

STEWART TITLE-Riverside

DOC # 2008-0554501
10/15/2008 08:00A Fee: 48.00
Page 1 of 14

Recorded in Official Records
County of Riverside

Larry W. Ward
Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

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

Project: Lot Line Adjustment Case 29-023

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**COVENANT AND AGREEMENT AND DECLARATION
OF RESTRICTIONS AND AGREEMENT
ESTABLISHING AN EASEMENT FOR FIRE ACCESS**

48



A-520072

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS AND AGREEMENT ESTABLISHING AN EASEMENT FOR FIRE ACCESS is made and entered into this 9th day of July, 2008, by CALIFORNIA BAPTIST UNIVERSITY, a California corporation ("Declarant") with reference to the following facts:

A. Declarant is the fee owner of that certain real property located on Magnolia Avenue south of Adams Street and north of Monroe Street in the City of Riverside, County of Riverside, State of California, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

B. Declarant has submitted an application to the City of Riverside ("City") in Lot Line Adjustment Case No. 29-023, seeking to adjust the lot lines between parcels 2 and 3 of the property described in Exhibit "A" to be reflected in the new parcels as set forth and described in Exhibit "B" ("Property") attached hereto and incorporated herein by reference.

C. As a condition of approval of Lot Line Adjustment Case No. 29-023, in order for the buildings on the Property to maintain their required side setbacks, the City is requiring Declarant to execute and record a covenant and agreement and declaration of restrictions prohibiting the construction and/or installation of any structure, building or improvement on that portion of the Property described and depicted in Exhibits "C" and "D" attached hereto and incorporated herein by reference ("Restricted Property"), and further establishing a fire access easement on the Property, as depicted on Exhibit "D".

D. Declarant is willing to record this Covenant and Agreement and Declaration of Restrictions and Agreement Establishing an Easements for Fire Access ("Covenant") to permit the Lot Line Adjustment to be finalized and to put future owners on notice of the covenants, conditions, restrictions, limitations and easement affecting the Property.

CIA 1059

NOW, THEREFORE, Declarant hereby declares that the Property is and hereafter shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied, sold and improved subject to the following declarations, limitations, covenants, conditions, restrictions and easements, all of which are imposed as equitable servitudes for the purpose of enhancing and protecting the attractiveness of the Property, and for the purpose of complying with conditions imposed by the City in Lot Line Adjustment Case No. 29-023, and Declarant hereby covenants and agrees with the City that the Property is, and shall hereafter be held subject to the following covenants, conditions and restrictions:

1. Declarant hereby reserves, conveys and grants a permanent easement over and across the Restricted Property for the ingress and egress of fire vehicles and apparatus and other emergency vehicles ("Easement") over that portion of the Property shown on Exhibit "D" attached hereto and incorporated herein by reference.

2. No building, structure or other improvement may be installed, constructed or placed on the Restricted Property, other than the existing James Building, as described and depicted on Exhibits "C" and "D" attached hereto and incorporated herein by reference.

3. No fence, barricade, division, partition or obstruction of any type or kind shall be placed, kept, permitted or maintained in any manner as to interfere with the use of the Easement granted herein.

4. This Covenant may not be construed as providing a public dedication for the Easements or any portion of the Property.

5. This Covenant shall not be subject to the doctrine of merger, even though the underlying fee ownership of the Property described herein, or any parts thereof, is vested in one party or entity.

6. This Covenant shall run with the land and each and all of its terms shall be binding upon Declarant, its heirs, successors and assigns. Any person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed (a) to have consented and agreed to each and every covenant, condition, restriction, limitation and easement contained herein; and (b) to have been granted and be subject to the Easement described herein, whether or not any reference to this Covenant is contained in the instrument by which such person acquired an interest in the Property.

7. No modification, waiver, amendment, discharge, termination, or change of this Covenant, nor any of the provisions contained herein, shall be valid unless same is in writing, signed by the Declarant, its successors or assigns, and the Planning Director of the City, and recorded in Riverside County, California.

This document was filed for recording by STEWART TITLE OF CALIFORNIA, INC. INLAND EMPIRE DIVISION as an accommodation only. It has not been examined as to its effect upon the public recordability.

8. The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to costs of suit, including expenses, fees, costs and reasonable attorneys' fees.

9. Any person, whether an individual, corporation, association, partnership or otherwise, who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property, or to the property described in Exhibit "B", shall be deemed to have consented and agreed to the restrictions on the use of the Property and the easement all as set forth hereinabove.

IN WITNESS WHEREOF, the undersigned has executed this Covenant on the date first set forth above.

CALIFORNIA BAPTIST UNIVERSITY
a California corporation

By Mark Howe
Its: VP for Finance and Administration

By _____

Its:

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Gus Gonzalez
Gus Gonzalez
Planning Department

Kristi J. Smut
Kristi J. Smut
Deputy City Attorney

O:\Cycom\WPDocs\D027\001\00018755 WPD
CA 03-1286
07/08/08

This document was filed for recording by
STEWART TITLE OF CALIFORNIA, INC.
INLAND EMPIRE DIVISION as an
accommodation only. It has not been
examined as to execution or as to its
effect upon the law or its recordability.

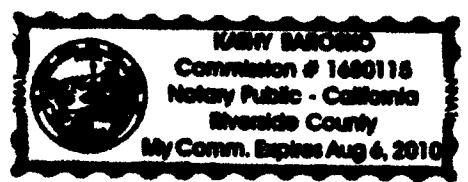
STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 7/9/08, before me, Kathy Barosko, Notary Public,
personally appeared Mark Howe who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kathy Barosko
Notary Signature



PENALTY OF PERJURY FOR NOTARY SEAL

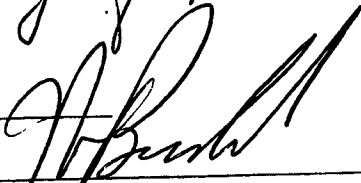
GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the Notary Seal on the document to which this statement is attached reads as follows:

NAME OF NOTARY Kathy Barosko / Commission # 1680115

DATE COMMISSION EXPIRES Aug. 6, 2010

PLACE OF EXECUTION County of Riverside

DATE: 12-14-08

(Signature) NORM BURDICK, V.P.

STEWART TITLE OF CALIFORNIA, INC., Inland Empire Division, a Ca. corp.
(Firm name-if any)

EXHIBIT "A"
EXISTING PARCEL DESCRIPTIONS

PARCEL 1: (APN: 231-030-09)

Parcel 1 of Parcel Map 22970, in the City of RIVERSIDE, County of RIVERSIDE, State of California, as per map recorded in Book 153, page(s) 34 through 35, of Parcel Maps, in the office of the County Recorder of Riverside County.

Excepting therefrom all rights to all minerals rights, including, but not limited to all oil, gas, hydrocarbon and similar materials, geothermal steam and steam power, within or underlying the property together with the right of development thereof; provided, however, that the rights herein reserved and excepted shall not include the right to enter upon the surface of the within described property, as reserved by California Baptist College in deed recorded November 30, 1990 as Instrument No. 436283, Official Records of Riverside County, California.

PARCEL 2: (APN: 231-030-10)

That portion of Parcel 2 of Parcel Map 22970, in the City of RIVERSIDE, County of RIVERSIDE, State of California, as per map recorded in Book 153, page(s) 34 through 35, of Parcel Maps, in the office of the County Recorder of Riverside County, more particularly described as follows:

Commencing at the Westerly corner of Lot 12, Block 23 of the Lands of the Riverside Land and Irrigating Company on file in Book 1, of Maps, page 72, thereof, Records of San Bernardino County, as shown by Map of Tract No. 18586 on file in Book 139 of Maps, Pages 80 through 81 thereof, Records of Riverside County, State of California;

Thence North 56° 00' 05" East, along the Northwesterly line of said Lot 12 as shown by said map of Tract No. 18586, a distance of 661.20 feet to the Northerly corner of said Lot 12, also being the Southerly corner of said Parcel 2 of Parcel Map No. 22970;

Thence North 33° 59' 31" West along the Westerly line of said Parcel 2, a distance of 220.00 feet, to an angle point therein;

Thence North 56° 00' 04" East, along said Westerly line of Parcel 2, a distance of 612.46 feet, to an angle point therein in said Westerly line of Parcel 2;

Thence North 33° 59' 30" West, along said Westerly line of Parcel 2, a distance of 223.00 feet, to the Point of Beginning;

Thence North 56° 00' 30" East, a distance of 215.00 feet;

Thence South 33° 59' 30" East, a distance of 140.00 feet;

Thence North 56° 00' 30" East, a distance of 494.94 feet, to the Northeasterly line of said Parcel 2;

Thence North 33° 59' 30" West, along said Northeasterly line, a distance of 1019.10 feet, to the Northerly corner of said Parcel 2; also being the Southeasterly line of Magnolia Avenue, 132.00 feet wide, as shown by said Parcel Map No. 22970;

Thence South 56° 00' 00" West, along the Northwesterly line of said Parcel 2, a distance of 709.94 feet, to the most Westerly corner of said Parcel 2;

Thence South 33° 59' 30" East, along said Westerly line of Parcel 2, a distance of 388.00 feet, to a point in said Westerly line which bears North 33° 59' 30" West, a distance of 491.00 feet from the Point of Beginning;

Thence North 56° 00' 30" East, a distance of 325.00 feet;
Thence South 33° 59' 30" East, a distance of 329.00 feet;
Thence South 56° 00' 30" West, a distance of 325.00 feet, to said Westerly line of Parcel 2;
Thence South 33° 59' 30" East, along said Westerly line, a distance of 162.00 feet, to the Point of Beginning.

PARCEL 3: (APN: 231-030-07)

That portion of Parcel 2 of Parcel Map 22970, in the City of RIVERSIDE, County of RIVERSIDE, State of California, as per map recorded in Book 153, page(s) 34 through 35, of Parcel Maps, in the office of the County Recorder of Riverside County, more particularly described as follows:

Commencing at the Westerly corner of Lot 12, Block 23 of the Lands of the Riverside Land and Irrigating Company on file in Book 1, of Maps, page 72, thereof, Records of San Bernardino County, as shown by Map of Tract No. 18586 on file in Book 139 of Maps, Pages 80 through 81 thereof, Records of Riverside County, State of California;

Thence North 56° 00' 05" East, along the Northwesterly line of said Lot 12 as shown by said map of Tract No. 18586, a distance of 661.20 feet to the Northerly corner of said Lot 12, also being the Southerly corner of said Parcel 2 of Parcel Map No. 22970;

Thence North 33° 59' 31" West along the Westerly line of said Parcel 2, a distance of 220.00 feet, to an angle point therein;

Thence North 56° 00' 04" East, along said Westerly line of Parcel 2, also being along the Southeasterly line of said Parcel 1, a distance of 612.46 feet, to an angle point therein in said Westerly line of Parcel 2;

Thence North 33° 59' 30" West along said Westerly line of Parcel 2, also being along the Northeasterly line of said Parcel 1, a distance of 385.00 feet, to the Point of Beginning;

Thence continuing North 33° 59' 30" West along said Westerly line of Parcel 2, a distance of 329.00 feet;

Thence North 56° 00' 30" East, a distance of 325.00 feet;

Thence South 33° 59' 30" East, a distance of 329.00 feet;

Thence South 56° 00' 30" West, a distance of 325.00 feet, to the Point of Beginning.

PARCEL 4: (APN: 231-030-08)

That portion of Parcel 2 of Parcel Map 22970, in the City of RIVERSIDE, County of RIVERSIDE, State of California, as per map recorded in Book 153, page(s) 34 through 35, of Parcel Maps, in the office of the County Recorder of Riverside County, more particularly described as follows:

Commencing at the Westerly corner of Lot 12, Block 23 of the Lands of the Riverside Land and Irrigating Company on file in Book 1, of Maps, page 72, thereof, Records of San Bernardino County, as shown by Map of Tract No. 18586 on file in Book 139 of Maps, Pages 80 through 81 thereof, Records of Riverside County, State of California;

Thence North 56° 00' 05" East, along the Northwesterly line of said Lot 12 as shown by said map of Tract No. 18586, a distance of 661.20 feet to the Northerly corner of said Lot 12, also being the Southerly corner of said Parcel 2 of Parcel Map No. 22970, being the point of beginning;

Thence North 33° 59' 31" West along the Westerly line of said Parcel 2, a distance of 220.00 feet, to an angle point therein, also being Southerly corner of Parcel 1 of said Parcel Map 22970;
Thence North 56° 00' 04" East along said Westerly line of Parcel 2, also being along the Southeasterly line of said Parcel 1, a distance of 612.46 feet, to an angle point therein in said Westerly line of Parcel 2;
Thence North 33° 59' 30" West, along said Westerly line of Parcel 2, a distance of 223.00 feet;
Thence North 56° 00' 30" East, a distance of 215.00 feet;
Thence South 33° 59' 30" East, a distance of 140.00 feet;
Thence North 56° 00' 30" East, a distance of 494.94 feet, to the Northeasterly line of said Parcel 2;
Thence South 33° 59' 30" East along said Northeasterly line, a distance of 302.92 feet, to Easterly corner of said Parcel 2, also being the Northerly corner of Lot 10, Block 23 of said Lands of Riverside Land and Irrigating Company as shown by said map of Tract No. 18586;
Thence South 56° 00' 04" West, along the Southeasterly line of said Parcel 2, also being along the Northwesterly line of said Lot 10 and along the Northwesterly line of Lot 11, Block 23 of said Lands of Riverside Land and Irrigating Company, a distance of 1322.40 feet, the Point of Beginning.

DESCRIPTION APPROVAL:

BY: K. Street 7/22/08
DATE

FOR: MARK S. BROWN
CITY SURVEYOR

EXHIBIT "B"
LOT LINE ADJUSTMENT NO. 29-023

PARCEL "A"

That portion of Parcel 1, of Lot Line Adjustment LL-010-990, in the City of Riverside, as recorded on April 14, 2000 as Instrument No. 139568 of Official Records, said Parcel 1, also shown as a portion of Parcel 1, of Parcel Map 22970, on file in Book 153, Pages 34 and 35, inclusive, of Parcel Maps, both in the Office of the Recorder of the County of Riverside, State of California, described as follows:

BEGINNING at the most Westerly corner of said Parcel 1, of said Lot Line Adjustment and said Parcel Map;

THENCE, along the Southwesterly line of said Parcel 1, South 33°59'31" East, a distance of 1101.98 feet to the Southeasterly line of said Parcel 1;

THENCE, along said Southeasterly line, North 56°00'03" East (North 55°59'59" East, as shown on said Parcel Map), a distance of 612.46 feet to the most Easterly corner of said Parcel 1;

THENCE, along the Northeasterly line of said Parcel 1, North 33°59'31" West, a distance of 183.85 feet;

THENCE, leaving said Northeasterly line, South 56°00'29" West, a distance of 172.44 feet;

THENCE, North 33°36'35" West, a distance of 446.13 feet to the beginning of a tangent 125.00 foot radius curve, concave Easterly;

THENCE, Northerly, along the arc of said curve, through a central angle of 45°00'00", a distance of 98.17 feet;

THENCE, North 11°23'25" East, a distance of 35.28 feet;

THENCE, North 56°00'29" East, a distance of 107.15 feet to said Northeasterly line of said Parcel 1, said course hereinafter referred to as "**COURSE "A"**";

THENCE, along said Northeasterly line, North 33°59'31" West, a distance of 359.11 feet to the Northwesterly line of said Parcel 1;

THENCE, along said Northwesterly line, South 55°59'59" West, a distance of 612.46 feet to the **POINT OF BEGINNING.**

The above-described parcel contains 13.356 acres, more or less.

PARCEL "B"

That portion of Parcel 2, of Lot Line Adjustment LL-010-990, in the City of Riverside, as recorded on April 14, 2000 as Document No. 2000-139568 of Official Records, said Parcel 2 also shown as a portion of Parcel 2, of Parcel Map 22970, on file in Book 153, Pages 34 and 35, inclusive, of Parcel Maps, both in the Office of the Recorder of the County of Riverside, State of California, described as follows:

BEGINNING at the most Westerly corner of said Parcel 2 of said Lot Line Adjustment and said Parcel Map;

THENCE, along the Northwesterly line of said Parcel 2, North 55°59'59" East, a distance of 709.94 feet to the Northeasterly line of said Parcel 2;

THENCE, along said Northeasterly line, South 34°00'18" East, a distance of 1019.10 feet to the most Easterly corner of said Parcel 2 of said Lot Line Adjustment;

THENCE, along the Southeasterly boundary of said Parcel 2, South 56°00'29" West, a distance of 495.17 feet to the most Southerly corner of said Parcel 2 of said Lot Line Adjustment;

THENCE, continuing along said Southeasterly boundary, North 33°59'31" West, a distance of 140.00 feet;

THENCE, continuing along said Southeasterly boundary, South 56°00'29" West, a distance of 133.75 feet;

THENCE, parallel with said Westerly line of Parcel 1 of said Parcel Map 22970, North 33°59'31" West, a distance of 162.00 feet to the Southeasterly boundary of Parcel 3 of said Lot Line Adjustment;

THENCE, along said Southeasterly boundary, North 56°00'29" East, a distance of 243.75 feet to the most Easterly corner of said Parcel 3;

THENCE, along the Northeasterly boundary of said Parcel 3 and the Northwesterly extension thereof, North 33°59'31" West, a distance of 357.89 feet an intersection with the Northeasterly extension of said **"COURSE "A"**;

THENCE, along said Northeasterly extension, South 56°00'29" West, a distance of 325.00 feet to the Southwesterly boundary of said Parcel 2 of said Lot Line Adjustment said boundary also being the Northeasterly boundary of said Parcel 1 of said Parcel Map;

THENCE, along said Southwesterly boundary, North 33°59'31" West, a distance of 359.11 feet to the **POINT OF BEGINNING**.

The above-described parcel contains 12.948 acres, more or less.

PARCEL "C"

That portion of Parcel 4, of Lot Line Adjustment LL-010-990, in the City of Riverside, as recorded on April 14, 2000 as Document No. 2000-139568 of Official Records, said Parcel also shown as a portion of Parcel 2, of Parcel Map 22970, on file in Book 153, Pages 34 and 35, inclusive, of Parcel Maps, both in the Office of the Recorder of the County of Riverside, State of California, described as follows:

BEGINNING at the most Easterly corner of said Parcel 4, of said Lot Line Adjustment;

THENCE, along the Southeasterly boundary of said Parcel 4, South 56°00'05" West, a distance of 1322.70 feet to the Southwesterly line of said Parcel 4 and said Parcel 2;

THENCE, along said Southwesterly boundary, North 33°59'31" West, a distance of 220.00 feet to the Northwesterly boundary of said Parcel 4, said Northwesterly boundary also being the Southeasterly boundary of said Parcel 1 of said Parcel Map;

THENCE, along said Northwesterly boundary, North 56°00'03" East, a distance of 612.46 feet to the Northeasterly line of said Parcel 1;

THENCE, along said Northeasterly boundary, North 33°59'31" West, a distance of 183.85 feet;

THENCE, leaving said Northeasterly line, North 56°00'29" East, a distance of 81.25 feet;

THENCE, North 33°59'31" West, a distance of 39.15 feet to said Northwesterly boundary of Parcel 4;

THENCE, continuing along said Northwesterly boundary, North 56°00'29" East, a distance of 133.75 feet to an angle point in said boundary;

THENCE, continuing along said Northwesterly boundary, South 33°59'31" East, a distance of 140.00 feet to an angle point in said boundary;

THENCE, continuing along said Northwesterly boundary, North 56°00'29" East, a distance of 495.17 feet to the Northeasterly boundary of said Parcels 2 and 4;

THENCE, along said Northeasterly boundary, South 34°00'18" East, a distance of 302.92 feet to the **POINT OF BEGINNING**.

The above-described parcel contains 8.651 acres, more or less.

PARCEL "D"

Those portions of Parcels 1, 2, 3 and 4 of Lot Line Adjustment LL-010-990, in the City of Riverside, as recorded on April 14, 2000 as Document No. 2000-139568 of Official Records, and being portions of Parcels 1 and 2 of Parcel Map 22970, on file in Book 153, Pages 34 and 35, inclusive, of Parcel Maps, both in the Office of the Recorder of the County of Riverside, State of California, more particularly described as follows:

COMMENCING at the most Northerly corner of Parcel 1 of said Parcel Map 22970;

THENCE, along the Northeasterly line of said Parcel 1, South 33°59'31" East, a distance of 359.11 feet to the Northeasterly terminus of said "COURSE "A", said Northeasterly terminus also being the **TRUE POINT OF BEGINNING**;

THENCE, North 56°00'29" East, a distance of 325.00 feet to an intersection with said Northwesterly extension of said Northeasterly line of said Parcel 3;

THENCE, along said extension and said Northeasterly line of said Parcel 3, South 33°59'31" East, a distance of 357.89 feet to the most Easterly corner of said Parcel 3;

THENCE, along the Southeasterly line of said Parcel 3, South 56°00'29" West, a distance of 243.75 feet;

THENCE, leaving said Southeasterly line, South 33°59'31" East, a distance of 201.15 feet;

THENCE, South 56°00'29" West, a distance of 253.69 feet;

THENCE, North 33°36'35" West, a distance of 446.13 feet to the beginning of a tangent 125.00 foot radius curve, concave Easterly;

THENCE, Northerly, along the arc of said curve, through a central angle of 45°00'00", a distance of 98.17 feet;

THENCE, North 11°23'25" East, a distance of 35.28 feet to the Southwesterly terminus of said "COURSE "A";

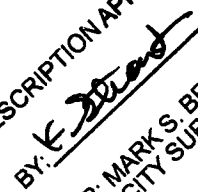
THENCE, along said **COURSE "A"**, North 56°00'29" East, a distance of 107.15 feet to the **TRUE POINT OF BEGINNING**

The above-described parcel contains 5.184 acres, more or less.


Robert A. Stockton, RCE 33591

7/17/08
Date



DESCRIPTION APPROVAL: 7/22/08
DATE
BY: 
FOR: MARK S. BROWN
CITY SURVEYOR

CIA 1059

EXHIBIT "C"
SHARED SIDE YARD FIRE ACCESS

Those portions of Parcels 2 and 3 of Lot Line Adjustment LL-010-990, in the City of Riverside, as recorded on April 14, 2000 as Document No. 2000-139568 of Official Records, said Parcels 2 and 3 also being a portion of Parcel 2, of Parcel Map 22970, on file in Book 153, Pages 34 and 35, inclusive, of Parcel Maps, both in the Office of the Recorder of the County of Riverside, State of California, more particularly described as follows:

A parcel of land 60.00 feet wide, lying 26.8 feet Westerly of and 33.2 Easterly of, as measured at right angles to, the follow described line:

BEGINNING at the most Northerly corner of said Parcel 3 of said Lot Line Adjustment;

THENCE, along the Northeasterly line of said Parcel 3, South 33° 59'31" East, a distance of 48.47 feet to the **TRUE POINT OF BEGINNING**;

THENCE, continuing South 33° 59'31" East, a distance of 99.13 feet to the **END OF THIS LINE DESCRIPTION**.

The above-described parcel contains 5,948 square feet.

EXCEPTING THEREFROM any portion of the above-described parcel lying within any buildings or landscape features, as said buildings or landscape features now exist.

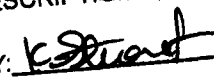
SEE EXHIBIT "D" ATTACHED HERETO AND MADE A PART THEREOF.


Robert A. Stockton, RCE 33591

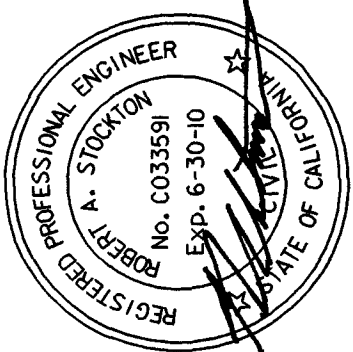
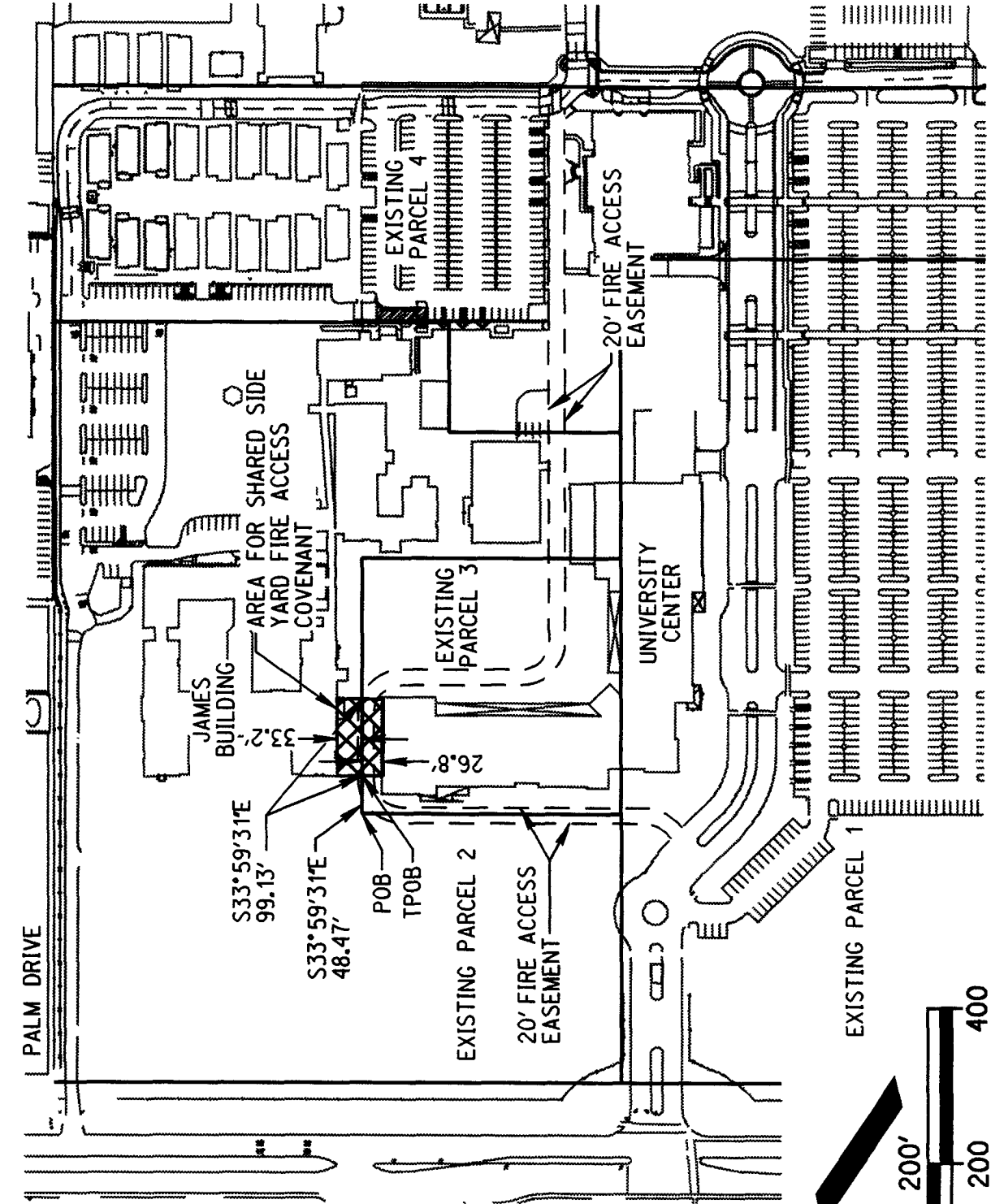
7/17/08
Date



DESCRIPTION APPROVAL:

BY:  7/22/2008
DATE

FOR: MARK S. BROWN
CITY SURVEYOR

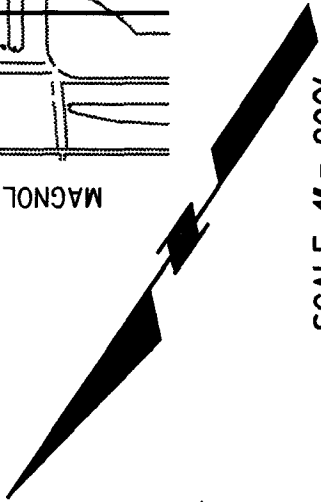


WAYNE COURT

MAGNOLIA AVE

EXHIBIT 'D'

67/143



SCALE: 1" = 200'



1223 UNIVERSITY AVENUE - SUITE 240
 RIVERSIDE, CA 92507
 951.782.0707
 (FAX) 951.782.0723



San Diego Orange Sacramento Phoenix Tucson
 rickengineering.com

EXHIBIT 'D'
 SHARED SIDE YARD

DATE: JUL 1, 2008

SCALE: 1"=200'

CIA 1059