

When Recorded Mail to:

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

11-2-84  
#238142

COPY

COVENANT AND AGREEMENT AND RELEASE  
VAN BUREN BOULEVARD FUTURE MEDIAN  
4975 VAN BUREN BOULEVARD, RIVERSIDE, CALIFORNIA  
C-2-823

*file 9-18-84*

This Covenant and Agreement and Release is made and entered into this day of , 1984, by Balwant S. Jhawar and Amarjit K. Jhawar, husband and wife as joint tenants, 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 34 of the Resubdivision of a portion of Arlington Suburban Estates as shown by map on file in Book 13, Page 75 of Maps, Riverside County Records, particularly described as follows:

Beginning at the Northwesterly corner of said Lot 34;

Thence North 55° 44' East along the Northwesterly line of said Lot 122 feet;

Thence South 34° 13' East 147.11 feet;

Thence South 55° 44' West 223.21 feet, to the most Southerly corner of said Lot;

Thence North 0° 21' East, 178.72 feet to the Point of Beginning.

Excepting therefrom that portion within Van Buren Boulevard, as conveyed to the City of Riverside in Book 2377, Page 521 of Official Records.

(Said land is shown as Parcel No. 1 shown by map on file in Book 30, Page 21 of Records of Survey of said County.)

And excepting therefrom all those portions as conveyed to the City of Riverside by a deed recorded September 7, 1984 as Instrument No. 196307 of Official Records of said Riverside County.

WHEREAS the property is adjacent to the easterly 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 southbound 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

CIA-116

of Riverside from any and all claims, demands, suits or actions that the undersigned, their heirs, successors or assigns may have, now or in the future, arising out of the construction of the median.

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.

\_\_\_\_\_  
BALWANT S. JHAWAR

\_\_\_\_\_  
AMARJIT K. JHAWAR

COPY

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney