

364877

Recording Requested By
CHICAGO TITLE COMPANY

WHEN RECORDED MAIL TO:

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

Project: Parcel Map 27909

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

SEP 22 1994

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$ 4

LM

(2)

SUPPLEMENTAL COVENANT AND AGREEMENT

THIS SUPPLEMENTAL COVENANT AND AGREEMENT is made and entered into this 16 day of AUGUST, 1994, by the SANTA ANA WATERSHED PROJECT AUTHORITY, a joint powers public agency ("Declarant") with reference to the following facts:

SR

A. Declarant is the fee owner of the real property (the "Property") consisting of two adjoining parcels located in the City of Riverside, County of Riverside, State of California, described as follows:

Parcel 1

Parcel 1 of Parcel Map 27909 as shown by map on file in Book 184 of Parcel Maps, at pages 9 and 10 thereof, records of Riverside County, California.

Parcel 2

Parcel 2 of Parcel Map 27909 as shown by map on file in Book 184 of Parcel Maps, at pages 9 and 10 thereof, records of Riverside County, California.

B. The Property is Parcel 4 of Parcel Map 23652 as shown by map on file in Book 173 of Parcel Maps, at pages 23 and 24 thereof, records of Riverside County, California, and is being divided into two parcels ("Parcel 1" and "Parcel 2", respectively) by Parcel Map 27909.

C. Parcel 4 of Parcel Map 23652 ("Parcel 4") was formerly part of a larger parcel upon which were situated two (2) large, double-faced advertising billboards ("Billboards"). That portion of the larger parcel upon which the Billboards were situated was retained in ownership by MARTIN COMMUNICATIONS, INC., a California corporation, PREMIER PARKING, INC., a California corporation, and LARRY WORCHELL, an individual (collectively, the "Billboard Property Owners"), and

DESCRIPTION APPROVAL 8/20/94
by [Signature]
SURVEYOR, CITY OF RIVERSIDE

includes a panhandle portion upon which the Billboards are situated (the "Panhandle Portion"), which Panhandle Portion extends along the northerly property line of the Property.

D. As a condition of the approval of Parcel Map 23652, the City of Riverside ("City") required that documentation be executed to the satisfaction of the Legal Department assuring that at such time as the Billboards on the Panhandle Portion of the property retained by the Billboard Property Owners are moved, said Panhandle Portion will be conveyed to Parcel 4 by parcel map waiver, but with no further Planning Commission action required.

E. By that certain instrument entitled "Grant of Easement and an Agreement to Quitclaim Interests in Real Property" dated July 25, 1988 ("Agreement") by and between the Billboard Property Owners and Declarant, Declarant granted to Billboard Property Owners a non-exclusive "floating" easement for vehicular ingress and egress and turn-around over and across Parcel 4 for the purpose of facilitating the maintenance of the Billboards. In that Agreement, Billboard Property Owners agreed that at such time as the Billboards are removed, Billboard Property Owners will duly execute and deliver a quitclaim or like writing that would convey to Declarant all of Billboard Property Owners' interest in and to the Panhandle Portion of the larger parcel retained in ownership by the Billboard Property Owners. Said Agreement was recorded July 28, 1988, as Instrument No. 211536, Official Records of Riverside County, California.

F. Since City required a further assurance that the Panhandle Portion of the property upon which the Billboards were located would be combined as part of Parcel 4 by parcel map waiver or similar procedure approved by City at such time as the Panhandle Portion is to be quitclaimed to Declarant, Billboard Property Owners and Declarant executed a Covenant and Agreement ("Covenant") dated December 31, 1990, and recorded September 8, 1992, as Instrument No. 337042, Official Records of Riverside County, California. The parties to said Covenant agreed to file with City a complete application for a parcel map waiver or other then existing procedure to combine the Panhandle Portion as more specifically described in Exhibit "B" to the Agreement with Parcel 4 and to take such actions as necessary to complete such process, and Declarant further agreed to pay to City such fees as may then be imposed for the processing of such application.

G. As a condition to the division of Parcel 4 into two parcels by Parcel Map 27909, City is requiring the covenant required under Parcel Map 23652 providing for conveyance of

the Panhandle Portion of the larger parcel retained in ownership by the Billboard Property Owners to Parcel 4 following removal of the Billboards, to be modified to convey the Panhandle Portion to the adjacent portions of Parcel 1 and Parcel 2 of Parcel Map 27909.

NOW, THEREFORE, incorporating the above recitals and for the purpose of complying with a condition imposed by City for the approval of Parcel Map 27909 and in consideration of such approval, Declarant hereby agrees as follows:

1. At such time as the Billboards located on the Panhandle Portion of the parcel retained in ownership by the Billboard Property Owners are removed and said Panhandle Portion is quitclaimed to Declarant in accordance with the provisions of the Agreement and Covenant above described, such Panhandle Portion shall by parcel map waiver or other then existing procedure be combined with the adjacent parcel of Parcel Map 27909 so that the portion of the Panhandle Property contiguous to Parcel 1 of Parcel Map 27909 will be combined with said Parcel 1, and that the portion of the Panhandle Property contiguous to Parcel 2 of Parcel Map 27909 will be combined with said Parcel 2.

2. This Supplemental Covenant and Agreement shall run with the land and shall be binding upon Declarant and Declarant's successors and assigns.

IN WITNESS WHEREOF Declarant has caused this Supplemental Covenant and Agreement to be executed the day and year first above written

SANTA ANA WATERSHED PROJECT
AUTHORITY, a joint powers public
agency

By Neil M. Climo

Title GEN MGR

By _____

Title _____

APPROVED AS TO FORM
Barbara J. [Signature]
ASST. CITY ATTORNEY