

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

WHEN RECORDED MAIL TO:

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

MAY 27 1998

Recorded in Official Records  
of Riverside County, California

Recorder

Fees \$ 12-

Project: Tract No. 27982-2

R-162239-4

For Recorder's Office Use Only

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SR

DECLARATION OF NOTICE OF  
BUILDING SETBACK RESTRICTIONS

THIS DECLARATION OF NOTICE is made and entered into this 4<sup>TH</sup> day of  
*March*, 1998, by FIESTA DEVELOPMENT, INC., a California Corporation,  
("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 56 of Tract No. 27982-2 as shown by map on file  
in Book \_\_\_\_\_ of Maps, at pages \_\_\_\_\_ through \_\_\_\_\_ 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 fifty-  
six (56) lots by Tract Map 27982-2.

C. The Property consists of approximately 14.273 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 27982-2, 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 March Air Force Base.

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. 27982-2.

RECORDED FOR RECORD 5/12/98  
Walter R. Ang  
SURVEYOR, City of Riverside

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 27982-2, 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 (March Air Force Base).** 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 March Air Force Base.

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.

FIESTA DEVELOPMENT, INC., a California Corporation

By: *James P. ...*

Title: Vice President

By: *Richard K. ...*

Title: President

APPROVED AS TO CONTENT:

*Carol Ann ...*  
Planning Department

APPROVED AS TO FORM:

*Kathleen M. ...*  
Assistant City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

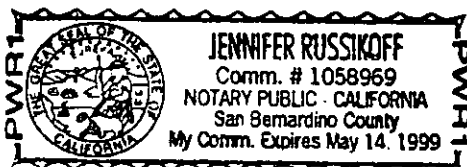
State of California

County of San Bernardino

On 3/4/98 before me, Jennifer Russikoff, Notary Public

personally appeared Lawrence E. Redman and Richard K. Ashby

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.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

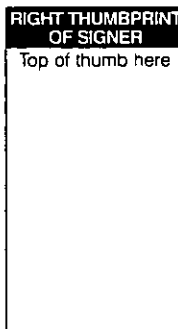
Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

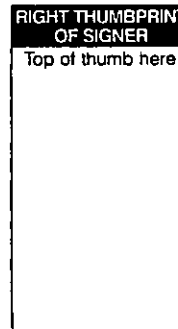
- Individual
Corporate Officer
Partner
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:



Signer Is Representing:

Signer's Name:

- Individual
Corporate Officer
Partner
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:



Signer Is Representing:

CLA 603