

WHEN RECORDED MAIL TO:

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

Project: Zoning Case RZ-008-989
18671 Van Buren Boulevard
Riverside, California

DOC # 2002-067336

02/06/2002 08:00A Fee:19.00

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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 ON
FUTURE USES OF THE PROPERTY

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 6th day of February, 2002, by WOODCREST/STATEWIDE MINISTORAGE, LLC, a California Limited Liability Company, ("Declarant"), with reference to the following facts:

A. Declarant is fee owner of that certain real property ("the Property") situated at 18671 Van Buren Boulevard consisting of approximately 4 vacant acres, situated on the southerly side of Van Buren Boulevard, westerly of Wood Road, in the City of Riverside, County of Riverside, State of California, which legal description is set forth specifically in Exhibit "A" attached hereto.

B. Declarant has submitted an application with the City of Riverside ("City") in Zoning Case RZ-008-989 to rezone the Property from the Restricted Commercial ("C-2") Zone to the General Commercial ("C-3").

C. The Zoning Code of City permits a wide range of uses in the C-3 Zone, including certain uses which would not be compatible with the character and appearance of the surrounding single family residential neighborhood adjacent to the Property.

D. As a condition of approval of Zoning Case RZ-008-989, rezoning of the Property to the C-3, Declarant is required to execute and record a covenant that restricts the Property as follows:

Commercial development of the site is limited to mini-warehouse and other special uses listed in Chapter 19.64 subject to the granting of a conditional use permit; except heliports and helistops and mineral extraction uses, which are also prohibited.

E. Declarant desires to record a covenant and agreement and declaration of restrictions acceptable to the Planning and Legal Departments of City which meets the above-referenced condition and restricts the Use of the Property to the uses listed above to ensure its compatibility with the surrounding neighborhood.

CIA 754

NOW, THEREFORE, for the purpose of complying with a condition imposed by the City for the rezoning of the Property from the C-2 to the C-3 Zone, and in consideration of such rezoning in Rezoning Case RZ-008-989, Declarant hereby covenants and agrees with the City of Riverside that the Property is, and shall hereafter be held, transferred, sold, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the following covenants, conditions and restrictions:

1. The Property is subject to the following restrictions on any future use:

Commercial development of the site is limited to mini-warehouse and other special uses listed in Chapter 19.64 subject to the granting of a conditional use permit; except heliports and helistops and mineral extraction uses, which are also prohibited.

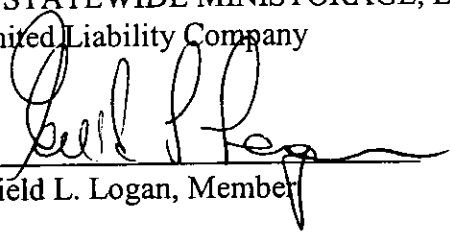
2. Any person, whether an individual, corporation, association, partnership or otherwise, who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be deemed to have consented and agreed to the restrictions on the use of the Property as set forth hereinabove.

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


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 City Council of the City of Riverside, California, by a writing duly recorded.

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

WOODCREST/STATEWIDE MINISTORAGE, LLC
a California Limited Liability Company

By: 
Garfield L. Logan, Member

APPROVED AS TO FORM:

 2-6-02
Assistant City Attorney
Sup. Rep.

APPROVED AS TO CONTENT:


Planning Department

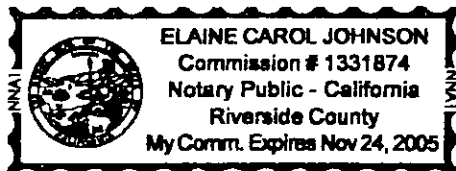
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On February 6, 2002, before me, Elaine Carol Johnson, the undersigned, a notary public in and for said State, personally appeared Garfield L. Logan ~~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~~/they executed the same in his/~~her~~/their authorized capacity, and that by his/~~her~~/~~their~~ 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.



Elaine Carol Johnson
Notary Public



EXHIBIT "A"
LEGAL DESCRIPTION
FOR
LOT LINE ADJUSTMENT NO. LL-031-989

AMENDING PARCELS 3, 6, AND 7 PER PM 28543 AS RECORDED IN BOOK 191,
PAGES 60 AND 61 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY
RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL "A"

THOSE PORTIONS OF PARCELS ^{3,} 6 AND 7 PER PM 28543 AS RECORDED IN BOOK 191,
PAGES 60 AND 61 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER
OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHEAST CORNER OF SAID PARCEL MAP, SAID
POINT BEING A 1" IRON PIPE WITH RCE 21884 TAG.

THENCE SOUTH 89 30' 11" WEST ALONG THE SOUTH BOUNDARY OF SAID PARCEL
MAP A DISTANCE OF 484.26 FEET TO A POINT WHICH INTERSECTS THE
SOUTHERLY PROJECTION OF THE EAST LINE OF PARCEL 2 OF SAID PARCEL MAP;
THIS BEING THE POINT OF BEGINNING;

THENCE NORTH 00 05' 22" WEST ALONG SAID PROJECTED LINE A DISTANCE OF
563.02 FEET TO THE SOUTHERLY RIGHT OF WAY OF VAN BUREN AVENUE AS
SHOWN PER SAID PARCEL MAP;

THENCE NORTH 89 30' 11" EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 30.00
FEET ;

THENCE SOUTH 00 05' 22" EAST A DISTANCE OF 15.00 FEET;

THENCE SOUTH 89 30' 11" WEST A DISTANCE OF 10.00 FEET TO A POINT WHICH
INTERSECTS A LINE WHICH IS 20.00 EAST OF (MEASURED AT RIGHT ANGLES) AND
PARALLEL TO THE EASTERLY LINE OF SAID PARCEL 2;

THENCE SOUTH 00 05' 22" EAST ALONG SAID PARALLEL LINE A DISTANCE OF
189.00 FEET TO THE SOUTH LINE OF PARCELS 3 AND 4 OF SAID PARCEL MAP;

THENCE NORTH 89 30' 11" EAST ALONG SAID SOUTH LINE A DISTANCE OF 317.74
FEET TO THE SOUTHEAST CORNER OF PARCEL 4 OF SAID PARCEL MAP

THENCE NORTH 00 05' 22" WEST ALONG SAID EAST LINE OF PARCEL 4 A
DISTANCE OF 27.86 FEET TO THE SOUTHWEST CORNER OF PARCEL 5 OF SAID
PARCEL MAP

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87/82/1999 08:00A
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EXHIBIT "A" continued

THENCE NORTH 89 30' 11" EAST ALONG THE SOUTH LINE OF SAID PARCEL 5 A
DISTANCE OF 147.12 FEET TO THE SOUTHEAST CORNER THEREOF, AND THE EAST
BOUNDARY OF SAID PARCEL MAP;

THENCE SOUTH 00 05' 22" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF
386.88 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL MAP ;

THENCE SOUTH 89 30' 11" WEST ALONG THE SOUTH BOUNDARY OF SAID PARCEL
MAP A DISTANCE OF 484.26 FEET TO THE POINT OF BEGINNING.

Containing : 4.18 Acres Net

DESCRIPTION APPROVAL:

[Signature] 1/17/02
SURVEYOR, CITY OF RIVERSIDE

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