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City of Riverside
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Riverside, California 92522

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JAN 17 1990

Recorded in Official Records
of Riverside County, California

William S. Eganly
Recorder
Fees \$ 13

GRANT OF EASEMENT
AND DECLARATION OF RESTRICTIONS

This Grant of Easement and Declaration of Restrictions is made and entered into this 16TH day of JANUARY, 1990, by DOUGLAS JACOBS and KAREN JACOBS, husband and wife as joint tenants, hereinafter referred to as the First Party, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California and hereinafter referred to as Parcel A:

That portion of Lot 2 in Block 28 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1 Page 70 of Maps, Records of San Bernardino County, California, described as follows:

COMMENCING at a point in the Southerly line of Indiana Avenue 80 feet wide, said point being the Northeasterly corner of said Lot 2;

Thence South 56° 00' West along the Southerly line of Indiana Avenue, a distance of 405.30 feet to a point thereon for the TRUE POINT OF BEGINNING;

Thence South 34° 00' East, a distance of 524.65 feet more or less to a point on the Northerly right-of-way line of the Atchison, Topeka and Santa Fe Railway Co.;

Thence South 67° 33' West along the Northerly line of said right-of-way to its intersection with the Easterly line of Hughes Alley;

Thence Northerly along the Easterly line of Hughes Alley, 474.65 feet to the Southerly line of Indiana Avenue;

Thence North 56° 00' East along the Southerly line of Indiana Avenue, a distance of 245.70 feet to the TRUE POINT OF BEGINNING;

TOGETHER WITH that portion of the Northeasterly 10.00 feet of said Lot 2 in Block 28 lying Northwesterly of said Northerly right-of-way line of the Atchison, Topeka and Santa Fe Railway Co.;

EXCEPTING THEREFROM that portion of said Lot 2 in Block 28 lying Southeasterly of a line which is parallel with and distant 44.00 feet Southeasterly, as measured at right angles, from the centerline of Indiana Avenue;

and by JACOBS DEVELOPMENT COMPANY, a California corporation, hereinafter referred to as the Second Party, the owner of record of the following described real property located in the City of Riverside, County of Riverside, State of California, and hereinafter referred to as Parcel B:

That portion of Lot 2 in Block 28 of the Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1 Page 70 of Maps, Records of San Bernardino County, California, described as follows:

COMMENCING at a point in the Southerly line of Indiana Avenue 80 feet wide, said point being the Northeasterly corner of said Lot 2;

Thence South 56° 00' 00" West, along the Southerly line of Indiana Avenue, a distance of 305.30 feet, to a point thereon for the TRUE POINT OF BEGINNING; said point also being the Northeasterly corner of that certain parcel of land conveyed to Walter W. Jameson by deed recorded in Book 629 Page 282 of Official Records of Riverside County, California;

Thence South 34° 00' 00" East, along the Easterly line of the aforementioned parcel a distance of 545.09 feet (recorded as 546.20) more or less, to the Southeasterly corner thereof; said point also being on the Northerly right-of-way line of the Atchison, Topeka and Santa Fe Railway Company;

Thence South 67° 33' 00" West, along said Northerly right-of-way line, a distance of 102.07 feet to a point thereof;

Thence North 45° 00' 00" West, and parallel with the Easterly line of the aforementioned parcel, a

distance of 524.65 feet, more or less, to a point on the Southerly line of Indiana Avenue;

Thence Northerly 56° 00' 00" East, along said Southerly line a distance of 100.00 feet to the POINT OF BEGINNING;

Except that portion described in deed to the City of Riverside by deed recorded May 11, 1984 as Instrument No. 99932 of Official Records of Riverside County, California.

WHEREAS Parcel A and Parcel B are contiguous parcels of real property situated on the southerly side of Indiana Avenue; and

WHEREAS Parcel A has been developed as a mini-warehouse; and

WHEREAS the Second Party desires to develop Parcel B as an expansion of the mini-warehouse now developed on Parcel A; and

WHEREAS the City has required, as a condition of approval of the development of Parcel B, that ingress and egress be provided for Parcel B over and across Parcel A; and

WHEREAS the parties hereto desire to restrict Parcels A and B with the nonexclusive easement and the obligations described herein;

NOW, THEREFORE, the parties hereto agree as follows:

1. For valuable consideration, receipt of which is hereby acknowledged, the First Party hereby grants to the Second Party, its successors and assigns, a nonexclusive easement appurtenant to Parcel B for ingress and egress by the owners, lessees and tenants of Parcel B or any part thereof and their invitees and guests, over and across Parcel A excluding therefrom that portion of Parcel A currently developed or developed in the future with buildings constructed pursuant to a building permit issued by the City of Riverside.

2. Nothing contained in paragraph 1 above shall limit the ability of the First Party to establish on Parcel A driveways, walkways, curbs, gutters, parking spaces and landscaped areas as approved by the City of Riverside, provided that each mini-warehouse unit to be located on Parcel B shall have access to and from Indiana Avenue over and across Parcel A.

3. The easement area described in paragraph 1 above shall be maintained in accordance with the standards of the City of Riverside for driveways and parking lots and in a good, usable and safe condition at all times.

4. In the event either parcel is sold or leased or the ownership is otherwise changed, as the parcels are conveyed, the

DESCRIPTION APPROVAL 1/10/90
 George P. Hutchinson by LGS
 SURVEYOR, CITY OF RIVERSIDE

grantor shall grant or reserve as appropriate, the above described ingress and egress easement. This Grant of Easement and Declaration of Restrictions shall continue in effect and shall not be merged by virtue of any common ownership of both parcels unless the two parcels are combined into one parcel by action of the City of Riverside.

5. The terms of this Grant of Easement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns, or by any owner, lessee or tenant of any portion of Parcel A or Parcel B. Should the City or any owner, lessee or tenant bring an action to enforce any of the terms of this Grant of Easement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witnesses' fees and reasonable costs of suit.

6. This Grant of Easement and Declaration of Restrictions is made and entered into for the purpose of complying with a condition of approval for the development of Parcel B and shall not be extinguished or altered in any way by the parties hereto or their successors or assigns without the prior written and recorded consent of the City Council of the City of Riverside.

7. This Grant of Easement and Declaration of Restrictions shall run with the land and shall be binding upon the undersigned, their successors and assigns.

IN WITNESS WHEREOF the First Party and the Second Party have caused this Grant of Easement and Declaration of Restrictions to be executed the day and year first written above.

FIRST PARTY

Douglas Jacobs
DOUGLAS JACOBS

Karen Jacobs
KAREN JACOBS

SECOND PARTY

JACOBS DEVELOPMENT COMPANY,
a California corporation

Doug Jacobs
Signature

Doug Jacobs
Printed Name

President Secretary
Title

APPROVED AS TO FORM:

Clarice Toney
Assistant City Attorney

Signature

Printed Name

Title