

Recording Requested By
CHICAGO TITLE COMPANY

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APR 03 1998

WHEN RECORDED MAIL TO:

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

Colt Street
CITY CLERK

RECEIVED FOR RECORD
AT 8:00 AM

MAR 16 1998

Recorded in Official Records
of Riverside County, California
Recorder

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DR

Project: Tract No. 27982

Fees \$ 12

For Recorder's Office Use Only

DECLARATION OF NOTICE OF
BUILDING SETBACK REQUIREMENTS

THIS DECLARATION OF NOTICE is made and entered into this 23 day of February, 1998, by BLACKMON RIVERSIDE, LLC., a California Limited Liability Company, ("Declarant") with reference to the following facts:

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

Lots 1 through 77 of Tract No. 27982 as shown by map on file in Book 267 of Maps, at pages 41 through 44 inclusive, records of Riverside County, California.

B. Declarant desires to develop the Property as a residential subdivision. Therefore, Declarant has filed with the City of Riverside ("City") an application to divide the Property into approximately seventy-seven (77) lots by Tract Map 27982.

C. The Property consists of approximately 18.094 vacant acres situated on the east side of Northrop Drive, west of Barton Street, within the City of Riverside. The Property is in the Manufacturing Park ("MP") Zone (tentatively approved for the Single Family Residential (R-1-65) Zone under Zoning Case RZ-005-934).

D. To comply with one of the conditions of approval imposed by City for the approval of Tract Map 27982, Declarant is required to provide a covenant and agreement or a statement in a Declaration of Covenants, Conditions and Restrictions (CC&R's) to the specifications of the Planning and Legal Departments which informs future buyers of the following:

- a. A 40 foot rear or side yard building setback on lots adjacent to existing industrially zoned property.

Declarant is required to record such covenant and agreement or CC&R's in the office of the County Recorder of Riverside County, California prior to the recording of the final map for Tract No. 27982.

3/2/98
Walter R. Joyce
SURVEYOR, CITY OF RIVERSIDE

07
I have read this copy and recorded this instrument as an accommodation only and has not examined it for and sufficiency or as to the effect upon the title to any property that may be described therein.

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E. It is the desire of Declarant to comply with the above noted condition by this document.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for the approval of Tract Map 27982, Declarant, for itself and its successors and assigns, hereby covenants and agrees with the City of Riverside that Declarant shall give in writing to any prospective purchaser of the Property prior to sale a written notice providing the following information:

Building Setback Requirements (Industrially Zoned Property). A 40 foot rear and/or side yard building setback from the common property line shall be provided as necessary for future dwellings on residential lots adjacent to existing industrially zoned property.

Declarant further covenants and agrees that the terms of this Declaration of Notice may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside bring an action to enforce any of the terms of this Declaration of Notice, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

Declarant further agrees that the Property and each lot thereof shall be held, conveyed, encumbered, leased, rented, used, occupied and improved subject to this Declaration of Notice. The terms of this Declaration of Notice shall run with the land and each and all of its terms shall be binding upon Declarant, its successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California, by a writing duly recorded.

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

BLACKMON RIVERSIDE, LLC., a California
Limited Liability Company

By:


Jeffrey L. Blackmon

Title:

Managing member

APPROVED AS TO CONTENT:


Planning Department

APPROVED AS TO FORM:

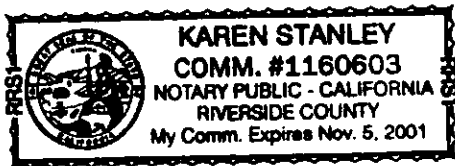

Assistant City Attorney

State of California)
County of Riverside) ss

On February 23, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey L. Blackmon
Managing Member of Blackmon Riverside, LLC

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.



Karen Stanley
Signature

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(~~s~~)
Title Managing Member of LLC
- () Guardian /Conservator
- () Individual(s)
- () Partner(s)
() General () Limited
- () Trustee(s)
- () Other _____

The party(~~ies~~) executing this document is/~~are~~ representing:
Blackmon Riverside LLC
as the Managing Member