

REQUEST FOR RECORDATION

Request of City Clerk for recordation of this instrument, and return to, City Clerk, City Hall, 3930 Main Street, Riverside, CA 92522

80989

RECEIVED FOR RECORD AT 9:00 O'CLOCK A.M.

At Request of FIRST AMERICAN TITLE COMPANY OF RIVERSIDE

Book 1981, Page 80989

MAY - 5 1981

Recorded in Official Records of Riverside County, California

David S. ... Recorder

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AMENDMENT TO RIVERSIDE PARKING FACILITIES LEASE

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THIS AMENDMENT is made and entered into this 28th day of April, 1981, by and between the PARKING AUTHORITY OF THE CITY OF RIVERSIDE, a public body corporate and politic, organized and existing under the laws of the State of California, hereinafter referred to as "Authority", and the CITY OF RIVERSIDE, a municipal corporation duly organized and existing under its Charter and the laws of the State of California, hereinafter referred to as "City".

WITNESSETH:

WHEREAS the Authority has issued \$3,450,000 1974 Lease Revenue Bonds pursuant to that certain resolution entitled "Resolution of the Parking Authority of the City of Riverside, California, Authorizing the Issuance of \$3,450,000 1974 Lease Revenue Bonds of said Authority and Providing the Terms and Conditions for the Issuance of said Bonds" for the purpose of acquiring, constructing and financing certain public parking facilities (the "Facilities") in the City of Riverside; and

WHEREAS the Facilities have been leased to the City pursuant to that certain lease entitled "Riverside Parking Facilities Lease" dated August 15, 1974 (the "Lease"), by and between the Authority and the City; and

WHEREAS by an amendment to said lease entitled "First Amendment to Riverside Parking Facilities Lease" (the "Amendment") and dated June 19, 1979, a portion of Parking Lot No. 4 known as Parking Lot 4 West and more particularly described in said Amendment was removed and released from the terms of the Lease; and

WHEREAS by said Amendment dated June 19, 1979, that property known as Parking Lot 31 and as more particularly

CITY ATTORNEY RIVERSIDE CALIFORNIA

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1 described in said Amendment was demised and leased unto the City
2 by the Authority, all upon the terms and conditions set forth in
3 the Lease, effective as of the date said property was to be
4 acquired by the Authority; and

5 WHEREAS Parking Lot 4 West was not then sold by the
6 Authority nor was Parking Lot 31 acquired thereafter; and

7 WHEREAS the Authority has now approved the sale of all
8 of its right, title and interest in one of the parcels of land
9 described in Exhibit "A" to the Lease, which parcel is commonly
10 known as Parking Lot No. 4 and more particularly described in
11 Exhibit I, attached hereto and by this reference incorporated
12 herein; and

13 WHEREAS the Authority proposes to acquire certain proper-
14 ties on the westerly side of Orange Street between Fifth and
15 Sixth Streets which together with Parking Lot No. 2 will comprise
16 that property described in Exhibit II, attached hereto and by
17 this reference incorporated herein; and

18 WHEREAS said property described in Exhibit II will be
19 available for public parking purposes including the construction
20 thereon of a parking structure to be known as Parking Garage No. 4
21 and will become part of the Site and the Project in substitution
22 for Parking Lot No. 4; and

23 WHEREAS the Authority has determined that Parking Lot
24 No. 31 described in Exhibit III, attached hereto and by this
25 reference incorporated herein, will not be acquired; and

26 WHEREAS the fair market rental value of the parking
27 facilities encumbered by this Lease following the sale of Parking
28 Lot No. 4 and the acquisition and improvement of Parking Garage No. 4
29 has been found to be at least equal to the fair market value of
30 the parking facilities encumbered by this Lease existing prior
31 to or at the time of the sale of Parking Lot No. 4; and

32 WHEREAS the Authority has adopted that certain resolution

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1 entitled "A Resolution of the Parking Authority of the City of
2 Riverside, California, Authorizing and Providing for the Sale of
3 Parking Lot No. 4 and the Acquisition of Replacement Facilities"
4 relating to the release of Parking Lot No. 4 from the Lease and
5 the substitution therefor of Parking Garage No. 4; and

6 WHEREAS the City has adopted that certain resolution
7 entitled "A Resolution of the City Council of the City of
8 Riverside, California, Authorizing and Providing for the Sale
9 of Parking Lot No. 4 and the Acquisition of Replacement Facilities"
10 relating to the release of Parking Lot No. 4 from the Lease and
11 the substitution therefor of Parking Garage No. 4;

12 NOW, THEREFORE, in consideration of the mutual promises
13 and covenants herein contained, the parties hereto agree to
14 amend the Lease as follows:

15 1. The City agrees to release Parking Lot No. 4 as
16 described in Exhibit I from the terms and conditions of the
17 Lease, effective as of the date said property is sold by the
18 Authority.

19 2. The City leases from the Authority and the Authority
20 demises and leases unto the City, all upon the terms and condi-
21 tions set forth in said Lease, Parking Garage No. 4 as described
22 in Exhibit II effective as of the date said properties are
23 acquired by the Authority.

24 3. The City and the Authority agree that the Authority
25 has abandoned its intention to acquire Parking Lot No. 31 as
26 described in Exhibit III, and said property has not and will not
27 become a part of the Facilities as described in the Lease.

28 IN WITNESS WHEREOF the parties hereto have caused this
29 Amendment to be executed and attested by their proper officers

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1 thereunto duly authorized, and their official seals to be
2 hereto affixed, as of the day and year first above written.

3
4 CITY OF RIVERSIDE, a
municipal corporation

PARKING AUTHORITY OF THE
CITY OF RIVERSIDE

5
6 By Al Brown
7 Mayor

By Al Brown
Chairman

8 Attest Alicia A. Hare
9 City Clerk

Attest Alicia A. Hare
Secretary

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I HEREBY APPROVE the form and legality of the foregoing
agreement this 28th day of April, 1981.

John Woodrup
City Attorney and Legal Counsel
of said Authority

ATTORNEY
RIVERSIDE
CALIFORNIA

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All of Block 9, Range 4 of the TOWN OF RIVERSIDE,
as per Map recorded in Book 7, Page 17, Records
of San Bernardino County, California.

EXCEPT therefrom Lots "A, "B" and "C" of Parcel Map
No. 11829, on file in Book 48 of Parcel Maps, Page
8, Records of Riverside County, California.

Wm. J. ...
Surveyor

EXHIBIT I

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Lots 1 thru 5 inclusive, of Block 5, Range 6 of
The Town of Riverside, as shown by map recorded
in Book 7 of Maps at Page 17 thereof, records of
San Bernardino, California;

Excepting therefrom the northwesterly 10 feet
conveyed to the City of Riverside for a public
alley.

DESIGNER APPROVAL
Clara S. [Signature]
for Surveyor

EXHIBIT II

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That portion of Block 8, Range 4 of THE TOWN OF RIVERSIDE, recorded in Book 7 of Maps, at Page 17 thereof, records of San Bernardino County, California, more particularly described as follows:

BEGINNING at the most southerly corner of said Block;

THENCE Northwesterly along the southwesterly line of said Block, a distance of 131 feet, more or less to the most southerly corner of that certain parcel of land conveyed to First Baptist Church of Riverside, by Deed recorded October 5, 1955, as Instrument No. 64026 of Official Records of said Riverside County, California; said corner being 199.01 feet southeasterly from the most westerly corner of said Block;

THENCE Northeasterly along the southeasterly line of said parcel 160 feet to the southwesterly line of that certain alley, as conveyed to the City of Riverside by deed recorded June 19, 1902 in Book 147 of Deeds, Page 54, et seq., records of said Riverside County;

THENCE Southeasterly along said southwesterly line of said alley 131 feet, more or less, to the southeasterly line of said Block;

THENCE Southwesterly along said southeasterly line of said Block a distance of 160 feet to the point of beginning.

EXCEPTING therefrom that certain parcel of land conveyed to the City of Riverside by Deed recorded June 13, 1969 as Instrument No. 59405 of Official Records of said Riverside County.

RESOLUTION APPROVAL
[Signature]
CITY CLERK

EXHIBIT III

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