

When recorded, mail to
City of Riverside 3900 Main Street
Riverside, CA 92522
Attn: City Engineer

RECEIVED FOR RECORD
30 Min. Past 2 o'clock P.M.
At Request of
City Clerk
Book 1980, Page 60080

MAR 28 1980

Recorded in Official Records
of Riverside County, California

Recordar
FEE \$

FREE RECORDING

This instrument is for the benefit of the
City of Riverside and is entitled to be
recorded without fee. (Government Code 6103)

Please Record For the benefit
of the City of Riverside
Property Services Manager

APPROVED AS TO FORM
CITY CLERK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COVENANT AND AGREEMENT

(Building Permit--3993 Market Street)

THIS COVENANT AND AGREEMENT is made and entered into this
12 day of Mar. 1980 by E. Martin Blumenthal and Virginia Blumenthal the owner of
record of the following described real property located at the
northwesterly corner of Tenth and Market Streets in the City of
Riverside, County of Riverside, State of California, and commonly
known as 3993 Market Street:

(Legal description attached Exhibit "A")

For the purpose of complying with the conditions imposed by
the City of Riverside, California, for the issuance of a building
permit for the property hereinabove described, the undersigned,
for themselves, their heirs, successors and assigns, and in
partial consideration for such issuance, hereby covenants and
agrees with the City of Riverside as follows:

1. The undersigned shall execute and deliver to the
City of Riverside an irrevocable offer of dedication of
a ten-foot wide alley on said above described property
located between 9th and 10th Streets perpendicular to
Market Street and described as follows:

(Legal description attached Exhibit "B")

2. At such time as the adjacent property is developed
the undersigned upon request to the City shall construct

C/A 2-26-80
C/A-84 VESP347

60080

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

and install at their sole cost and expense in accordance with plans and specifications approved by the City, the following improvements on said proposed alley:

Alley valley gutters, A.C. paving and seal coat, aggregate base material, earthwork, 2" x 4" redwood headers, sanitary sewer and appurtenances, clearing R/W, driveway approaches, closure of unused driveway openings, parkway grading, utility relocation and improvement plan preparation.

3. The undersigned shall commence the work described in paragraph 2 above within sixty (60) days after the Public Works Director of the City of Riverside gives the undersigned written notice to proceed, and the undersigned shall complete said work to the satisfaction of the Public Works Director within sixty (60) days following commencement of the work.

4. At the option of the City by and through the Public Works Director, following acceptance of the Offer of Dedication by City, if the City of Riverside elects to perform the above-described work themselves, or have it performed on the City's behalf, then within thirty (30) days after demand by the City, the undersigned shall pay to City in full for the cost of such work.

5. In the event the undersigned defaults in its obligations as contained in paragraph 3 and 4 above, and the City performs the work or has it performed, then the undersigned shall pay to the city interest on the costs of performing such work, said interest being at the rate of seven percent per annum on the unpaid principal, from and after the date of such default.

60080

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. In the event that legal action becomes necessary to enforce any of the terms of this Covenant and Agreement, the undersigned agrees to reimburse the City of Riverside for the costs and reasonable attorneys' fees incurred in any such action.

This Covenant and Agreement shall run with the land and shall be binding upon the undersigned, their heirs, successors and assigns.

IN WITNESS WHEREOF the undersigned has caused this Covenant and Agreement to be executed the day and year first above written.

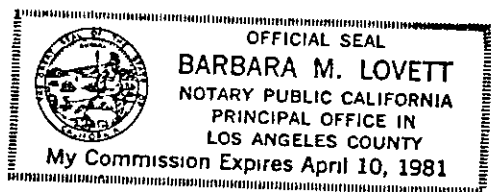
[Handwritten signature]

[Handwritten signature]

State of California)
County of Riverside)SS

On March 12, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared E. MARTIN BLUMENTHAL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same.

WITNESS my hand and official seal.



[Handwritten signature]

NOTARY PUBLIC

BARBARA M. LOVETT

Name typed or printed

State of California)
County of)SS

On March 12, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally

CIA-84

60080

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

appeared VIRGINIA M. BLUMENTHAL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he executed the same.

WITNESS my hand and official seal.



Patricia J. Barnaby
NOTARY PUBLIC

PATRICIA J. BARNABY
Name typed or printed

CLA-84

60080

Lots 23, 24 and 25 in Block 4 of WHITTIER'S
SUBDIVISION of Blocks 8 and 9, Range 8, and
Blocks 8 and 9, Range 9, as shown by Map of
said subdivision on file in Book 3 page 8 of
maps, Records of San Bernardino County,
California.

DESCRIPTION APPROVAL

by *George P. Hutchins* 3/13/80 by ...
Surveyor

60080

Northeasterly 10 feet of Lots 23, 24 and
25 in Block 4 of WHITTIER'S SUBDIVISION
of Blocks 8 and 9, Range 8, and Blocks
8 and 9, Range 9, as shown by Map of
said subdivision on file in Book 3,
page 8 of maps, Records of San Bernardino
County, California.

DESCRIPTION APPROVAL
by *George P. Hutchins* 3/13/80 by *.....*
Surveyor

February 26, 1980

Honorable Mayor and City Council

SUBJECT: BUILDING AT NORTHWEST CORNER OF 10TH AND MARKET

Attached is a request from the Blumenthal, Grossman, and Avis law firm concerning conditions for the issuance of a building permit at the northwest corner of 10th and Market Street. As a condition for the issuance of the building permit, the Public Works Department has indicated that they would require dedication and improvement of the alley between 9th and 10th perpendicular to Market Street.

The Downtown Plan does not indicate the improvement of this alley in the future; however, whether or not this would occur would be dependent upon redevelopment of the properties adjacent to the alley. At the present time the alley is 10 feet wide with minimum asphalt concrete improvement and provides refuse service to a number of residential properties.

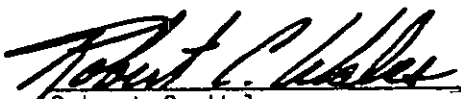
In reviewing this matter it is the opinion of the Public Works Department that the possibility of widening this alley should remain flexible at this point in time. In order to accomplish this it would appear appropriate to have the applicant provide an irrevocable offer of dedication and an agreement running with the property guaranteeing the improvements at such time in the future as the adjacent property develops and the need for the alley is determined.


RECOMMENDATION

That the City Council authorize an irrevocable offer of dedication and a recordable agreement for future improvements of the alley as a condition of issuance of the building permit.

PREPARED BY:

Approved by,


Robert C. Wales
Public Works Director


Lawrence E. Paulsen
Acting City Manager

CC3/Bp
Attachment

cc: City Attorney
City Clerk
Planning

FEB 26 1980
V6 2-17
CIA-84

COUNCILMEN
 FRIZEL
 BOGAL
 BUSTAR
 BOWERS
 MAJESTRO
 SYMPSON
 LOVEBRIDGE
 2, 3, 4, 5, 6, 7

February 26, 1980

WARDS

years a reserve in the Gas Tax Fund to accommodate this. If the funds are needed prior to that time, additional gas tax projects would be deferred. It was recommended that the City Council indicate its commitment to return the TDA funds for public transportation needs. The recommendation was approved and authorized as submitted.

IRREVOCABLE OFFER OF DEDICATION & RECORDABLE AGREEMENT FOR FUTURE IMPROVEMENTS - TENTH & MARKET

A written report was submitted from the Acting City Manager and the Public Works Director recommending that the City Council authorize an irrevocable offer of dedication and a recordable agreement for future improvements of the alley as a condition of issuance of a building permit at the northwest corner of Tenth and Market Streets, as described in greater detail in the report; whereupon, the recommendation was approved as submitted.

CONTRACT AMENDMENTS - BARTON-ASCHMAN - CIRCULATION AND TRANSPORTATION ELEMENT

A written report was submitted from the Acting City Manager and the Public Works Director advising that the contract amendment for the evaluation of the effects of Proposition R on the Circulation and Transportation Element has been completed and, in general, this amendment is in the form of a letter contract and provides for the necessary work under two separate options, with the choice of option to be made by the City once a determination has been made as to the extent of the impact Proposition R would have on the existing proposed plan, with the cost being either \$17,200 or \$21,200 dependent upon the option selected. It was recommended that the City Council (1) authorize the Mayor to execute the agreement with Barton-Aschman on behalf of the City, and (2) authorize a change order to the current contract in the amount of \$21,200 with these funds to come from the SB 325 Transportation Planning, Account No. 34-345-206; whereupon, the recommendations were approved as presented.

LOCATION OF MULTIPURPOSE SENIOR CITIZENS CENTER - CONTINUANCE

Presentation of a report from the City Council Recreation and Cultural Committee relative to the location of the Multipurpose Senior Citizens Center was continued to March 4, 1980.

CITIZEN-GOVERNMENT PLANNING - CONTINUANCE

Presentation of a report from the ad hoc committee composed of Mayor Brown, Councilman Loveridge, Councilman Buster, and the Acting City Manager, relative to the Citizen-Government Planning proposal submitted by the League of Women Voters, and possible proposals from the Riverside Chambers of Commerce and the Junior League of Riverside, was continued to March 11, 1980.

CITY COUNCIL

NATIONAL LEAGUE OF CITIES - WASHINGTON, D.C./BI-MONTHLY COUNCIL LUNCHEONS - FUND TRANSFER

A written report was submitted from the Acting City Manager and the Administrative Assistant recommending that the City Council authorize the transfer of \$2,800 from the General Fund Unappropriated Surplus to Account 01-102-181 to pay for travel expenses to Washington, D.C., for the National League of Cities meeting, and for the bi-monthly Council luncheons; whereupon, the fund transfer was approved.

CITY COUNCIL ECONOMIC DEVELOPMENT COMMITTEE

BCD ECONOMIC DEVELOPMENT FUNDS - DOWNTOWN REDEVELOPMENT

A written report was submitted from Councilman Digati, Chairman of the City Council Economic Development Committee, recommending, subject to EUD approval, that the City Council transfer \$94,800 from the BCD Economic Development Reserve (15-550-445) to BCD Downtown Redevelopment (15-550-520) for demolition of the Wards Building and construction of an interim parking lot; whereupon, the recommendation was approved as presented.

BCD ECONOMIC DEVELOPMENT FUNDS - RHEEM MANUFACTURING COMPANY

A written report was submitted from Councilman Digati, Chairman of the City Council Economic Development Committee, recommending that the City Council (1) authorize the preparation and execution of an agreement between the City of Riverside and Rheem Manufacturing Company, and (2) allocate, subject to HUD approval, \$35,000 in BCD