

RECORDING REQUEST:

ORANGE COAST TITLE CO.

WHEN RECORDED MAIL TO:

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

Project: Tract Map 23587

250675

RECEIVED FOR RECORD  
AT 3:00 O'CLOCK P.M.

JUL - 6 1990  
Recorded in Official Records  
of Riverside County, California  
*William S. Brown*  
Recorder  
Fees \$ 15

15/15

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS is made and entered into this 7<sup>th</sup> day of June, 1990, by LA SIERRA HILL, a California limited partnership (hereinafter referred to as the "Declarant") with respect to the following facts:

A. Declarant is the fee owner of certain real property located in the City of Riverside, County of Riverside, State of California, more particularly described in Exhibit A attached hereto and incorporated herein by this reference (hereinafter referred to as the "Property").

B. Declarant has submitted to the City of Riverside a tract map numbered Tract Map 23587 which shows the Property as a designated remainder parcel. A plat of Tract Map 23587 showing the designated remainder parcel is attached hereto as Exhibit B.

C. Section 66424.6 of the Government Code provides that when a subdivision, as defined in Section 66424, is a portion of any unit or units of improved or unimproved land, the subdivider may designate as a remainder that portion which is not divided for the purpose of sale, lease or financing. Said Section 66424.6 further

provides that for a designated remainder parcel, the fulfillment of construction requirements for improvements shall not be required until a permit or other grant of approval for development of the remainder parcel is issued by the local agency, or, where provided, by local ordinance, until the construction of the improvements is required pursuant to an agreement between the subdivider and the local agency. The section also provides that a designated remainder may subsequently be sold without any further requirement of the filing of a parcel map or final map, but the local agency may require a Certificate of Compliance or a Conditional Certificate of Compliance.

D. As a condition of approval of Tract Map 23587, the City of Riverside has required a Certificate of Compliance be recorded before the designated remainder parcel may be sold, conveyed or developed. The City of Riverside has determined that any deferred street improvements will be required at that time; however, the improvements to be installed may be modified to reflect the prevailing policies and requirements in effect at the time the Certificate of Compliance is recorded. The City of Riverside has also required the recordation of a notice setting forth this condition of approval for Tract Map 23587.

NOW, THEREFORE, for the purpose of complying with one of the conditions imposed by the City of Riverside for the approval of Tract Map 23587 and as authorized by Section 66424.6 of the Government Code of the State of California, the Declarant hereby covenants and agrees with the City of Riverside that the Property is not recognized by the City of Riverside for sale, lease, financing

## LEGAL DESCRIPTION

## REMAINDER

ALL that portion of the southwest quarter of Section 35, Township 2 South, Range 6 West, in Rancho La Sierra, City of Riverside, County of Riverside, State of California, as shown by Map on file in Book 6 at Page 70 of Maps, records of said County, more particularly described as follows;

COMMENCING at the intersection of the southerly line of the Northwest quarter of said Section 35 with the easterly line of Lot 21 of Tract 22633 as shown by Map on file in Book 195 at pages 87 through 89 of Maps, records of Riverside County, California, being also the TRUE POINT OF BEGINNING;

THENCE, southerly along said line of said Tract South  $23^{\circ}19'59''$  West 159.55 feet to a point 10.00 feet northerly from the centerline of Valley Drive as measured at right angles thereto,

THENCE, leaving said line of said Tract North  $80^{\circ}47'21''$  East 14.68 feet to the beginning of a tangent curve, concave southerly, having a radius of 510.00 feet;

THENCE, easterly along said curve an arc distance of 211.44 feet through a central angle of  $23^{\circ}45'13''$  to a point of reverse curvature with a curve, concave northerly, having a radius of 490.00 feet, a radial to said point bears North  $14^{\circ}32'34''$  East;

THENCE, easterly along last said curve an arc distance of 108.66 feet, through a central angle of  $12^{\circ}42'20''$ ;

THENCE, along a tangent of said curve South  $88^{\circ}09'46''$  East 243.40 feet to the beginning of a tangent curve, concave northerly, having a radius of 490.00 feet;

THENCE, easterly along said curve an arc distance of 148.97 feet through a central angle of  $17^{\circ}25'09''$ ;

THENCE, along a tangent of said curve North  $74^{\circ}25'05''$  East 68.36 feet to a point on the centerline of Jones Avenue as dedicated to the City of Riverside by Deed recorded July 27, 1979 as Instrument No. 158802, O.R., Riverside County, California, being a point on a non-tangent curve, concave northeasterly, having a radius of 400.00 feet, a radial to said point bears South  $75^{\circ}51'02''$  West;

THENCE, southerly along said curve an arc distance of 53.57 feet through a central angle of  $07^{\circ}40'26''$  to an intersection with the westerly prolongation of the northwesterly line of Lot 1 of Block 27 of said La Granada Tract;

THENCE, along said line of Lot 1 North  $68^{\circ}10'36''$  East 74.51 feet to a point in the northwesterly line of that certain parcel of land described as the second exception in Deed to Adam Faris recorded November 14, 1974 as Instrument No. 146629, O.R.;

THENCE, along said northwesterly line North  $44^{\circ}31'59''$  East 221.59 feet to a point in the southerly line of the Northwest quarter of said Section 35;

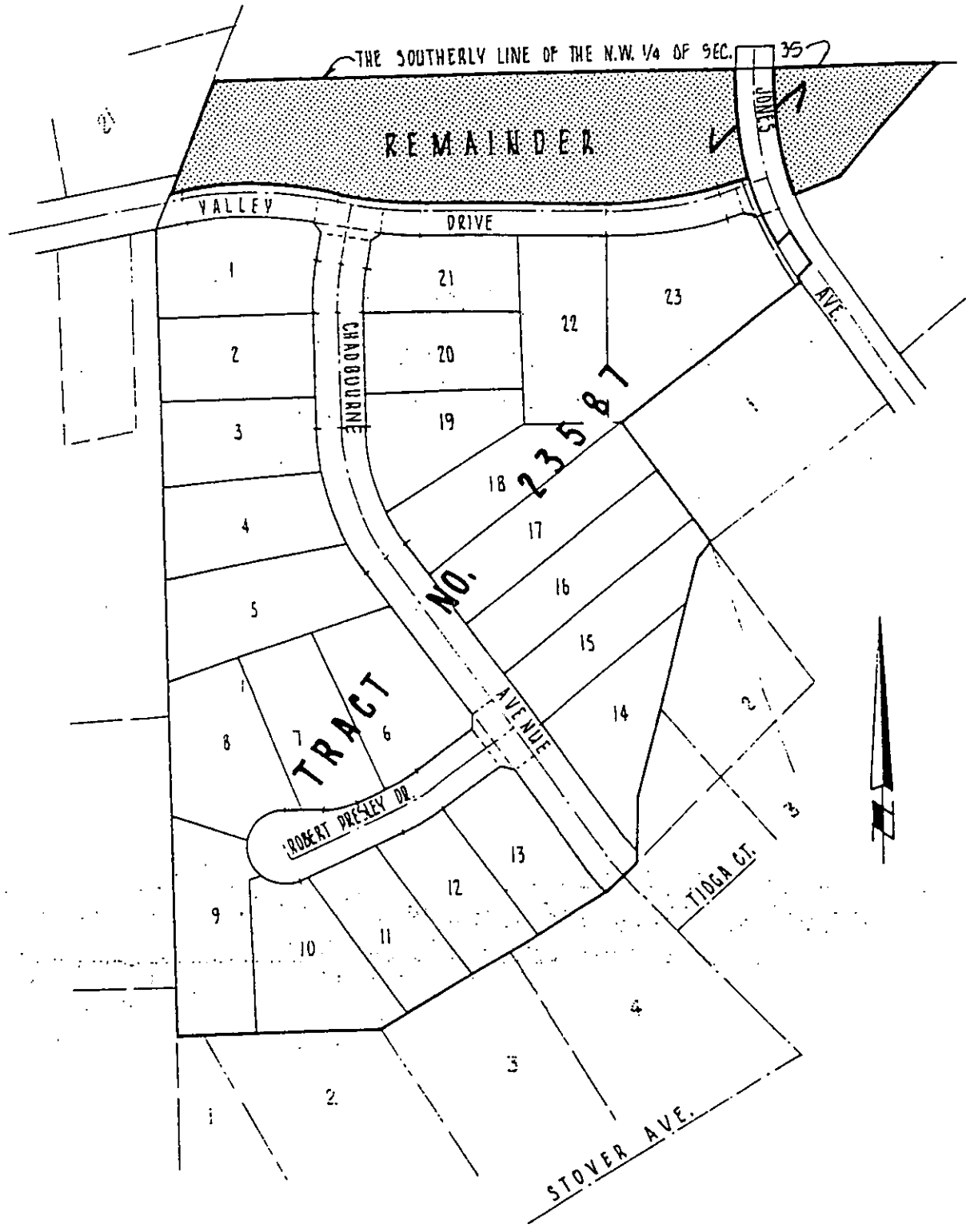
THENCE, along said southerly line North  $89^{\circ}37'34''$  West 965.91 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom any portion lying and being within said Jones Avenue, 50.00 feet wide.

DESCRIPTION APPROVAL 6/6/90  
*Walter R. Inyc*  
 SURVEYOR, CITY OF RIVERSIDE by \_\_\_\_\_



250675



**AE** ADKAN ENGINEERS  
 6830 AIRPORT DRIVE  
 RIVERSIDE, CA. 92504  
 (714)688-0241

EXHIBIT B

TRACT: 23587  
 REMAINDER PARCEL  
 CLIENT: ARLINGTON GROUP

JOB NO 3318  
 DRAWN BY: S. SHAW  
 DATE: 9-89  
 SCALE: N.T.S.

or development purposes without the following: (1) the recordation in the Office of the County Recorder of Riverside County, California, of a Certificate of Compliance; and (2) the provision for the construction of all improvements as may be required at the time of approval by the City of Riverside of the Certificate of Compliance.

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

This Declaration shall run with the land and shall be binding upon the Declarant, 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.

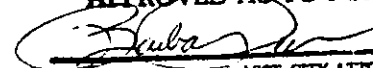
IN WITNESS WHEREOF the Declarant has caused this Declaration of Restrictions to be executed the day and year first above written.

LA SIERRA HILL, a California  
limited partnership,

BY   
Min C. Cho, General Partner

BP/2468A/jm  
5/29/90

APPROVED AS TO FORM

  
ASST. CITY ATTORNEY