

WHEN RECORDED MAIL TO:

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

Project: MP-001-645 (Revised)
1755 Iowa Avenue
Riverside, California

DOC # 2000-338403

08/29/2000 08:00A Fee:18.00

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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**COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS**

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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 11th day of August, 2000, by **ABRAHAM WINTER and ESTHER WINTER, CO-TRUSTEES U/D/T FEBRUARY 25, 1987 F/B/O THE WINTER FAMILY TRUST**, ("Declarant"), with reference to the following facts:

A. Declarant is the fee owners of the real property situated in the City of Riverside, County of Riverside, State of California, described in Exhibit "A," attached hereto and incorporated by reference ("the Property").

B. Declarant has applied to the City of Riverside for approval of a plot plan to develop the Property with an approximately 35,800 square-foot industrial building.

C. As a condition of approval of the plot plan and prior to the issuance of building permits, the City of Riverside is requiring Declarant to execute and record a covenant limiting the size of trucks allowed on the Property to those no longer than 40 feet in length, or a standard 18 wheeler with no more than one trailer.

D. As a further condition of approval of the plot plan and prior to the issuance of building permits, the City of Riverside is requiring Declarant to either provide truck parking or execute and record a covenant prohibiting the parking of trucks on the Property, except temporarily within a designated loading space.

E. Inasmuch as the landscape and irrigation plans submitted by Declarant do not make provisions for truck parking on the Property, Declarant is willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners and lessees on notice that the parking of truck on the Property is prohibited, except temporarily within designated loading spaces.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the approval of the industrial plot plan in case number MP-001-645, limiting the size of trucks allowed on the Property, and prohibiting truck parking on the Property, except temporarily within designated loading spaces, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. Declarant hereby restricts the use of the Property by limiting the size of trucks allowed on the Property to those no longer than 40 feet in length, or a standard 18-wheeler with no more than one trailer.

2. Declarant hereby further restricts the use of the Property by prohibiting truck parking on the Property, except temporarily within designated loading spaces.


3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

4. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, its heirs, 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 Covenant and Agreement to be executed as of the day and year first written above.



ABRAHAM WINTER, as
Co-Trustee of the Winter Family Trust dated
February 25, 1987



ESTHER WINTER, as
Co-Trustee of the Winter Family Trust dated
February 25, 1987



APPROVED AS TO FORM:

Quanda L. Daniel
Deputy City Attorney

APPROVED AS TO CONTENT:

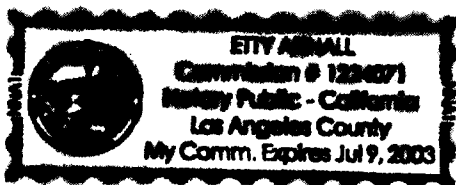
Diane Jenkins
Planning Department



STATE OF CALIFORNIA)
)
COUNTY OF ~~RIVERSIDE~~)
LOS ANGELES

On August 11, 2000, before me, Etty Arnall, the undersigned, a notary public in and for said State, personally appeared ABRAHAM WINTER personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

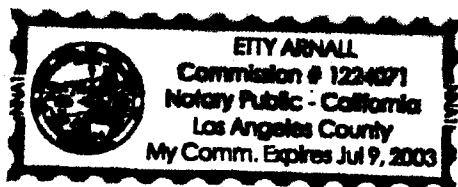


Etty Arnall
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF ~~RIVERSIDE~~)
LOS ANGELES

On August 11, 2000, before me, Etty Arnall, the undersigned, a notary public in and for said State, personally appeared ESTHER WINTER personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Etty Arnall
Notary Public



EXHIBIT "A"

THE NORTHERLY 300.00 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPT THE EASTERLY 55.00 FEET AS GRANTED TO THE CITY OF RIVERSIDE BY DEED RECORDED NOVEMBER 13, 1964 IN BOOK 3851 PAGE 369 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL *2/10/00*

[Signature]
SURVEYOR CITY OF RIVERSIDE

