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Project: Vacation Case VC-006-945

AGREEMENT QUITCLAIMING INTERESTS IN A VACATED ALLEY,  
ESTABLISHING ACCESS EASEMENTS, PROVIDING  
FOR THE INSTALLATION OF SECURITY GATES AND  
THE MAINTENANCE OF SAID SECURITY GATES AND VACATED ALLEY,  
AND PROVIDING FOR A RELEASE AND INDEMNIFICATION

THIS AGREEMENT is made and entered into this 20<sup>th</sup> day of January, 1997, by and between ELWOOD M. RICH and LORNA RICH, husband and wife (collectively, "FIRST PARTY"), EDWIN H. JACOBSON and JANET E. JACOBSON, Trustees of THE JACOBSON FAMILY TRUST, dated May 16, 1991 (collectively, "SECOND PARTY"), ~~KALLY WONG, a single woman ("THIRD PARTY")~~, JUNE M. CHANEY, Trustee of the JUNE M. CHANEY TRUST ("FOURTH PARTY"), HARRY E. KLEIN and PATRICIA JEAN KLEIN, Trustees of the KLEIN TRUST dated March 15, 1988 (collectively, "FIFTH PARTY"), RONALD A. MUSSER, a single man ("SIXTH PARTY"), RONALD L. SHELLEY and MARGARET SHELLEY, husband and wife (collectively, "SEVENTH PARTY"), IRENE R. HERNANDEZ, an unmarried woman ("EIGHTH PARTY"), CRAIG T. TURNER and KAREN A. TURNER, husband and wife (collectively, "NINTH PARTY"), MANUEL E. HERNANDEZ and GUADALUPE HERNANDEZ, husband and wife (collectively, "TENTH PARTY"), REXFORD DELMAR REYNOLDS, Trustee OF THE REX D. REYNOLDS TRUST, UNDER DECLARATION OF TRUST DATED JULY 1, 1991 ("ELEVENTH PARTY"), with reference to the following facts:

*Handwritten initials and marks:*  
JMR  
llw  
J.S.  
W.H.G.

A. FIRST PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-052-003:

Lot 19 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-052-005:

Lot 18 of Tract No. 2345, as shown by map on file in

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DESCRIPTION APPROVAL 2/12/97  
Walter R. Jones by  
SURVEYOR, CITY OF RIVERSIDE

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Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-052-008:

Lot 17 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-091-002:

Lot 16 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-091-001:

Lot 1 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-052-010:

Lot 2 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-052-011:

Lot 3 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The above parcels of real property are located on Jackson Street, Riverside, California between Hendry Avenue and Andrew Street and are known as the Andrew Jackson Apartments. The parcels of real property identified as A.P.N. 233-052-003, 233-052-005, 233052-008 and 233-091-002 are located on the westerly side of an L-shaped alley extending from Hendry Avenue to Jackson Street as it runs substantially parallel with Jackson Street behind the apartments located on Jackson Street, and the parcels of real property identified as A.P. N. 233-091-001, 233-052-010 and 233-052-011 are located on the easterly side of said alley. The parcels located on the westerly side of the alley are developed with covered parking for the use and benefit of the apartments located on the easterly side of said alley.

B. SECOND PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

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A.P.N. 233-052-002:

Lot 20 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-052-012:

Lot 4 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-052-002 is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street, and the parcel of real property identified as A.P. N. 233-052-012 is located on the easterly side of said alley. The parcel located on the westerly side of the alley is developed with covered parking for the use and benefit of the parcel located on the easterly side of said alley.

~~C. THIRD PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:~~

*Handwritten initials and scribbles*

~~A.P.N. 233-052-001:~~

~~Lot 5 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.~~

~~The parcel of real property identified as A.P.N. 233-052-001 is situated on Wilbur Street and is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street. The alley is used to access the covered parking for the subject parcel.~~

D. FOURTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-052-004:

Lot 6 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-052-004 is situated on Wilbur Street and is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street. The alley is used to access the covered parking for the subject parcel.

E. FIFTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-052-006:

Lot 7 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-052-006 is situated on Wilbur Street and is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street. The alley is used to access the covered parking for the subject parcel.

F. SIXTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-052-007:

Lot 8 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-052-007 is situated on Wilbur Street and is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street. The alley is used to access the covered parking for the subject parcel.

G. SEVENTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-052-009:

Lot 9 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

A.P.N. 233-091-003:

Lot 10 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcels of real property identified as A.P.N. 233-052-009 and 233-091-003 are situated on Wilbur Street and are located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson

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Street before it makes an easterly right-angle turn to Jackson Street. The alley is used to access the covered parking for the subject parcels.

H. EIGHTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-091-004:

Lot 11 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-091-004 is situated on Wilbur Street and is located on the westerly side of an L-shaped alley extending from Hendry Avenue as it runs substantially parallel with Jackson Street and as it makes an easterly right-angle turn to Jackson Street. The alley is used to access the covered parking for the subject parcel.

I. NINTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-091-006:

Lot 13 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-091-006 is situated on Andrew Street and is located on the southerly side of an L-shaped alley extending from Hendry Avenue to Jackson Street as it makes an easterly right-angle turn to Jackson Street. The alley is used to access the covered parking for the subject parcel.

J. TENTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-091-007:

Lot 14 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-091-007 is situated on Andrew Street and is located on the southerly side of an L-shaped alley extending from Hendry Avenue to

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Jackson Street as it makes an easterly right-angle turn to Jackson Street. The alley is used to access the covered parking for the subject parcel.

K. ELEVENTH PARTY is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California:

A.P.N. 233-091-008:

Lot 15 of Tract No. 2345, as shown by map on file in Book 45, pages 85 and 86 of Maps, records of Riverside County, California.

The parcel of real property identified as A.P.N. 233-091-008 is situated on Andrew Street at its intersection with Jackson Street and is located on the southerly side of an L-shaped alley extending from Hendry Avenue to Jackson Street as it runs parallel to Andrew Street. The alley is used to access the covered parking for the subject parcel.

L. FIRST PARTY has filed an application with the City of Riverside ("CITY") in Vacation Case VC-006-945 to vacate the approximately 20-foot wide, L-shaped alley extending from Hendry Avenue to Jackson Street situated between Hendry Avenue and Andrew Street and Wilbur Street and Jackson Avenue.

M. CITY has approved that vacation of the approximately 20-foot-wide by approximately 560-foot-long alley situated between Hendry Avenue, Andrew Street, Wilbur Street and Jackson Street in Vacation Case VC-006-945 subject to certain conditions, including the following conditions:

(1) The Legal Department shall determine which, if any, nearby property owners will be significantly affected by the vacation action and the applicant shall provide the appropriate hold harmless documents to the specifications of the Legal Department.

(2) If the disposition of the vacated right of way is other than by operation of law, quitclaim deeds shall be exchanged indicating that disposition, subject to the approval of the Public Works and Legal Departments.

(3) An agreement guaranteeing the physical closure of the vacated right-of-way shall be signed and submitted by all adjacent owners to the specifications of the Public Works and Legal Departments. The details of the security gates shall be subject to approval of all affected property owners and the Public Works Department.

(4) An access and maintenance agreement acceptable

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to the Planning, Public Works and Legal Departments shall be recorded to insure access from the vacated alley to the affected properties. All necessary improvements and maintenance shall be the responsibility of the Andrew Jackson Apartments.

(5) The proposed security gates shall be located so as to provide a minimum of 40 feet of off-street stacking space.

(6) An Administrative Parcel Map Waiver is authorized to combine carport lots, the apartment properties on Jackson Street and the alley right-of-way to the specifications of the Planning and Public Works Departments.

N. The parties hereto wish in a single document to provide for the disposition of the vacated alley; to establish necessary easements to continue use of the alley following its vacation for access to and from the covered on-site parking as may be necessary for each parcel located on Wilbur Street and Andrew Street; to provide for the physical closure of the alley including the location of the security gates; to provide for the maintenance and repair of the alley following its vacation; to provide the necessary releases and indemnifications as may be required by CITY; and acknowledging that the properties located on Jackson Street will be combined with the respective carport lots located on the westerly side of the alley once said alley is vacated.

NOW, THEREFORE, incorporating the above recitals, the parties hereto mutually agree as follows:

1. Quitclaim of Interests in Vacated Alley.

~~(a) THIRD PARTY does hereby remise, release and forever quitclaim to SECOND PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:~~

*Handwritten initials and scribbles*

~~Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.~~

(b) FOURTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside,

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to the Planning, Public Works and Legal Departments shall be recorded to insure access from the vacated alley to the affected properties. All necessary improvements and maintenance shall be the responsibility of the Andrew Jackson Apartments.

(5) The proposed security gates shall be located so as to provide a minimum of 40 feet of off-street stacking space.

(6) An Administrative Parcel Map Waiver is authorized to combine carport lots, the apartment properties on Jackson Street and the alley right-of-way to the specifications of the Planning and Public Works Departments.

N. The parties hereto wish in a single document to provide for the disposition of the vacated alley; to establish necessary easements to continue use of the alley following its vacation for access to and from the covered on-site parking as may be necessary for each parcel located on Wilbur Street and Andrew Street; to provide for the physical closure of the alley including the location of the security gates; to provide for the maintenance and repair of the alley following its vacation; to provide the necessary releases and indemnifications as may be required by CITY; and acknowledging that the properties located on Jackson Street will be combined with the respective carport lots located on the westerly side of the alley once said alley is vacated.

NOW, THEREFORE, incorporating the above recitals, the parties hereto mutually agree as follows:

1. Quitclaim of Interests in Vacated Alley.

~~(a) THIRD PARTY does hereby remise, release and forever quitclaim to SECOND PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:~~

*Handwritten initials and scribbles*

~~Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.~~

(b) FOURTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside,



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State of California, described as follows:

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(c) FIFTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(d) SIXTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(e) SEVENTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(f) EIGHTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside,

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State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(f) NINTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(g) TENTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

(h) ELEVENTH PARTY does hereby remise, release and forever quitclaim to FIRST PARTY, their heirs, successors and assigns, all rights and interests except as hereinafter set forth in the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California.

2. Grant of Nonexclusive Access Easements by FIRST PARTY.

FIRST PARTY hereby grants to SECOND PARTY, ~~THIRD PARTY~~, FOURTH PARTY, FIFTY PARTY, SIXTH PARTY, SEVENTH PARTY, EIGHTH PARTY, NINTH

*Handwritten initials and signatures*

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PARTY, TENTH PARTY AND ELEVENTH PARTY and the respective heirs, successors and assigns of each such party, a private, nonexclusive easement for vehicular and pedestrian access over, along and across the paved alley situated on those portions of the parcels owned by FIRST PARTY described as Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California for the use and benefit of and as an easement appurtenant to the respective parcels owned by said parties as hereinabove described. The quitclaim of interests as set forth in Paragraph 1 of this Agreement shall not affect the granting of easements as set forth in this Paragraph 2, and the parties acknowledge that the granting of the easements herein described follow the quitclaiming of any interest in Paragraph 1.

3. Grant of Nonexclusive Access Easements by SECOND PARTY.

SECOND PARTY hereby grants to FIRST PARTY, ~~THIRD PARTY~~, FOURTH PARTY, FIFTH PARTY, SIXTH PARTY, SEVENTH PARTY, EIGHTH PARTY, NINTH PARTY, TENTH PARTY AND ELEVENTH PARTY and the respective heirs, successors and assigns of each such party, a private, nonexclusive easement for vehicular and pedestrian access over, along and across the paved alley situated on those portions of the parcels owned by SECOND PARTY described as Lot "D" of Tract 2345 as shown by map on file in Book 45 of Maps, Pages 85 and 86 thereof, records of Riverside County, California, together with Parcel 4 of those certain parcels of land conveyed to the City of Riverside for street purposes by document recorded September 8, 1961, as Instrument No. 77386 of Official Records of Riverside County, California for the use and benefit of and as an easement appurtenant to the respective parcels owned by said parties as hereinabove described. The quitclaim of interests as set forth in Paragraph 1 of this Agreement shall not affect the granting of easements as set forth in this Paragraph 2, and the parties acknowledge that the granting of the easements herein described follow the quitclaiming of any interest in Paragraph 1.

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4. Use of Vacated Alley.

The easement areas described hereinabove in Paragraphs 2 and 3 have been used as and shall continue to be used as a common driveway system to permit traffic circulation to and from Hendry Avenue and Jackson Street for pedestrians and motor vehicles for the use and benefit of the owners, leasees, tenants, licensees, employees and invitees of the parcels hereinabove described, and said driveway shall be kept in a free and open condition at all times to permit unimpeded access to or from Hendry Street and Jackson Street.

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5. Installation and Maintenance of Security Gates.

FIRST PARTY shall at the sole cost and expense of FIRST PARTY install security gates to provide for the physical closure of the vacated alley. The Jackson Street security gate will be located 40 feet from curblines, and the Hendry Avenue security will be located 91 feet from curblines.

Following the installation of the security gates, FIRST PARTY shall at the sole cost and expense of FIRST PARTY maintain the security gates in good working order and repair at all times.

Following the installation of the security gates, FIRST PARTY shall at the sole cost and expense of FIRST PARTY provide to the other parties for themselves and for the tenants of the properties of the other parties as hereinabove described such card key or other device as to allow entry through the security gates. FIRST PARTY may charge a reasonable fee for the replacement of any card key or other device as to allow entry through the security gates lost or stolen. FIRST PARTY may also provide to the tenants of the property of FIRST PARTY as hereinabove described a card key or other device as to allow entry through the security gates.

FIRST PARTY shall also be responsible for allowing entry through the security gates of any service and repair personnel and vehicles as may be necessary for any of the properties hereinbefore described, including solid waste collection and utility meter readers, and for emergency vehicles.

The responsibilities and obligations herein described of FIRST PARTY shall run with the real property of FIRST PARTY as hereinabove described in Paragraph A; provided, however, in the event FIRST PARTY shall sell or otherwise convey any of the parcels of the real property as above-described or as said property may hereinafter be reconfigured, FIRST PARTY may apportion the responsibility for the repair and maintenance to such successor of such parcel in such proportion as the area of such parcel conveyed to another is to the total of the area of the property of FIRST PARTY as hereinabove described.

6. Maintenance of Driveway Area.

FIRST PARTY shall at the sole cost and expense of FIRST PARTY maintain in good condition and repair the entire portion of the alley vacated by City in Vacation Case VC-006-945. Such driveway area shall be kept to the reasonable standards of CITY for driveways. Such maintenance shall include the prompt removal of any debris or trash on the driveway area as well as the repair of potholes and other damage.

The responsibilities and obligations herein described of FIRST PARTY shall run with the real property of FIRST PARTY as

hereinabove described in Paragraph A; provided, however, in the event FIRST PARTY shall sell or otherwise convey any of the parcels of the real property as above-described or as said property may hereinafter be reconfigured, FIRST PARTY may apportion the responsibility for the repair and maintenance to such successor of such parcel in such proportion as the area of such parcel conveyed to another is to the total of the area of the property of FIRST PARTY as hereinabove described.

7. Release.

Vacation Case VC-006-945 involves the request to vacate an alley situated between Hendry Avenue and Andrew Street and Wilbur Street and Jackson Street within the City of Riverside, which alley to be vacated is shown on the map attached hereto as Exhibit A, and incorporated herein by this reference.

The parties hereto, as the fee owners of the adjacent real property potentially affected by such vacation and the termination of the public access thereto, hereby release the City of Riverside, its officers and employees from any and all claims, demands, suits or causes of action that each such party and the respective heirs, successors or assigns of such party may have, now or in the future, arising out of or incurred as a result of CITY approving the vacation of the alley in the above-referenced case and the termination of the public use said alley or arising from or as a consequence of any loss of access due to the vacation of said public alley.

8. Indemnification.

FIRST PARTY filed an application with CITY in Vacation Case VC-006-945 to vacate and terminate the right of public use of the alley situated between Hendry Avenue and Andrew Street and Wilbur Street and Jackson Street within the City of Riverside. In consideration of the vacation of the alley in said vacation case, FIRST PARTY shall defend, indemnify and hold harmless CITY, its officers and employees from any and all liabilities, expenses, claims or causes of action arising out of or alleged to be caused by or resulting from CITY vacating and terminating the public alley and any loss of access due to such vacation and termination.

9. Administrative Parcel Map Waiver.

FIRST PARTY and SECOND PARTY acknowledge that an Administrative Parcel Map Waiver has been authorized to combine carport lots, the apartment properties on Jackson Street and the alley right-of-way being vacated and owned or to be owned by said parties. FIRST PARTY and SECOND PARTY agree with CITY that concurrently with the execution of this Agreement said parties will process the necessary parcel map waiver to combine certain of the properties owned by said parties so that no undevelopable parcels

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RIVERSIDE

CIA 1036

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MICROGRAPHICS DIVISION

RIVERSIDE

exist. FIRST PARTY and SECOND PARTY agree that the easements hereinabove granted in Paragraphs 2 and 3 above shall not be affected by the completion of the parcel map waivers and the reconfiguration of the parcels owned by such parties.

10. Not a Public Dedication.

Nothing herein contained shall be deemed to be a gift or dedication of any portion of the easements above granted to the general public or for the general public or for any public purposes whatsoever, it being the intention of the parties hereto that this Agreement shall be strictly limited to and for the purposes herein expressed.

11. Termination and Modification.

This Agreement is made and entered into for the purpose of complying with conditions imposed by CITY for the vacation of the alley in Vacation Case VC-006-945, and it shall not be extinguished, terminated, modified, amended, or altered in any way except with the prior written and recorded consent of the City Council of City.

12. SUCCESSORS.

This Agreement shall run with the land and shall be binding upon and inure to the benefit of all of the parties hereto and their respective heirs, successors and assigns with respect to the subject parcels, without any rights herein being deemed personal to any of them.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

FIRST PARTY:

Elwood M. Rich  
ELWOOD M. RICH

Lorna Rich  
LORNA RICH

THIRD PARTY:

KALLY WONG

SECOND PARTY:

Edwin H. Jacobson  
EDWIN H. JACOBSON, Trustee  
of THE JACOBSON FAMILY TRUST  
dated May 16, 1991

Janet E. Jacobson  
JANET E. JACOBSON, Trustee  
of THE JACOBSON FAMILY TRUST,  
dated May 16, 1991

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FOURTH PARTY:

5 June M. Chaney  
JUNE M. CHANEY, Trustee of  
the JUNE M. CHANEY TRUST

FIFTH PARTY:

HARRY E. KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SIXTH PARTY:

RONALD A. MUSSER

PATRICIA JEAN KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SEVENTH PARTY:

RONALD L. SHELLEY

EIGHTH PARTY:

Irene R. Hernandez  
IRENE R. HERNANDEZ

MARGARET SHELLEY

NINTH PARTY:

7 Craig T. Turner  
CRAIG T. TURNER  
Karen A. Turner  
KAREN A. TURNER

TENTH PARTY:

Manuel E. Hernandez  
MANUEL E. HERNANDEZ  
Guadalupe Hernandez  
GUADALUPE HERNANDEZ

ELEVENTH PARTY:

Rexford Delmar Reynolds, Trustee  
REXFORD DELMAR REYNOLDS,  
Trustee of the REX D.  
REYNOLDS TRUST

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MICROGRAPHICS DIVISION

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FOURTH PARTY:

5 June M. Chaney  
JUNE M. CHANEY, Trustee of  
the JUNE M. CHANEY TRUST

FIFTH PARTY:

✓ Harry E. Klein  
HARRY E. KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SIXTH PARTY:

RONALD A. MUSSER

✓ Patricia Jean Klein  
PATRICIA JEAN KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SEVENTH PARTY:

RONALD L. SHELLEY

EIGHTH PARTY:

Irene R. Hernandez  
IRENE R. HERNANDEZ

MARGARET SHELLEY

NINTH PARTY:

2 Craig T. Turner  
CRAIG T. TURNER

TENTH PARTY:

Manuel E. Hernandez  
MANUEL E. HERNANDEZ

2 Karen A. Turner  
KAREN A. TURNER

Guadalupe Hernandez  
GUADALUPE HERNANDEZ

ELEVENTH PARTY:

Rexford Delmar Reynolds  
REXFORD DELMAR REYNOLDS,  
Trustee of the REX D.  
REYNOLDS TRUST



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FOURTH PARTY:

5

June M. Chaney  
JUNE M. CHANEY, Trustee of  
the JUNE M. CHANEY TRUST

FIFTH PARTY:

HARRY E. KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SIXTH PARTY:

Ronald A. Musser  
RONALD A. MUSSER

PATRICIA JEAN KLEIN, Trustee  
of the KLEIN TRUST dated  
March 15, 1988

SEVENTH PARTY:

Ronald L. Shelley  
RONALD L. SHELLEY

EIGHTH PARTY:

Irene R. Hernandez  
IRENE R. HERNANDEZ

Margaret Shelley  
MARGARET SHELLEY

NINTH PARTY:

2

Craig T. Turner  
CRAIG T. TURNER

TENTH PARTY:

Manuel E. Hernandez  
MANUEL E. HERNANDEZ

2

Karen A. Turner  
KAREN A. TURNER

Guadalupe Hernandez  
GUADALUPE HERNANDEZ

ELEVENTH PARTY:

Rexford Delmar Reynolds, Trustee  
REXFORD DELMAR REYNOLDS,  
Trustee of the REX D.  
REYNOLDS TRUST

Approved as to Content:

*Michael Katuska*  
Public Works Department

Approved as to Content:

*R. A. S.*  
Planning Department

Approved as to Form:

*[Signature]*  
Assistant City Attorney

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COMPTON


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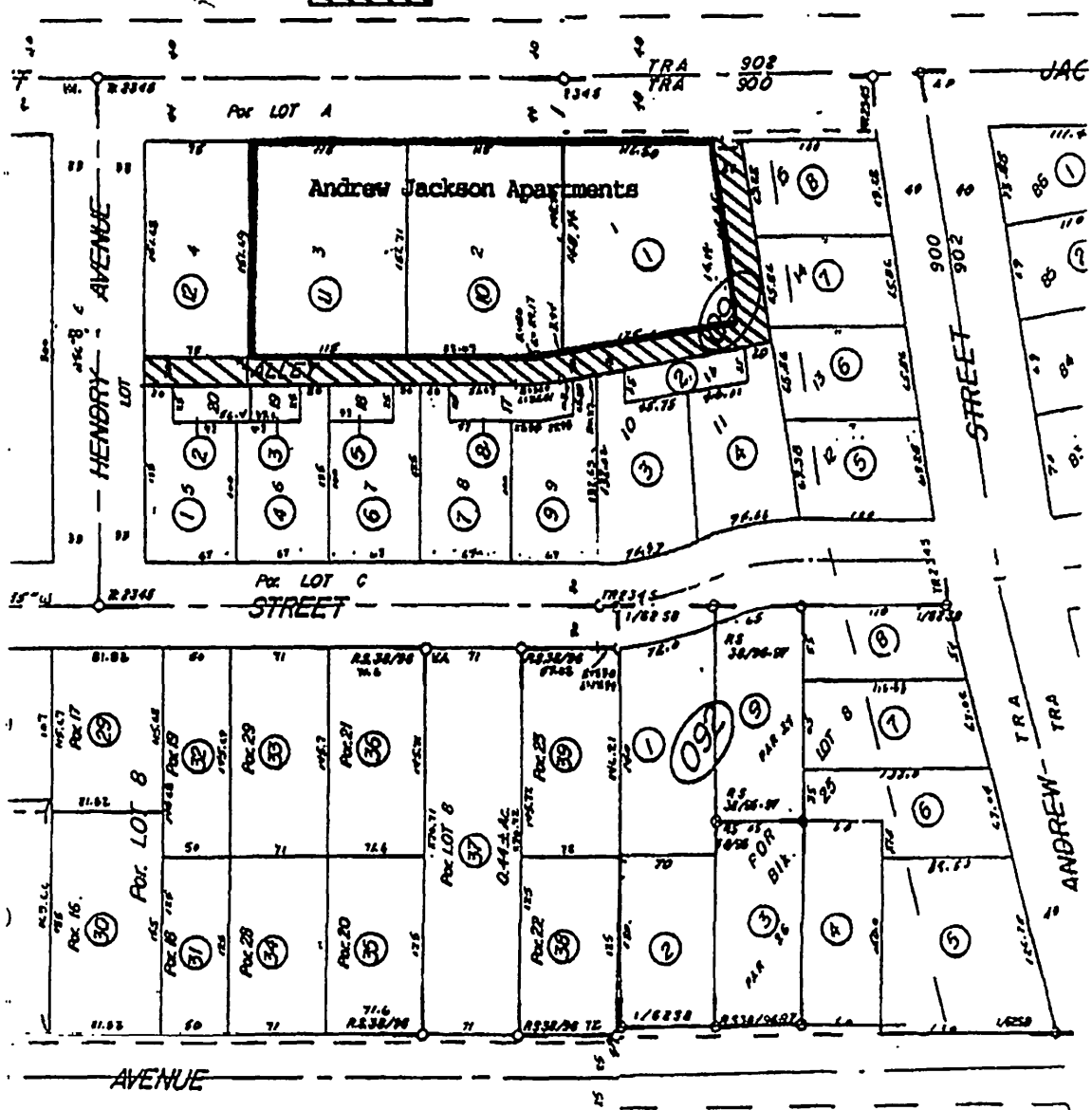
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RIVERSIDE

C/A 1036

TRA. 900

 Area to be vacated



R 1/62 S.B. Village of Arlington  
P 10/95 Arlington Acres  
45/85-86 Tract No. 2345  
38/96-97  
41/73

SSOR'S MAP BK 233 PG 09  
RIVERSIDE COUNTY, CALIF.

EXHIBIT A


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MICROGRAPHICS DIVISION

RIVERSIDE

C/A 1036

State of California )  
County of Riverside ) ss

On Monday 25, 1997, ~~1996~~, before me, a  
notary public in and for said State, personally appeared  
Edward M Rich & Lorena Rich

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.

Nancy Jimenez  
(Signature)

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual(s)
- Partner(s)  
     General       Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

\_\_\_\_\_

EDMUNDSON

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INSURANCE COMPANY  
MICROGRAPHICS DIVISION

RIVERSIDE

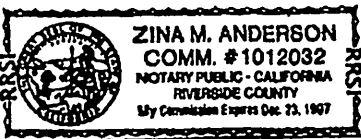
CLA 1036

State of California )  
County of Riverside ) ss

On March 18, 1996, 1996, before me, a  
notary public in and for said State, personally appeared  
EDWIN H. JACOBSON AND JANET E. JACOBSON

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.



Zina M. Anderson  
Signature

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
- ( ) Corporate Officer(s) Title \_\_\_\_\_ Title \_\_\_\_\_
- ( ) Guardian /Conservator
- ( ) Individual(s)
- ( ) Partner(s) ( ) General ( ) Limited
- (X) Trustee(s)
- ( ) Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

TRUSTEES OF THE JACOBSON FAMILY TRUST DATED MAY 18, 1991

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INSURANCE COMPANY  
MICROGRAPHICS DIVISION

RIVERSIDE

CLA 1036

State of California )  
County of Riverside ) ss

On March 14, 1996, 1996, before me, a  
notary public in and for said State, personally appeared  
JUNE M. CHANEY \* \* \* \* \*

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.

*Suzanne M. Briggs*  
Signature

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual(s)
- Partner(s)
- General       Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

THE JUNE M. CHANEY TRUST

COMM-3M

3 20 97

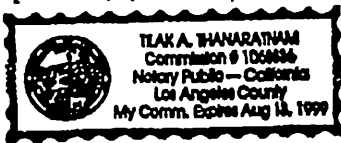
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MICROGRAPHICS DIVISION

RIVERSIDE

State of California )  
County of Los Angeles ) ss

On 7-15-96, 1996, before me, a  
notary public in and for said State, personally appeared  
Harry E. Klein, Trustee and Patricia Jean Klein, Trustee

~~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.

[Signature]  
Signature

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual(s)
- Partner(s)  
 General  Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

\_\_\_\_\_

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MICROGRAPHICS DIVISION

RIVERSIDE

State of California )  
County of Riverside ) ss

On July 27, 1996, before me, a  
notary public in and for said State, personally appeared

Ronald A. Musser

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.

Zina M Anderson  
Signature

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
- ( ) Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- ( ) Guardian /Conservator
- ( ) Individual (s)
- ( ) Partner(s)  
( ) General ( ) Limited
- ( ) Trustee(s)
- ( ) Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

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MICROGRAPHICS DIVISION

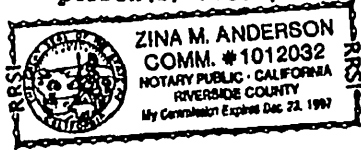
RIVERSIDE

CLA 1036

State of California )  
County of Riverside ) ss

On November 19, 1996 \_\_\_\_\_, 1996, before me, a  
notary public in and for said State, personally appeared  
RONALD L. SHELLEY AND MARGARET SHELLEY

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.

*Zina M. Anderson*  
Signature

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual(s)
- Partner(s)  
( ) General ( ) Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

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MICROGRAPHICS DIVISION

RIVERSIDE

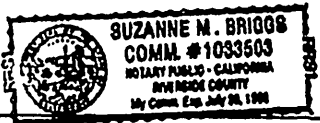
State of California )  
County of Riverside ) ss

On March 27, 1996, 1996, before me, a  
notary public in and for said State, personally appeared

\* \* \* \* \* IRENE R. HERNANDEZ \* \* \* \* \*  
\* \* \* \* \*

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.



*Suzanne M. Briggs*  
Signature

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual(s)
- Partner(s)  
     General       Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:  
\_\_\_\_\_

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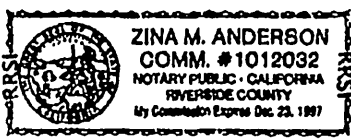
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State of CALIFORNIA )  
County of RIVERSIDE ) ss

On APRIL 9, 1996, 1996, before me, a  
notary public in and for said State, personally appeared  
CRAIG T. TURNER AND KAREN A. TURNER

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.

*Zina M. Anderson*  
Signature

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
- ( ) Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- ( ) Guardian /Conservator
- Individual(s)
- ( ) Partner(s)  
( ) General ( ) Limited
- ( ) Trustee(s)
- ( ) Other \_\_\_\_\_

The party(ies) executing this document is/are representing:

\_\_\_\_\_

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MICROGRAPHICS DIVISION

RIVERSIDE

State of California )  
County of Riverside ) ss

On April 11, 1996, 1996, before me, a

notary public in and for said State, personally appeared  
Manuel B. Hernandez and Guadalupe Hernandez \* \* \* \* \*

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.



*Suzanne M. Briggs*  
Signature

CAPACITY CLAIMED BY SIGNER

- ( ) Attorney-in-fact
- ( ) Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- ( ) Guardian /Conservator
- ( ) Individual(s)
- ( ) Partner(s)  
( ) General ( ) Limited
- ( ) Trustee(s)
- ( ) Other \_\_\_\_\_

The party(ies) executing this document is/are representing:  
\_\_\_\_\_

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MICROGRAPHICS DIVISION

RIVERSIDE

State of California )  
County of Riverside ) ss

On April 4, 1996, 1996, before me, a  
notary public in and for said State, personally appeared  
Rexford Delmar Reynolds, Trustee

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.



*Suzanne M. Briggs*  
Signature

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_ Title \_\_\_\_\_
- Guardian /Conservator
- Individual (s)
- Partner(s)
- General       Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing:  
\_\_\_\_\_

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