

Recording Requested By  
First American Title Company

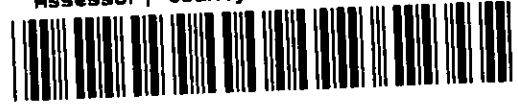
DOC # 2003-198047

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Recorded in Official Records  
County of Riverside

Gary L. Orso  
Assessor, County Clerk & Recorder



RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

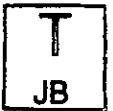
CITY CLERK  
CITY OF RIVERSIDE  
CITY HALL, 3900 MAIN STREET  
RIVERSIDE, CALIFORNIA 92522

PROJECT: TRACT MAP NO. 28728-2

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**COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS  
(FIRE DEPARTMENT REQUIREMENTS)**

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This **COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS (FIRE DEPARTMENT REQUIREMENTS)** ("Covenant and Agreement"), dated this 27<sup>th</sup> day of February, 2003 (for reference purposes only), is made and entered into by **SANDA GROUP**, a California limited partnership, its successors, heirs and/or assigns ("Declarant"), with reference to the following.

**RECITALS**

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

Residential Lots 1 through 14, inclusive, and Common Area Lots 15, 16, and B of Tract No. 28728-2, as shown by Map on file in Book 331, Pages 86 through 90, inclusive, of Maps, records of Riverside County, California.

B. Declarant has filed with the City of Riverside ("City") an application to develop the Property as a part of a residential planned development subdivision, as defined in Civil Code Section 1351(k), consisting of 14 Residential Lots, 2 open space Common Area Lots, and 1 Common Area Lot for private street purposes. This development shall be maintained and operated by an association of homeowners ("Association") governed by the Declaration of Covenants, Conditions, Restrictions and Easements recorded July 20, 1998 as Instrument No. 298202 ("Declaration") and the First Amendment to the Declaration recorded October 19, 2001 as Instrument No. 2001-509668, both in the Official Records of the Riverside County Recorder.

C. As a condition of approval of the tentative map for Tract No. 28728-2, the City of Riverside ("City") is requiring Declarant to record a Covenant and Agreement satisfactory to the Fire and Legal Departments of the City to ensure that future buyers are informed of certain requirements related to fire protection, vehicular access and private street maintenance.

**NOW, THEREFORE**, in accordance with a condition of approval for Tract Map No. 28728-2 and in consideration of such approval, Declarant hereby covenants and agrees with the City of Riverside as follows:

1. Declarant shall comply with the following Fire Department requirements and shall notify all future buyers of the conditions set forth herein:
  - a. The Building Division and Fire Department shall inspect and approve the Property and any structures constructed thereon for the proposed use to ensure all standards and regulations imposed by the conditions of approval for tentative Tract No. 28728-2 are met.
  - b. Residential fire sprinklers shall be installed in accordance with City Ordinance No. 6019, or any successor ordinance of the City of Riverside.
  - c. A public water system shall be provided and maintained.
  - d. Streets and fire apparatus access roads shall meet public street standards.
  - e. Any entry gates shall meet Fire Department requirements for access and be equipped with key box (KNOX) devices.
  
2. Declarant, by recordation of this Covenant and Agreement, prior to or concurrently with the recordation of the Map for Tract No. 28728-2, hereby gives notice to all prospective buyers of any Lot of the Property that the Property shall be subject to the foregoing Fire Department requirements.

The terms of this Covenant and Agreement may be enforced by the City of Riverside, its successors or assigns, or by any Owner or Tenant of any Lot of the Property. Should the City or any Owner or Tenant bring an action to enforce any of the terms of this Covenant and Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, expert witnesses' fees and reasonable costs of suit.

This Covenant and Agreement shall run with the land and shall be binding upon Declarant, its heirs, successors and assigns and shall continue in effect until such time as it may be released by the Fire Chief, or his designee, of the City of Riverside, by a writing recorded in the Official Records of Riverside County, California.

This instrument contains the entire agreement entered into by Declarant relating to the responsibilities herein agreed to and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by Declarant, approved by the Fire Chief, or his designee, of the City and recorded in the Office of the County Recorder of Riverside County, California



IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed the day and year written below.

"Declarant":

SANDA GROUP, a California limited partnership

By: HANDA DEVELOPMENT CORPORATION  
a California corporation, its general partner

X Yang Chang Hong  
By: YANG-CHANG HONG  
its: President

STATE OF CALIFORNIA )  
COUNTY OF Riverside ) ss.

On Feb 27, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared:

Yang Chang Hong  
 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.

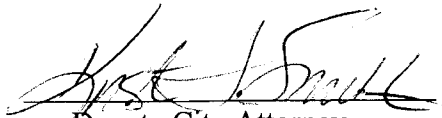
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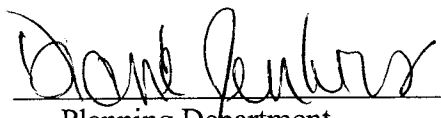
Linda A. Thress  
Notary Public



APPROVED AS TO FORM:

  
Deputy City Attorney

APPROVED AS TO CONTENT:

  
Planning Department



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