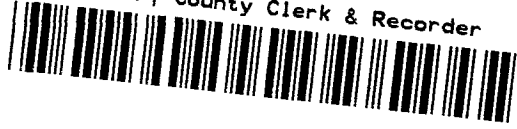


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 12/02/2008 08:00A Fee:24.00  
 Page 1 of 6

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, CA 92522

Project: 14779 Wood Road  
 P07-1060  
 APN: 276-100-009

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COVENANT AND AGREEMENT AND  
 GRANT OF EASEMENT

25



This Covenant and Agreement and Grant of Easement ("Covenant") is made and entered into this 18<sup>th</sup> day of November 200\_\_, by STEVE SIGLOCH and CHANCY SIGLOCH, husband and wife as joint tenants, collectively ("Declarant"), with reference to the following facts:

A. Declarant is the fee owner of that certain real property (the "Property") located in the City of Riverside, County of Riverside, State of California, described in the attached Exhibit "A" which is incorporated herein and made a part hereof.

B. An application has been filed by the Declarant with the City of Riverside ("City") under Case No. P07-1060 for a grading permit for the construction of a single family residence.

C. As a condition to the approval by the City in Case No. P07-1060 Declarant is required to prepare and record a covenant and agreement which places a portion of the property in a natural open space easement and prohibits any grading, buildings, fencing, structures or non-native vegetation in the easement area or the planting of any plant species prohibited under the Multi-Species Habitat Conservation Plan ("MSHCP") on the Property.

NOW, THEREFORE, for the purpose of complying with the conditions imposed by the City for the approval of the Case No. P07-1060, Declarant hereby covenants and agrees that the Property is, and shall hereafter be held, transferred, sold, conveyed, hypothecated, encumbered, leased, rented, improved, used and occupied subject to the following declarations, limitations, covenants, conditions and restrictions:

1. Declarant hereby establishes, grants, conveys and reserves an open space easement over all that portion of the Property depicted in Exhibit "B" attached hereto and incorporated herein by reference. No grading, buildings, fencing, structures, or non-native vegetation shall be

CIA 1064

permitted within said easement area and the planting of any plant species prohibited under the MSHCP is prohibited anywhere on the Property.

2. 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.

3. Subject to the prior written approval of the City, by its Planning Director, any provision contained herein, may be terminated, modified or amended as to all of the Property or any portion thereof. No such termination, modification or amendment shall be effective until there shall have been executed, acknowledged and recorded in the Office of the Recorder of Riverside County, California, an appropriate instrument evidencing the same including the consent thereto by the City.

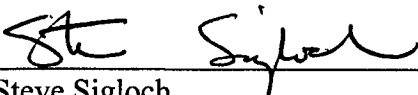
4. Any person, whether an individual, corporation, association, partnership, or otherwise, who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed to have consented and agreed to the restrictions on the use of the Property as set forth herein above.

5. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City, and its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

6. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, their heirs, successors, and assigns, and shall continue in effect until such time as released by the Planning Director of the City, or its designee, by a writing duly recorded.

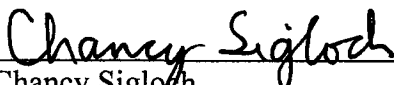
IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement and Declaration of Restrictions to be executed as of the day and year first written above.

STEVE SIGLOCH

  
\_\_\_\_\_  
Steve Sigloch

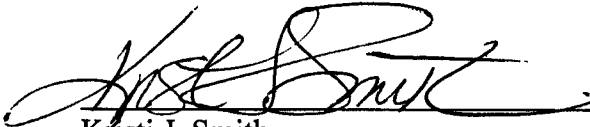
~~CHANCEY SIGLOCH~~  
CHANCY

c.s  
ss.

  
\_\_\_\_\_  
Chancy Sigloch

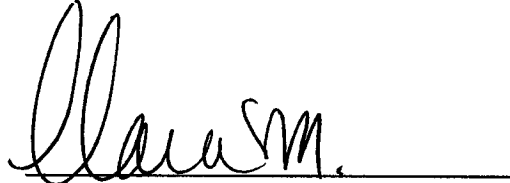


APPROVED AS TO FORM



Kristi J. Smith  
Supervising Deputy City Attorney

APPROVED AS TO CONTENT



Clara Miramontes  
Planning Division

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CA: 08-2624  
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ACKNOWLEDGMENT

State of California  
County of RIVERSIDE)

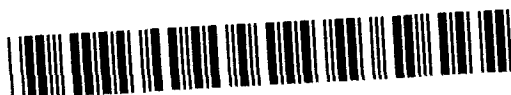
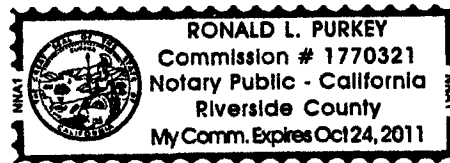
On NOVEMBER 18, 2008, before me, RONALD L. PURKEY, a

notary public, personally appeared STEVE SIGLOCH AND CHANCY SIGLOCH, 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.

*Ronald L. Purkey* (SEAL)  
Signature



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**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Parcel 2 and Lettered Lot B of Parcel Map No. 13473 as shown by map on file in Book 72 pages 65 and 66 of Maps, Records of Riverside County, California.

DESCRIPTION APPROVAL

 12/1/08

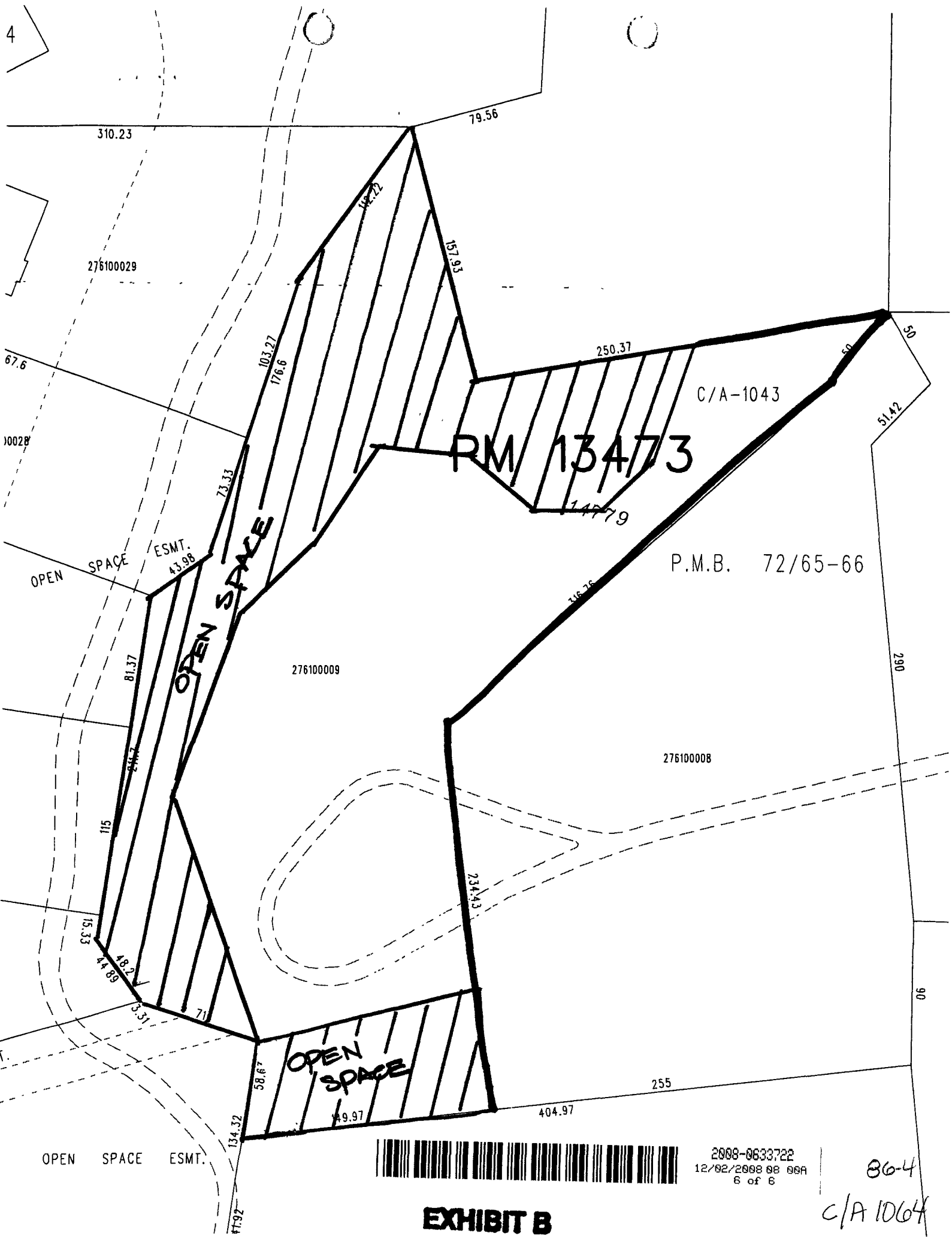
MARK S. BROWN  
CITY SURVEYOR

DATE



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12/02/2008 08 00A  
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C/A 1064



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C/A-1043

RM 13473

P.M.B. 72/65-66

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OPEN

SPACE

ESMT.  
43.98

OPEN SPACE

OPEN SPACE

OPEN SPACE ESMT.



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12/02/2008 08 00A  
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EXHIBIT B

86-4  
C/A 1064