

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: Tract 27721

443798

RECEIVED FOR RECORD
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NOV 23 1994

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ 0

**COVENANT AND AGREEMENT
FOR ACCEPTANCE OF DRAINAGE WATERS**

This COVENANT AND AGREEMENT is made and entered into this 4th day of November, 1994, by REGIONAL PROPERTIES, INC., a California corporation, the fee owner of the real property (hereinafter referred to as the "Property") located in the City of Riverside, State of California, described as follows:

Parcel "A" of Certificate of Compliance recorded May 4, 1994 as Instrument No. 185008, Official Records of Riverside, California, more particularly described as follows:

That portion of Parcels 2, 4, 14 and 15 of Parcel Map 4806 as shown by map on file in Book 7 of Parcel Maps at pages 8 through 12 thereof, Records of Riverside County, California, described as follows:

Beginning at the centerline intersection of Alessandro Boulevard and Mission Grove Parkway South as shown on Record of Survey on file in Book 83 at pages 59 and 60 thereof, Records of Riverside County, California;

Thence N.89°50'17"E. along the centerline of said Alessandro Boulevard, also being the Northerly line of Section 17, Township 3 South, Range 4 West, S.B.M., a distance of 643.49 feet to the North one-quarter corner of said Section 17;

Thence N.89°49'36"E. continuing along said line, a distance of 556.51 feet;

Thence S.00°10'24"E., a distance of 281.09 feet;

Thence Southeasterly on a curve concave Northeasterly having a radius of 850.00 feet, through an angle of 34°29'42", an arc length of 511.74 feet;

Thence S.34°40'06"E., a distance of 177.57 feet;

Thence S.55°19'54"W., a distance of 111.02 feet;

Thence Southwesterly on a curve concave Northwesterly having a radius of 700.00 feet, through an angle of 34°30'16", an arc length of 421.55 feet;

Thence S.89°50'10"W., a distance of 246.91 feet;

Thence Southwesterly on a curve concave Southeasterly having a radius of 900.00 feet, through an angle of 19°09'53", an arc length of 301.04 feet;

Thence S.70°40'17"W., a distance of 263.71 feet to the centerline intersection of Mission Grove Parkway South and Mission Village Drive as shown on Parcel Map 26320 by map on file in Book 173 of Parcel

Maps at pages 40 through 50 thereof, Records of Riverside County, California;

443798

The following three (3) courses are along the centerline of said Mission Grove Parkway South;

Thence N.19°19'43"W., a distance of 351.16 feet;

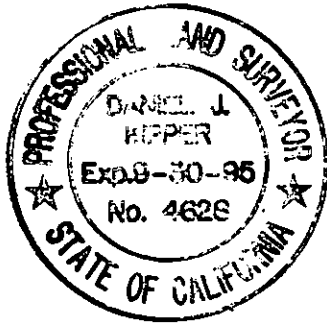
Thence Northwesterly on a curve concave Northeasterly having a radius of 1000.00 feet, through an angle of 19°10'00", an arc length of 334.52 feet;

Thence N.00°09'43"W., a distance of 571.18 feet to the Point of Beginning.

EXCEPTING THEREFROM that portion lying within Mission Grove Parkway South (Parcel 4) as shown on said Record of Survey as conveyed to the City of Riverside by deed recorded June 2, 1989 as Instrument No. 181683, Official Records of Riverside County, California.

ALSO EXCEPTING THEREFROM that portion lying within Alessandro Boulevard as shown on said Parcel Map 4806.

DESCRIPTION: APPROVAL 11/16/94
BY J.F. DAVIDSON
SURVEYOR, CITY OF RIVERSIDE



J. F. DAVIDSON ASSOCIATES, INC.

Prepared under the supervision of:

Daniel J. Kipper

Daniel J. Kipper

PLS NO. 4628

Date: 10-31-94

FOR VALUABLE CONSIDERATION the receipt of which is hereby acknowledged, the undersigned hereby agrees to accept upon the Property the surface storm flow and nuisance drainage waters (hereinafter referred to as "drainage waters") from Northrop Drive, a public street, which drainage waters are being conveyed through a drainage system consisting of a 6-foot wide concrete cross gutter located in said Northrop Drive, to an outlet located at the northerly end of said drainage system. The undersigned further covenants and agrees not to impede the flow of said drainage waters from the outlets onto the Property.

The undersigned hereby agrees to release the City of Riverside, its officers and employees from any and all claims, demands, suits or other actions that the undersigned may now or in the future have arising out of or incurred as a result of the drainage waters discharged from the aforementioned storm drain outlet flooding, flowing over, or remaining on the Property. The undersigned, for itself and its successors and assigns, waives any and all rights and benefits which it now has, or in the future may have, conferred upon it by virtue of the provisions of Section 1542 of the Civil Code of the State of California, which provides as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.

In this connection, the undersigned agrees, represents and warrants that it is familiar with, has read, and understands Civil Code Section 1542, and it realizes and acknowledges that factual matters now unknown to it may have given, or may hereafter give rise to claims, which are presently unknown, unanticipated and unsuspected, and that the undersigned further agrees, represents and warrants that this release has been negotiated and agreed upon, in light of that realization and that the undersigned nevertheless intends to release, discharge, and acquit the City from any such unknown claims which are in any way related to the discharge of drainage waters from the public storm drain outlet onto the Property.

This COVENANT AND AGREEMENT shall run with the land, and shall be binding upon the undersigned, its successors and assigns, and shall continue in effect until Northrop Drive is constructed northerly through the Property, or until such time as released by the Public Works Director of the City of Riverside in writings duly recorded.

IN WITNESS WHEREOF, the undersigned has caused this COVENANT AND AGREEMENT to be executed the day and year first above written.

REGIONAL PROPERTIES, INC.,
a California corporation

By:  _____

By:  _____

APPROVED AS TO CONTENT:

 _____
PUBLIC WORKS DEPARTMENT

APPROVED AS TO FORM:

 _____
ASSISTANT CITY ATTORNEY

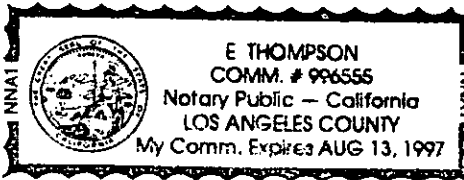
State of California
County of Los Angeles

On November 4, 1994 before me, E Thompson, Notary Public
(DATE) (NAME/TITLE OF OFFICER-i.e. "JANE DOE, NOTARY PUBLIC")
personally appeared Mark Rubin & Jack A.
(NAME(S) OF SIGNER(S))

Sweeney

personally known to me -OR-

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



(SEAL)

Witness my hand and official seal.

E Thompson
(SIGNATURE OF NOTARY)

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)

INDIVIDUAL(S)
 CORPORATE

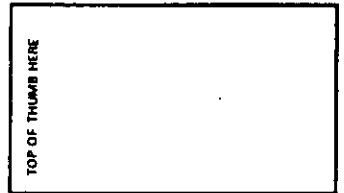
OFFICER(S) _____
(TITLE)

PARTNER(S) LIMITED
 GENERAL
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:

(Name of Person(s) or Entity(ies))

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)

INDIVIDUAL(S)
 CORPORATE President

OFFICER(S) V. President
(TITLE)

PARTNER(S) LIMITED
 GENERAL
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:

(Name of Person(s) or Entity(ies))

ATTENTION NOTARY

The information requested below and in the column to the right is OPTIONAL. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:
Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

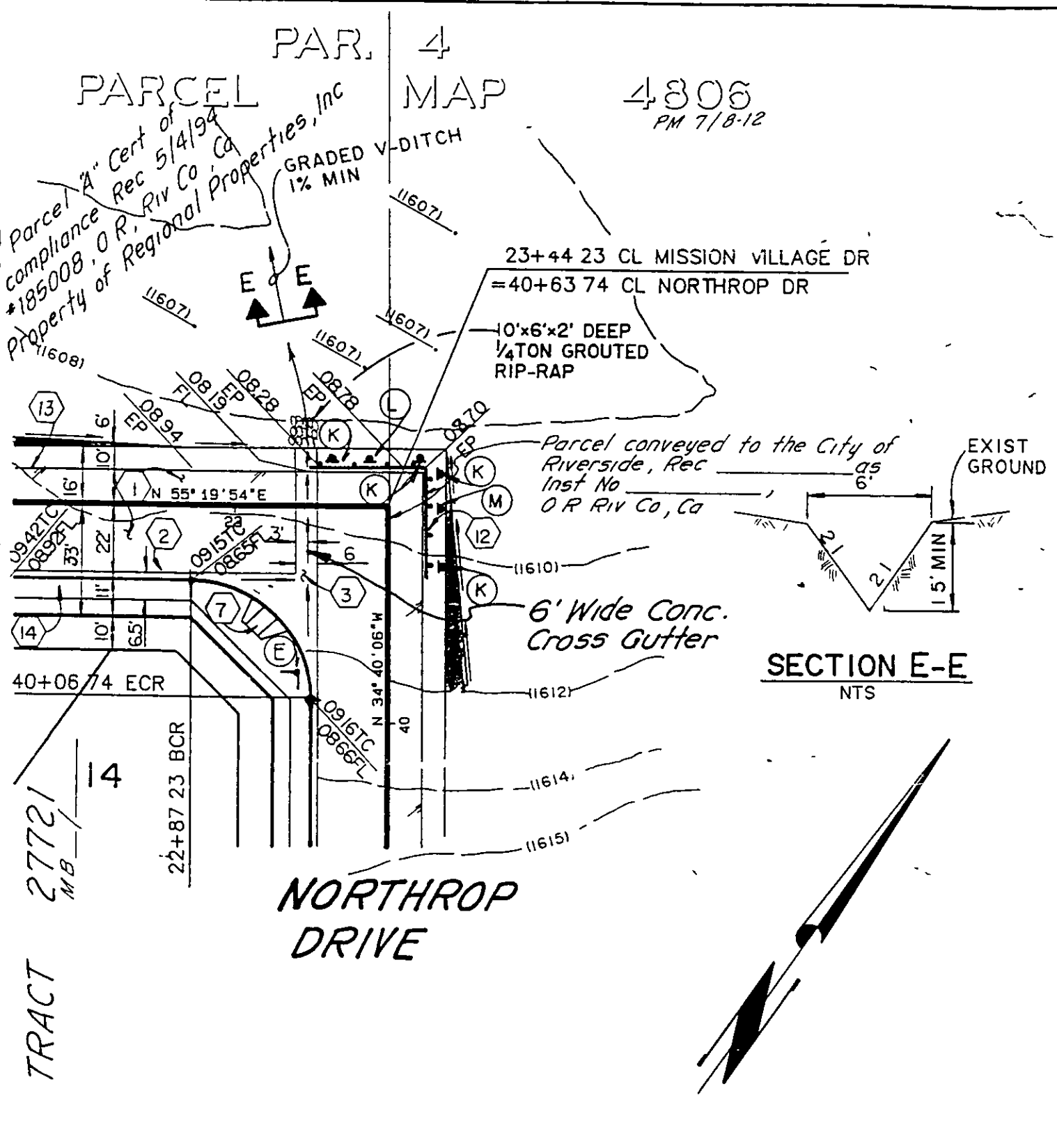


PAR. 4
MAP

4806
PM 7/8-12

MISSION VILLAGE DRIVE

Parcel "A" Cert of Compliance #185008, O.R. Riv Co, Ca Property of Regional Properties, Inc
Rec 5/4/94



SECTION E-E
NTS

TRACT 27721
M.B.

NORTHROP DRIVE

• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN

SHEET 1 OF 1

92
1281801(P)

SCALE 1" = 40'

DRAWN BY MC DATE 10/17/94

SUBJECT DRAINAGE ACCEPTANCE - TRACT 27721