

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522
FREE RECORDING (Government Code 6103)
Project: PMW-43-890
MP-8-789

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

FEB - 8 1995

RELEASE OF
COVENANTS AND AGREEMENTS AND
DECLARATIONS OF RESTRICTIONS

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$

THIS RELEASE OF COVENANTS AND AGREEMENTS AND DECLARATIONS OF RESTRICTIONS is made and entered into this 27th day of January, 1995, by the CITY OF RIVERSIDE, a municipal corporation ("City"), with reference to the following facts:

A. GUSTAV G. KUHN and ERNA M. KUHN ("Owners") are the fee owners of two parcels of real property (collectively, the "Property") located in the City of Riverside, County of Riverside, State of California and situated on the southeast side of Indiana Avenue, southwesterly of Harrison Street in the General Manufacturing ("M-2") Zone. By Parcel Map Waiver Case PMW-43-890 filed with City, Owners sought to adjust the property lines between the two existing parcels. The two reconfigured parcels as approved in PMW-43-890 are shown on Exhibit A, attached hereto and incorporated herein by this reference. Parcel A1 as described in Exhibit A is presently developed with four buildings known as 9960, 9980, 9990 and 10000 Indiana Avenue; and Parcel B1 as described in Exhibit A is developed with one building known as 10020 Indiana Avenue.

B. As a condition to the approval of the lot line adjustment in PMW-43-890, Owners were required to execute and record a covenant and agreement establishing nonexclusive easements for ingress, egress, parking and utilities for the reconfigured parcels, and to provide for the responsibility for the domestic water service and fire protection service for the two parcels provided through one water meter. Owners complied with this condition by executing the Covenant and Agreement and Declaration of Restrictions; and Termination of Prior Covenants and Agreements ("New Covenant") dated January 4, 1995, and recorded on January 9, 1995, as Instrument No. 6340, Official Records of Riverside County, California.

C. At the time the Property was initially developed as part of an industrial business park in Case MP-8-789, Owners were required to establish nonexclusive easements for ingress,

egress, parking and private utilities for the parcels as then configured and to provide for the responsibility of the payment of the water service and the repair of water lines if both parcels were to be served by one water meter. Owners complied with the conditions by executing and recording the following documents ("Prior Covenants"): (1) Covenant and Agreement and Declaration of Restrictions executed on January 29, 1987, and recorded on January 30, 1987, as Instrument No. 27708, Official Records of Riverside County, California, as amended by the Amendment to Covenant and Agreement and Declaration of Restrictions dated November 26, 1990, and recorded on December 4, 1990, as Instrument No. 439895, Official Records of Riverside County, California; (2) Covenant and Agreement and Declaration of Restrictions executed on January 29, 1987, and recorded on January 30, 1987, as Instrument No. 27709, Official Records of Riverside County, California, and (3) Covenant and Agreement and Declaration of Restrictions executed on March 23, 1989, and recorded March 24, 1989, as Instrument No. 92421, Official Records of Riverside County, California.

D. The Prior Covenants each provided that such covenant and agreement and declaration of restrictions would run with the land and be binding upon the Owners, and their heirs, successors and assigns and continue in effect until such time as released by the City Council of City.

E. Owners desire to terminate the Prior Covenants which have been superseded by the New Covenant, and in the New Covenant provided that the Prior Covenants would be terminated and superseded by the New Covenant upon the recordation in the Office of the County Recorder of Riverside County, California, of a release of said Prior Covenants executed on behalf of the City of Riverside.

F. By action duly taken on January 24, 1995, the City Council of the City of Riverside authorized the release of the Prior Covenants and directed the City Manager to execute such release on its behalf.

NOW, THEREFORE, incorporating the above recitals, the City of Riverside, acting by and through its City Manager as authorized and directed by its City Council, hereby releases the Property from the following Covenants and Agreements and Declarations of Restrictions executed by Gustav G. Kuhn and Erna M. Kuhn and said Covenants and Agreements and Declarations of Restrictions shall be of no force and effect as of the date this Release is recorded in the Office of the County Recorder of Riverside County, California:

(1) Covenant and Agreement and Declaration of Restrictions executed on January 29, 1987, and recorded on January 30, 1987, as Instrument No. 27708, Official Records of Riverside County, California, as amended by the Amendment to Covenant and

Agreement and Declaration of Restrictions dated November 26, 1990, and recorded on December 4, 1990, as Instrument No. 439895, Official Records of Riverside County, California; (2) Covenant and Agreement and Declaration of Restrictions executed on January 29, 1987, and recorded on January 30, 1987, as Instrument No. 27709, Official Records of Riverside County, California, and (3) Covenant and Agreement and Declaration of Restrictions executed on March 23, 1989, and recorded March 24, 1989, as Instrument No. 92421, Official Records of Riverside County, California.

IN WITNESS WHEREOF this Release of Covenants and Agreements and Declarations of Restrictions has been duly executed by its authorized officers the day and year first written above.

CITY OF RIVERSIDE, a
municipal corporation

By John E. Holmes
City Manager

Attest Karen E. Lindquist
City Clerk

Approved as to Form:

[Signature]
Assistant City Attorney

All those portions of Lots 1 and 2 in Block 28 of Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1 of Maps, at page 70 thereof, records of San Bernardino County, California, more particularly described as follows:

Commencing at the most westerly corner of said Lot 1;
Thence South 34° 00' 30" East, a distance of 4.00 feet to the TRUE POINT OF BEGINNING;
Thence South 34° 00' 30" East, a distance of 64.00 feet;
Thence North 56° 00' 00" East, a distance of 8.00 feet;
Thence South 34° 00' 30" East, a distance of 115.00 feet;
Thence South 56° 00' 00" West, a distance of 8.00 feet;
Thence South 34° 00' 30" East, a distance of 52.75 feet;
Thence South 56° 00' 00" West, a distance of 226.60 feet;
Thence South 34° 00' 30" East, a distance of 325.62 feet to a point on the northerly right-of-way of the Atchison, Topeka and Santa Fe Railway, said point being on a curve concave to the northwest, having a radius of 2814.94 feet, the radial bearing at said point bears South 23° 19' 50" East;
Thence Northeasterly along said curve, to the left, through a central angle of 10° 40' 10", an arc distance of 524.19 feet to a point on a tangent line;
Thence North 56° 00' 00" East, a distance of 201.35 feet;
Thence north 34° 00' 30" West, a distance of 213.00 feet;
Thence South 56° 00' 00" West, a distance of 312.76 feet;
Thence North 34° 00' 30" West, a distance of 393.00 feet;
Thence South 56° 00' 00" West, a distance of 183.00 feet to the TRUE POINT OF BEGINNING.

PARCEL "B1"

All those portions of Lots 1 and 2 in Block 28 of Lands of the Riverside Land and Irrigating Company, as shown by map on file in Book 1 of Maps, at page 70 thereof, Records of San Bernardino County, California, more particularly described as follows:

Commencing at the most westerly corner of said Lot 1;
Thence South 34° 00' 30" East, a distance of 4.00 feet to the TRUE POINT OF BEGINNING;
Thence South 34° 00' 30" East, a distance of 64.00 feet;
Thence North 56° 00' 00" East, a distance of 8.00 feet;
Thence South 34° 00' 30" East, a distance of 115.00 feet;
Thence South 56° 00' 00" West, a distance of 8.0 feet;
Thence South 34° 00' 30" East, a distance of 52.75 feet;
Thence South 56° 00' 00" West, a distance of 226.6 feet;
Thence North 34° 00' 30" west, a distance of 231.75 feet to a point on the Southeast Right-of Way of Indiana Avenue;
Thence North 56° 00' 00" East along said Right-of-Way, a distance of 226.60 feet to the TRUE POINT OF BEGINNING.

DESCRIPTION APPROVAL 12/21/94
Michael B. Brown
SURVEYOR, CITY OF RIVERSIDE by *LF*

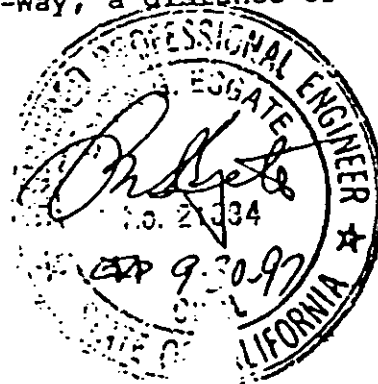


EXHIBIT A



PARCEL MAP WAIVER 43-890