

WHEN RECORDED MAIL T

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

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20 Min. Past 12 o'clock P.M.
At Request of
SOMERS
Book 1984, Page

AUG 22 1984

Recorded in Official Records
of Riverside County, California

William S. Somers
Recorder
Fees \$

COVENANT AND AGREEMENT AND RELEASE

Van Buren Boulevard Future Median
Parcel Map No. 20022

This Covenant and Agreement and Release is made and entered into this day of AUGUST 6, 1984, by ROBERT H. SOMERS and RICHARD B. SOMERS, trustees under that certain Declaration of Trust dated July 28, 1977, the owners of record of the following described real property located in the City of Riverside, County of Riverside, State of California, hereinafter referred to as "the property".

That portion of Lot 22 of Alcazar as per map recorded in Book 16, Pages 31 thru 34 inclusive, of Maps, Riverside County Records, which lies Southerly of the Southerly line of that certain strip of land 40.00 feet in width conveyed to the County of Riverside, by deed recorded January 20, 1954 as Instrument No. 3102 of Official Records of Riverside County.

Together with that portion of Lot JJ (Utica Avenue Vacated) of said Alcazar Tract, described as follows:

Bounded Westerly by the Easterly boundary of Sierra Foothills No. 11, as shown by map on file in Book 39 of Maps, pages 15 thru 17, inclusive thereof, Records of said Riverside County;

Bounded Southerly by the Westerly prolongation of the Southerly line of said Lot 22;

Bounded Easterly by the Westerly line of said Lot 22;

Bounded Northerly by the Southerly line of said Instrument No. 3102.

Except therefrom that portion of said land contained in the deed to the City of Riverside, a municipal corporation, recorded January 28, 1983 as Instrument No. 18234 of Official Records of said Riverside County.

WHEREAS the property abuts the west side of Van Buren Boulevard; and

WHEREAS the City of Riverside plans to install a raised median within the center of Van Buren Boulevard; and

WHEREAS the construction of the raised median will eliminate access to the property from the northbound lanes of Van Buren Boulevard;

NOW, THEREFORE, the undersigned acknowledge and covenant and agree for themselves, their heirs, successors and assigns that the property will not be served by an opening in the raised median and release the City of Riverside from any and all claims, demands, suits or actions that the undersigned, their heirs, successors or assigns may have, now

DESCRIPTION APPROVAL: 7.25.84
George P. Hutchinson
SURVEYOR, CITY OF RIVERSIDE

or in the future, arising out of the construction of the median in Van Buren Boulevard.

It is further covenanted and agreed that in the event the median is not constructed in Van Buren Boulevard adjacent to the property at such time as the property is leased, sold, transferred or conveyed to another, the undersigned shall give prior written notice to the grantee that the property will not be served by an opening in the median to be constructed in Van Buren Boulevard.

The terms of this Covenant and Agreement and Release may be enforced by the City of Riverside, its successors and assigns. Should the City bring an action to enforce any of the terms of this Covenant and Agreement and Release, the prevailing party shall be entitled to reasonable attorneys' and expert witnesses' fees and other reasonable costs of suit.

This Covenant and Agreement and Release shall run with the land and each and all of its terms shall be binding upon the undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF the undersigned have caused this Covenant and Agreement and Release to be executed the day and year first written above.

[Signature]
ROBERT H. SOMERS, Trustee

[Signature]
RICHARD B. SOMERS, Trustee

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

CAT. NO. NN00627
TO 1944 CA (7-82)



(Individual)

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } SS.

↑ STAPLE HERE ↓

On August 7, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT H. SOMERS AND RICHARD B. SOMERS

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose name are subscribed to the within instrument and acknowledged that ~~they~~ executed the same.

WITNESS my hand and official seal.

Signature [Signature]



(This area for official notarial seal)