

RECORDING REQUESTED BY:
City of Riverside

WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

DOC # 2000-336402

08/28/2000 08:00A Fee:NC

Page 1 of 7

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



Project: Tract No. 28628

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RELEASE OF
COVENANT AND AGREEMENT

THIS RELEASE OF COVENANT AND AGREEMENT is made and entered into this day of August 2000, by the CITY OF RIVERSIDE, a municipal corporation ("City") in favor of KAUFMAN AND BROAD OF SOUTHERN CALIFORNIA INC., a California Corporation, ("Developer").

RECITALS

A. Developer is the owner of record of certain real property ("Property") in the City of Riverside, County of Riverside, State of California, described as:

Lots 1 through 92 and Lot M of Tract No. 28628, as shown by Map on file in Book 285 Pages 34 through 38 of Maps, records of Riverside County, California.

B. Developer desired to record Tract Map 28628 prior to the recording of a document imposing the requirement of a homeowners association for the maintenance as required by the conditions of approval imposed by the City. Therefore, to permit the map to record the City required the recordation of the Covenant and Agreement (Condition to Residential Close of Escrows and Issuance of Certificates of Occupancy), ("Restrictive Covenant"), which was recorded in the Riverside County Recorder's Office on September 29, 1999 as Instrument No. 432928 of Official Records of Riverside County.

C. As a condition of approval of Tract Map 28628 by City ("Conditions") Developer has prepared and adopted a Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country ("Declaration"), which was recorded on March 10, 2000, as Instrument No. 89902, of Official Records of Riverside County, by which a master homeowners association ("Association") is to be formed to maintain certain reverse frontage landscape area, trails and other amenities as specified in the Conditions, ("Association Maintenance Areas"), including the landscape area within the public right of way adjacent to Tract No. 28628 ("Landscape Easement"). Said Declaration provides for the creation of a master homeowner's

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association and for maintenance of the Association Maintenance Areas and the public right of way within the Landscape Easement, in accordance with the Conditions imposed by the City.

D. Subsequent to the recordation of the Declaration, the lots of the Property were annexed into the Declaration by the recording of the Supplemental Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country as identified in the list of documents attached hereto as Exhibit B and incorporated herein by this reference and the City is now willing to terminate said Restrictive Covenant.

NOW, THEREFORE, in furtherance of the Development of the Property, the City hereby agrees as follows:

1. **Release of Covenant and Agreement.** The City hereby agrees that the Covenant and Agreement (Condition to Residential Close of Escrows and Issuance of Certificates of Occupancy) recorded September 29, 1999 as Instrument No. 432928 of Official records of Riverside County, California is hereby released as all lots of the Property have now been made subject to the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country, recorded March 10, 2000, as referenced above.

2. **Establishment of Landscape Easement.** The City hereby establishes a Landscape Easement Appurtenant to Tract No. 28628 as described on Exhibit A attached hereto and incorporated herein by this reference and consistent with the Supplemental Declaration of Covenants, Restrictions and Reservation of Easements for Orangecrest Country (Delegate District No, 2/Kaufman and Broad at Orangecrest Phase 2, Tract 28628), recorded April 27, 2000 and Instrument No. 156596, of Official Records of Riverside County, California..

IN WITNESS WHEREOF this Release of Covenant and Agreement and Establishment of Landscape Easement has been duly executed by its authorized officer the day and year first written above.

CITY OF RIVERSIDE, a municipal corporation

By: John E. Holmes
City Manager

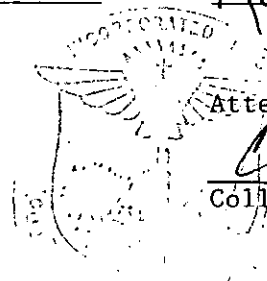
Date: August 22, 2000

Approved as to content:

Approved as to form:

Joel A. Seel
Planning Department

Kathleen M. Gonzale
Assistant City Attorney



Attest:
Colleen J. Nicol
Colleen J. Nicol, City Clerk

[COV00063101.KG]



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2 of 7

CIA 688



Lawrence D. Talbot 3/6/00

Prepared under the supervision of
Lawrence D. Talbot, L.S. 6301
Expires 09/30/02
THE KEITH COMPANIES, INC.
22690 Cactus Avenue, Suite 300
Moreno Valley, CA 92553
(909) 653-0234

EXHIBIT "A"
LEGAL DESCRIPTION
LANDSCAPE EASEMENT
APPURTENANT TO TRACT NO. 28628

THAT PORTION OF WOOD ROAD, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF TRACT NO. 28628, FILED IN BOOK 285, PAGES 34 THROUGH 38, INCLUSIVE, OF MAPS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID WOOD ROAD, SAID POINT BEING THE NORTHEASTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN ON SAID MAP AS BEING NORTH 43°49'56" EAST, 30.41 FEET;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS:

SOUTH 43°49'56" WEST, 30.41 FEET;

SOUTH 00°03'25" EAST, 1,608.39 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 38.00 FEET;

SOUTHERLY ALONG SAID CURVE 22.60 FEET THROUGH A CENTRAL ANGLE OF 34°04'38" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 61.00 FEET, A RADIAL LINE OF SAID CURVE TO SAID POINT HAVING A BEARING OF NORTH 55°51'57" EAST;

SOUTHERLY ALONG SAID CURVE 36.28 FEET THROUGH A CENTRAL ANGLE OF 34°04'38";

SOUTH 00°03'25" EAST, 50.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 61.00 FEET;

SOUTHERLY ALONG SAID CURVE 36.28 FEET THROUGH A CENTRAL ANGLE OF 34°04'38" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 38.00 FEET, A RADIAL LINE OF SAID CURVE TO SAID POINT HAVING A BEARING OF NORTH 55°58'47" WEST;



SOUTHERLY ALONG SAID CURVE 22.60 FEET THROUGH A CENTRAL ANGLE OF 34°04'38";

SOUTH 00°03'25" EAST, 146.23 FEET, AND

SOUTH 45°34'50" EAST, 32.82 FEET;

THENCE SOUTH 01°06'15" EAST, 3.19 FEET TO A POINT OF CUSP ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 42.00 FEET, A RADIAL LINE THROUGH SAID POINT OF CUSP BEARS SOUTH 18°00'16" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 71°56'19", AN ARC LENGTH OF 52.73 FEET;

THENCE NORTH 00°03'25" WEST, 137.96 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 43.50 FEET;

THENCE NORTHERLY ALONG SAID CURVE 23.04 FEET THROUGH A CENTRAL ANGLE OF 30°21'04" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 55.00 FEET, A RADIAL LINE OF SAID CURVE TO SAID POINT HAVING A BEARING OF SOUTH 59°42'21" EAST;

THENCE NORTHERLY ALONG SAID CURVE 29.13 FEET THROUGH A CENTRAL ANGLE OF 30°21'04";

THENCE NORTH 00°03'25" WEST, 50.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 55.00 FEET;

THENCE NORTHERLY ALONG SAID CURVE 29.13 FEET THROUGH A CENTRAL ANGLE OF 30°21'04" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 43.50 FEET, A RADIAL LINE OF SAID CURVE TO SAID POINT HAVING A BEARING OF SOUTH 59°35'31" WEST;

THENCE NORTHERLY ALONG SAID CURVE 23.04 FEET THROUGH A CENTRAL ANGLE OF 30°21'04";

THENCE NORTH 00°03'25" WEST, 1,601.49 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 42.00 FEET;

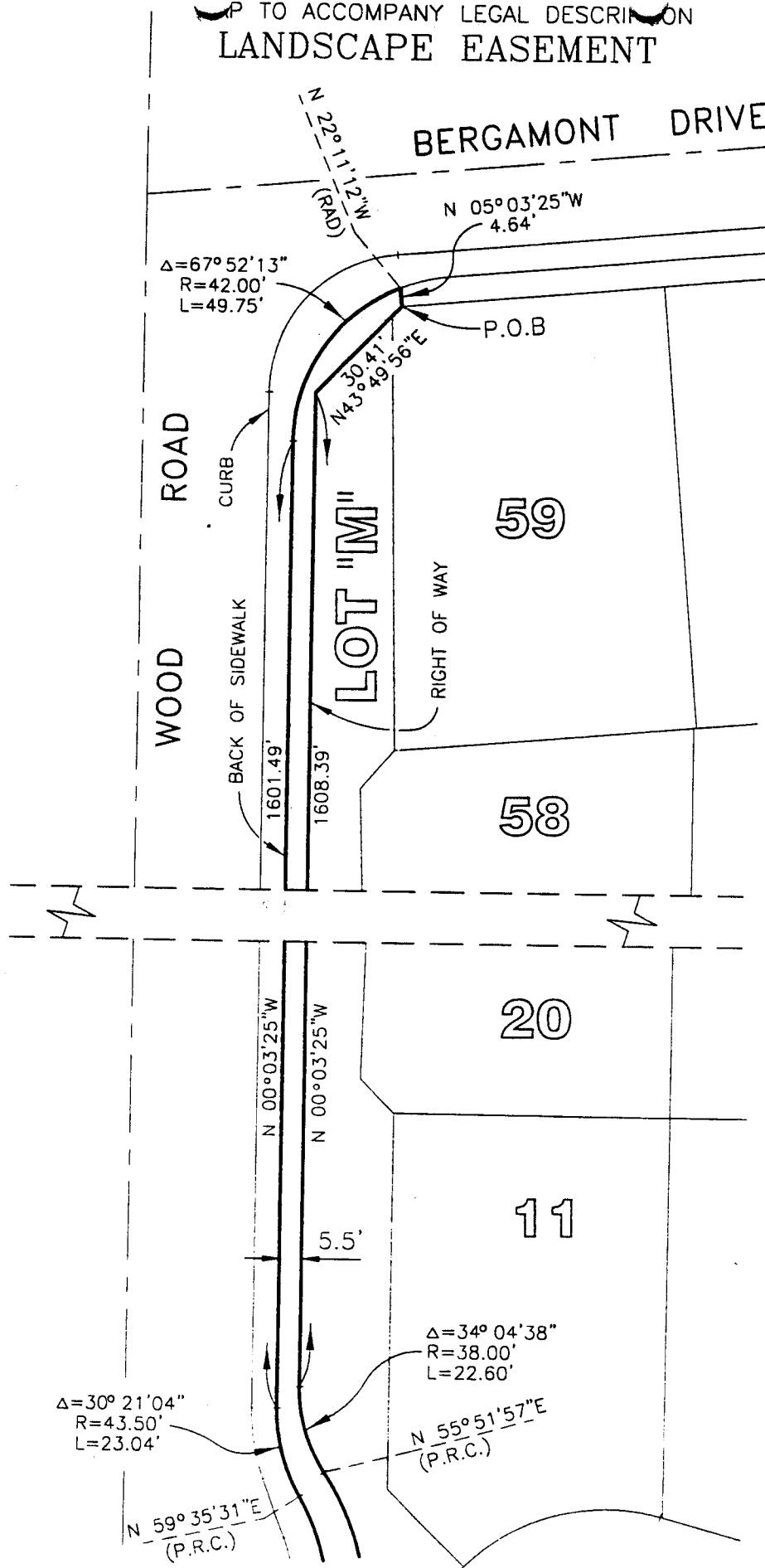
THENCE NORTHEASTERLY ALONG SAID CURVE 49.75 FEET THROUGH A CENTRAL ANGLE OF 67°52'13";

THENCE SOUTH 05°03'25" EAST, 4.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.26 ACRES, MORE OR LESS.



MAP TO ACCOMPANY LEGAL DESCRIPTION
LANDSCAPE EASEMENT



TRACT NO. 28628 M.B. 285/34-38

SEE SHEET 2



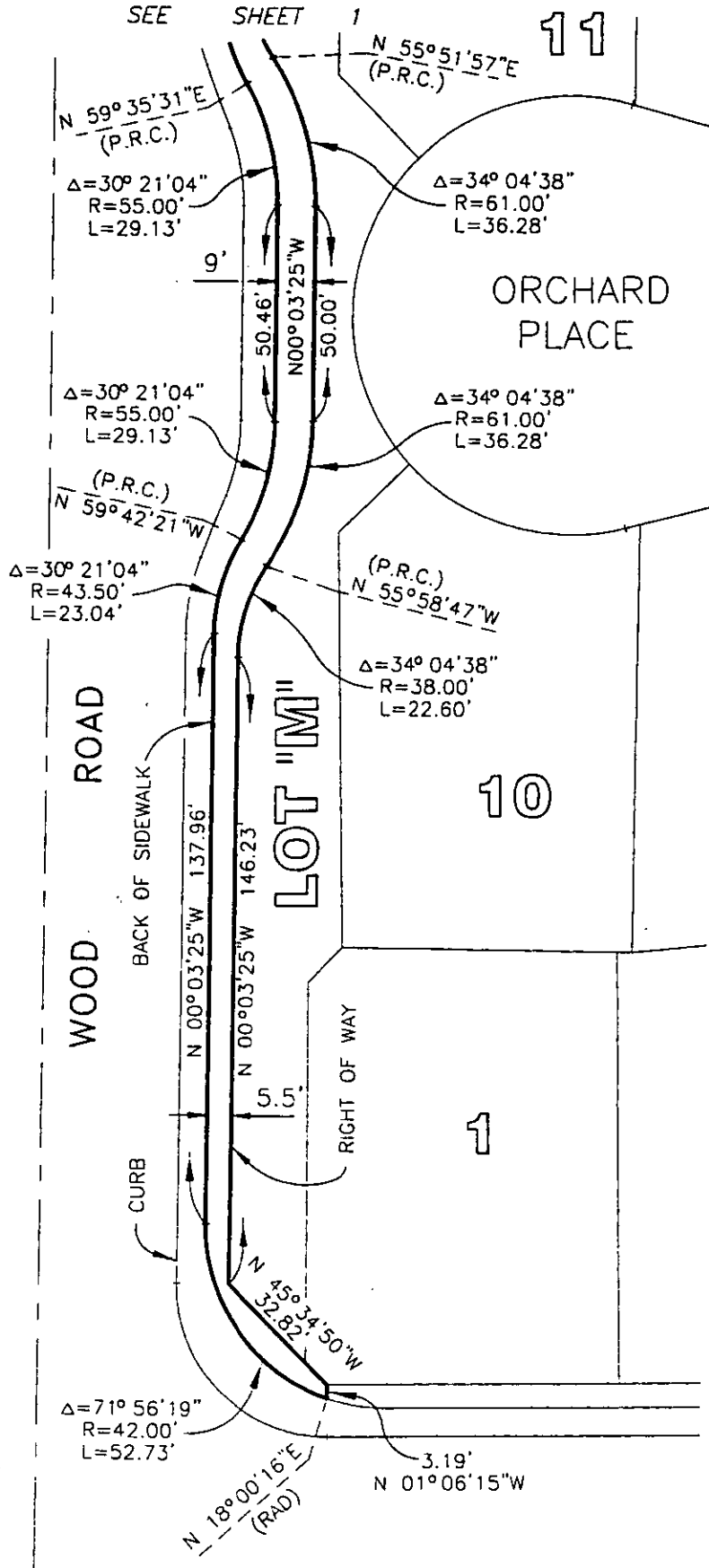
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TO ACCOMPANY LEGAL DESCRIPTION
LANDSCAPE EASEMENT

SEE SHEET 1

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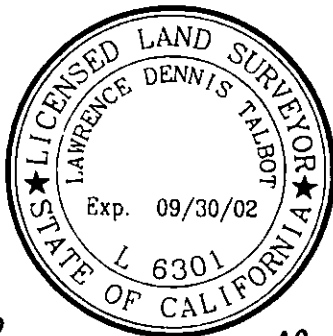
ORCHARD PLACE

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KRAMERIA AVENUE

TRACT NO. 28628 M.B. 285/34-38



Lawrence D. Talbot
3/6/00



EXHIBIT B

LIST OF DOCUMENTS

1. Supplemental Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country (Delegate District No. 2/Kaufman and Broad at Orangecrest Phase 1, Tract 28628) Copy of Document Recorded on March 10, 2000 as No. 089903.
2. Supplemental Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country (Delegate District No. 2/Kaufman and Broad at Orangecrest Phase 2, Tract 28628) Copy of Document Recorded on April 27, 2000 as No. 156596.
3. Supplemental Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country (Delegate District No. 2/Kaufman and Broad at Orangecrest Phase 3, Tract 28628) Copy of Document Recorded on April 27, 2000 as No. 156597.
4. Supplemental Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Orangecrest Country (Delegate District No. 2/Kaufman and Broad at Orangecrest Phase 4, Tract 28628) Copy of Document Recorded on April 27, 2000 as No. 156598.

