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CITY CLERK  
CITY OF RIVERSIDE  
CITY HALL, 3900 MAIN STREET  
RIVERSIDE, CA 92522

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AT 8:00 O'CLOCK

JUL 26 1994

Recorded in Official Records  
of Riverside County, California  
Recorder  
Fees \$

14  
JR

Project: Rezoning Case No.  
R-49-889  
KMC Wheel Company  
7633 Cypress Avenue  
Riverside, CA 92503

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

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3  
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This Covenant and Agreement and Declaration of Restrictions is made and entered into this 18<sup>th</sup> day of October, 1993, by ROBERT R. MCMATH and MELODY KIM MCMATH, husband and wife, the owners of record of the following described real property, referred to herein as "the property" situated in the City of Riverside, County of Riverside, State of California:

PARCEL 1:

All that portion of Lot 278 of Camp Anza Subdivision No. 1, as shown by map on file in Book 22 pages 81 and 82 of Maps, records of Riverside County, California, particularly described as follows:

BEGINNING at a point which bears South 89 degrees 29' 30" East, 107 feet from the Northeast corner of Lot 0 (Corwell Street), said point being the Northeast corner of that certain parcel of land conveyed to the Six-Thirty Club of Arlington, California, a corporation, by deed recorded April 19, 1948 in Book 902 page 582 of Official Records of Riverside County, California;

THENCE continuing South 89 degrees 29' 30" East, to a point on the east line of said lot;

THENCE South along the east line of said lot, 173 feet;

THENCE on a curve concave to the Northwest, with a radius of 20 feet, through an angle of 90 degrees, an arc length of 31.42 feet to a point on the most Southerly line of said lot;

THENCE North 89 degrees 29' 30" West, along the most

Southerly line of said lot, 236.60 feet to a point, said point being the Southeast corner of said parcel so conveyed to the Six-Thirty Club of Arlington, California;  
 THENCE North 00 degrees 30' 30" East, along the Easterly line of said parcel so conveyed to the Six-Thirty Club of Arlington, California, 193 feet to the point of beginning;

EXCEPTING therefrom all uranium, thorium and all other materials pursuant to the Atomic Energy Act of 1946, with the right to enter upon such lands and prospect for, mine, and remove the same, as reserved in Deed from the United States of America to Edward P. Schulz, recorded February 9, 1948 in Book 892 page 469 of Official Records of Riverside County, California.

PARCEL 2:

That portion of Lot 278 of Camp Anza Subdivision No. 1, as shown by map on file in said Book and pages of Maps, records of Riverside County, California, Particular described as follows:

BEGINNING at the Northeast corner of Lot "O" of said Camp Anza Subdivision No. 1, as shown by map on file in said Book and page of Riverside County, California;  
 THENCE South 0 degrees 30' 30" West along the easterly line of said Lot "O", 173 feet;  
 THENCE on a curve concave to the Northeast, a radius of 20 feet through a central angle of 90 degrees, a distance of 31.42 feet, to a point on the most Southerly line of said Lot 278;  
 THENCE 89 degrees 29' 30" East along the most Southerly line of said Lot 278, 87 feet;  
 THENCE North 0 degrees 30' 30" East and parallel with the Easterly line of said Lot "O", 193 feet;  
 THENCE North 89 degrees 29' 30" West and parallel with the most Southerly line of said lot 278, 107 feet to the point of beginning;

EXCEPTING therefrom all uranium, thorium and all other materials pursuant to the Atomic Energy Act of 1946, with the right to enter upon such lands and prospect for, mine, and remove the same, as reserved in Deed from the United States of America to Edward F. Schulz, recorded February 9, 1948 in Book 892 page 469 of Official Records of Riverside County, California.

WHEREAS, the undersigned desire to develop the property in such a fashion requiring a change in zoning from C-3 to zone M-1; and

WHEREAS, the undersigned agree to restrict the use of the property in such a fashion that its use will be in compliance with all performance standards of zone MP (Manufacturing Park) and to

notify the City of Riverside in the event the undersigned elect to vacate the real property described herein.

NOW THEREFORE, the undersigned hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the property:

1. The herein described real property and facilities shall be used in such a fashion as to conform to all performance standards of zone MP as defined in paragraph 19.46.120 of the City of Riverside Municipal Zoning Code.
2. The undersigned shall notify the City of Riverside of their intention to vacate the premises in and when they elect to vacate the premises.

The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or 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 reasonable attorney's fees and expert witnesses' fees and other reasonable costs of suit.

This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon the undersigned, his 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 has caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

*Robert R. McMATH*

ROBERT R. MCMATH

*Melody Kim McMATH*

MELODY KIM MCMATH

APPROVED AS TO FORM:

*[Signature]* 10.29.93

ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 10/18, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT R. MCMATH and MELODY KIM MCMATH, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

Phyllis Helms Ermschar  
NOTARY PUBLIC

