 10, 1975, did grant a temporary waiver of the required street improvements on the condition that the undersigned execute this recordable agreement guaranteeing to make the required improvements at such time as 50% of said Mitchell Street is fully improved, unless improvements were installed prior to that time pursuant to the provisions of the Improvement Act of 1911;

NOW, THEREFORE, the undersigned agree, and hereby bind themselves and their successors and assigns in interest to the hereinafter described property, that in consideration of the said action of said City Council at its regularly adjourned meeting on June 10, 1975, and for other valuable consideration, hereby acknowledged, that the undersigned, their successors and assigns in interest to the hereinafter described property will install at their own expense the hereinafter described street improvements in that portion of Mitchell Street adjacent to that certain property known as 6811 Mitchell Street and described as

That portion of the Southeast quarter of Section 34, Township 2 South, Range 6 West, San Bernardino Base and Meridian, as shown by United States Government Survey, described as follows:

Commencing at a point in the center line of Arlington Avenue, as conveyed to the County of Riverside by Deed recorded February 4, 1925 in Book 629 page 55 of Deeds, said point being Northeasterly corner of

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Twin Buttes Block, as shown by Map on file in Book 10 page 39 of Maps, Riverside County Records;

Thence North 1° 53' East, 2,877 feet to the Northwesterly corner of that parcel of land conveyed to Samuel P. Shores and Virginia W. Shores by Deed recorded December 30, 1943 in Book 611 page 121 of Official Records, for the true point of beginning;

Thence South 1° 53' West 540.34 feet to a point which bears North 1° 53' East, 2,336.66 feet from the center line of Arlington Avenue;

Thence South 78° 21' 22" East, 433.29 feet;

Thence North 0° 48' East, 579.34 feet to a point on the Northerly line of said parcel conveyed to Samuel P. Shores and wife, which said point bears South 80° 45' West, 330.6 feet from the Northeasterly corner of said parcel;

Thence South 80° 45' West, 100 feet;

Thence South 87° 38' West, 118.9 feet;

Thence North 64° 18' West, 157.8 feet;

Thence North 89° 12' West, 55 feet to the true point of beginning;

EXCEPTING therefrom a strip 10 feet wide along the Northerly line and a strip 10 feet wide along the Westerly line for road purposes;

ALSO EXCEPTING therefrom that portion thereof described as follows:

Commencing at a point in the center line of Arlington Avenue as conveyed to the County of Riverside by Deed recorded on February 4, 1925 in Book 629, page 55 of Deeds, said point being the Northeasterly corner of Twin Buttes Block, as shown by Map on file in Book 10 page 39 of Maps, Riverside County Records;

Thence North 01° 53' East, 2,336.66 feet for the true point of beginning;

Thence South 78° 21' 22" East, 433.29 feet;

Thence North 0° 48' East, 240.81 feet;

Thence North 78° 21' 22" West, 428.67 feet;

Thence South 01° 53' West, 240 feet to the true point of beginning.

Said excepted portion is also shown as Parcels 1, 2 and 3 on Record of Survey on file in Book 23 page 6 of Records of Survey, Riverside County Records;

DESCRIPTION APPROVAL
By *George S. Mitchell* Surveyor

at such time as at least 50% of that certain street in said City of Riverside, known as Mitchell Street, is fully improved with street improvements; provided, however, all or a portion of the work herein assumed and incurred may be satisfied through construction of said street improvements under the provisions of the Improvement Act of 1911 or under other similar proceedings so long as none of such costs be borne by the City of Riverside; and the undersigned, their successors and assigns in interest, agree to support any improvement district in the area of 6811 Mitchell Street.

1 The street improvements to be constructed under this
2 agreement by the undersigned, their successors and assigns,
3 include approximately 170 L.F. curb and gutter, approximately
4 850 S.F. property line sidewalk, approximately 2,800 S.F. A.C.
5 paving and seal coat, aggregate base material, earthwork,
6 approximately 20 L.F. barricades, approximately 12 tree removals,
7 clearing right of way, traffic control signs, driveway approaches,
8 parkway grading, and utility relocation, and any and all necessary
9 and incidental work in connection with the above, in accordance
10 with improvement plans to be prepared by the undersigned, their
11 successors and assigns, and approved by the City of Riverside,
12 and in compliance with all applicable standards and specifications
13 of said City existing at the time of said construction.

14 During the period of construction of said street improve-
15 ments, all of said improvements shall be kept in a state of
16 good repair and shall be maintained and kept clear of debris
17 and unnecessary obstruction by the undersigned, their successors
18 and assigns. If said work, repair and maintenance is not
19 timely initiated and carried through to completion, after
20 demand therefor has been made by the Director of Public Works of
21 said City, then the City may do any or all of the necessary work
22 at the cost and expense of the undersigned, their successors and
23 assigns. The undersigned, their successors and assigns shall
24 further hold the City free and harmless from any and every
25 claim or suit and shall indemnify the City for any loss arising
26 out of or incurred as a result of improper maintenance or
27 dangerous conditions existing or occurring prior to final
28 acceptance by the City of the work to be completed under this
29 agreement. Upon the failure to so complete any or all of said
30 work, improvements, maintenance or repair, and in the event
31 the City elects to complete same, in addition to reimbursement
32 for all costs incurred, the City shall also be entitled to a

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1 reasonable attorney's fee incurred in obtaining compliance with
2 this agreement, whether or not a court action is filed. All
3 costs and expenses due and owing the City under this agreement,
4 upon ascertainment by said City of the total of said costs and
5 expenses, shall be and become a lien upon the property herein-
6 above described.

7 Prior to commencement of the work required under this
8 agreement, all applicable and required permits and licenses
9 shall be obtained by the person or persons responsible therefor.

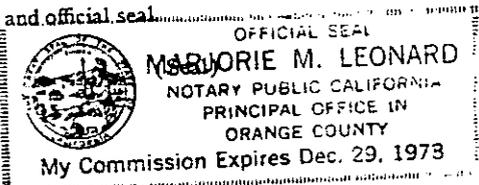
10 IN WITNESS WHEREOF the undersigned have caused this
11 agreement to be executed this 30th day of June, 1975.

CONSENT TO RECORDATION

STATE OF CALIFORNIA }
COUNTY OF Orange } SS.

On July 7, 1975 before me, the undersigned, a Notary Public in and for said State, personally appeared
Vernon W. Edmonds and June M. Edmonds
known to me to be the person(s) whose name(s) are
subscribed to the within Instrument and acknowledged that they executed the same.

WITNESS my hand
and official seal.



Marjorie M. Leonard
(Notary Public's Signature)

2320
MIS 3514 12-72* 25 Individual Notarial Acknowledgment

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John Woodhead

City Attorney