

152443

When recorded, mail
City of Riverside, 3000 Main St.
Riverside, CA. 92522
Attn: City Engineer

RECEIVED FOR RECORD
Min. Past 10 o'clock P.M.
At Request of

FIRST AMERICAN TITLE CO.
Book 1983, Page 152443

JUL 28 1983

Recorded in Official Records
of Riverside County, California
William E. Eganey
Recorder
Fees \$ 5

COVENANT AND AGREEMENT

TRACT 18376-2

THIS COVENANT AND AGREEMENT is made and entered into this 18 day of July, 1983, by PRESLEY OF SOUTHERN CALIFORNIA, a California corporation, the fee owners of the real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Tract 18376-2 as shown by Map on file in Book 132 of Maps, at pages 81 and 82 thereof, Records of Riverside County, California.

WITNESSETH:

WHEREAS the undersigned seeks to divide the above described property into twenty-two lots by Tract Map 18376-2, the tentative map for which was approved by the Planning Commission of the City of Riverside on October 7, 1982; and

WHEREAS said property may be subject to flooding in certain natural watercourse areas, particularly located within Lots 7, 8, 9, 10, 11, 12, 13, 17 and 18; and

WHEREAS said natural watercourse areas are to be rezoned by the City of Riverside and placed in the "Watercourse" zone; and

WHEREAS at this time, said rezoning has not taken place; and

WHEREAS future grading and placement of building pads on individual lots may require that access to the lots cross over said watercourse zones; and

WHEREAS the undersigned, their heirs, successors and assigns, must provide and maintain adequate private driveways and private drainage facilities to the specifications of the City of Riverside to allow conveyance of said drainage waters to flow under any private driveways constructed across said watercourse zones;

Now, therefore, in consideration of the approval by the City of Riverside to record Tract 18376-2 relating to the division of the above described property, the undersigned, on behalf of themselves, their heirs, successors and assigns, hereby covenant and agree with the City of Riverside as follows:

- To notify any future buyers of Lots 7, 8, 9, 10, 11, 12, 13, 17, and 18 that at such time as Grading Permits and/or Building Permits are applied for it will be the responsibility of the owner of such lot to construct and maintain said private driveways and private drainage facilities to the specifications of the City of Riverside.

DESCRIPTION APPROVAL
George P. Hultquist
Surveyor

C/A-86

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- 2. The undersigned, on behalf of themselves and their heirs, successors and assigns, hereby release the City of Riverside, its officers and employees from any and all claims, demands, suits, or actions that the undersigned or their heirs, successors or assigns may now or in the future have arising out of or received as a result of water flooding, flowing over, or remaining upon the property hereinabove described or from any grading or private drainage facilities constructed now or in the future.
- 3. The undersigned on behalf of themselves, their heirs, successors and assigns, hereby agree to defend, indemnify and hold harmless the City of Riverside, its officers and employees from and against any and all liabilities, expenses, claims or causes of action arising out of or resulting from the grading, drainage facilities approved by the City of Riverside relating to Tract 18376-2.

This Covenant and Agreement shall run with the land and shall be binding upon the undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

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

PRESLEY OF SOUTHERN CALIFORNIA, a California corporation

By Alan D. Uman
ALAN D. UMAN, Vice President
By Sharon Banker
SHARON BANKER, Assist Sec.

APPROVED AS TO FORM
Barbara
Notary Public

CAT. NO. NN00737
TO 1945 CA (7-82)
(Corporation)

 TITLE INSURANCE AND TRUST
A TICO COMPANY

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss.

On July 18, 1983 before me, the undersigned, a Notary Public in and for said State, personally appeared Alan D. Uman

personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and Sharon Banker

personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Assistant Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Pamela Ruth Frisbie

OFFICIAL SEAL
PAMELA RUTH FRISBIE
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My Comm. Expires Nov. 16, 1984

(This area for official notarial seal)

C/A-86

STAPLE HERE

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