

G. 63-7+63-8  
**445133**  
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City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

NOV 21 1996

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

Project: Variance Case VR-129-845 (Revised)  
11503 Pierce Street  
Riverside, California

Notice

ACKNOWLEDGMENT  
REGARDING NUMBER OF EMPLOYEES PER SHIFT  
AND THAT THE VARIANCE GRANTED IN  
VARIANCE CASE VR-129-845 (REVISED)  
IS LIMITED TO DECLARANT

THIS ACKNOWLEDGMENT ("Acknowledgment") is made this 17th day of July, 1996, by DASI LINDA, INC., a Delaware corporation ("Declarant") with reference to the following facts:

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

All that portion of Lots 1 and 2 in Block 61 of Tract No. 2 of La Sierra Heights as shown by map on file in Book 7, page 66 of Maps, records of Riverside County, California, together with all that portion of Lots C (formerly Walnut Avenue) vacated, 24 and 25 of La Sierra Home Tract as shown by map on file in Book 12, page 84 of Maps, records of Riverside County, California, more particularly described as follows:

Beginning at the most Easterly corner of Parcel No. 1 of Parcel Map, as shown by map on file in Book 2, page 80 of Parcel Maps, records of Riverside County California;

Thence North 28° 49' 40" West, along the Northeasterly line of said Parcel No. 1, a distance of 412.21 feet to the most Northerly corner thereof, said corner being on the Southeasterly line of said La Sierra Home Tract;

Thence North 61° 17' 45" East, along the Southeasterly line of said La Sierra Home Tract, a distance of 95.71 feet to the centerline of said Lot C;

Thence North 26° 05' 15" West, along said centerline, a distance of 80.79 feet to a line which is parallel with and distant 25.00 feet Southeasterly as measured at right angle from the centerline of Anacapa Place (formerly Cottage Avenue);

Thence North 61° 26' 00" East, along said parallel line, a distance of 120.02 feet to a point on the Southwesterly line of that certain parcel of land conveyed to Gilbert Stoner et al., by deed recorded February 25, 1983 as Instrument No. 35638 of Official Records of Riverside County, California;

Thence South 26° 05' 15" East, along the Southwesterly line of said parcel, a distance of 80.51 feet to a point in the Northwesterly line of said Lot 2;

Thence North 61° 17' 45" East, along the Northwesterly line of said Lot 2, a distance of 390.05 feet to the most Northerly corner thereof;

Thence North 61° 17' 45" East, along the Northwesterly line of said Lot 1, a distance of 130.13 feet to the most Northerly corner of that certain parcel of land conveyed to Loma Linda Foods, Inc., by deed recorded September 19, 1984 as Instrument No. 204028 of Official Records of Riverside County, California;

Thence South 29° 23' 00" East, along the Northeasterly line of said parcel conveyed to Loma Linda Foods, Inc., a distance of 403.33 feet to the most Northerly corner of that certain parcel of land conveyed to the City of Riverside by deed recorded August 9, 1985 as Instrument No. 177484 of Official Records of Riverside County, California;

Thence South 60° 38' 50" West, along the Northwesterly line of said parcel conveyed to the City of Riverside, a distance of 740 feet more or less to the Point of Beginning.

B. The Property, known as 11503 Pierce Street, Riverside, California, is situated on the northerly side of Pierce Street, westerly of Sierra Vista Avenue in the Light Manufacturing ("M-1") Zone. The Property is developed with two single family residences, an office/warehouse, a manufacturing and storage building, and related parking and landscaping. Declarant has filed an application with the City of Riverside ("City") in Variance Case VR-129-845 (Revised)

DESCRIPTION APPROVAL 6,25,96  
*K. G. Stout*  
 for SURVEYOR, CITY OF RIVERSIDE by \_\_\_\_\_

for a variance to allow a total of 74 parking spaces where 220 parking spaces are required by the provisions of Title 19 of the Riverside Municipal Code ("Zoning Code").

C. As a justification for the granting of the variance, Declarant has advised City that the business located on the Property is highly automated and will operate on three shifts with only 15 employees per shift required. A total of approximately 50 employees are anticipated at full build-out. In addition, on-site visitors/customers are not anticipated.

D. Based upon the Zoning Code requirement for parking, one covered parking space is required for each of the residences, for two parking spaces total; one space for every 350 square feet of building area is required for the manufacturing areas, for 140 parking spaces total; one space for every 1,000 square feet of building area is required for the warehouse areas, for 27 parking spaces total; and one space for every 250 square feet is required for the office areas for 51 parking spaces total. Therefore, the total number of on-site parking spaces required under the Zoning Code would be 220.

E. City is able to support the requested variance based on Declarant's justifications, with the condition that the Declarant record a covenant prior to occupancy of the building currently under construction limiting the number of employees per shift to a maximum of 30. In addition, the covenant should specify that the variance is for Declarant's specific use and does not run with the land.

F. It is the desire of Declarant to acknowledge that no more than 30 employees per shift shall be on the Property at any one time and that the variance granted in Variance Case VR-129-845 shall not run with the land but shall only be applicable to Declarant's stated use of the Property.

NOW, THEREFORE, incorporating the above facts and for the purpose of complying with a condition imposed by City for the granting of a variance from the parking standards of the Zoning Code of the City of Riverside in Variance Case VR-129-845, Declarant hereby covenants and agrees with said City and acknowledges as follows:

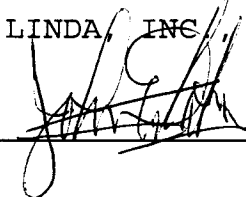
1. No more than thirty (30) employees shall be employed on


the Property per shift.

2. The variance granted by City to the on-site parking requirements of the Zoning Code of the City of Riverside in Variance Case VR-129-845 (Revised) shall only apply to the specific use of the Property by Declarant and shall not run with the land.

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

DASI LINDA, INC., a Delaware corporation

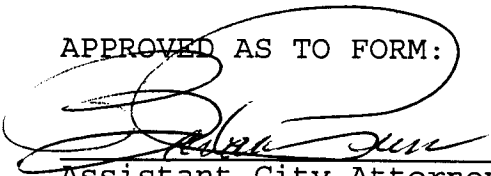
By  President

By  Secretary

APPROVED AS TO CONTENT:

  
Planning Department

APPROVED AS TO FORM:

  
Assistant City Attorney

State of Maryland )  
County of Howard ) ss

445133

On July 17, 1996, before me, the undersigned,  
a Notary Public in and for said State, personally appeared  
John E. Nahra and Gerald P. Hillman

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.

WITNESS my hand and official seal.

Susan Echaves-Petkang  
Signature  
my commission expires: 10/20/97

CAPACITY CLAIMED BY SIGNER

- Attorney-in-fact
- Corporate Officer(s)  
Title \_\_\_\_\_
- Guardian /Conservator \_\_\_\_\_
- Individual(s)
- Partner(s)  
     General       Limited
- Trustee(s)
- Other \_\_\_\_\_

The party(ies) executing this document is/are representing: