

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: CITY OF RIVERSIDE
Case No. P03-0060
Liviu F. Eftimie (Grantee)
3763 Tibbetts Street (Grantee's Subject Site)
Riverside, California

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GRANT OF AN IRREVOCABLE
LANDSCAPE AND ACCESS EASEMENT

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THIS GRANT OF LANDSCAPE AND ACCESS EASEMENT is made and entered into this 21 day of MAY, 2003, by Carol Sessa, and Donald D. Lorenzi, as joint tenants ("Grantors") with reference to the following facts:

- A. Grantors are the fee owners of the following described real property ("the Property") situated at 3767 Tibbetts Street in the City of Riverside, County of Riverside, State of California:
(SEE EXHIBIT "A")
- B. GRANTEE is the fee owner of the following described real property (the Subject Site) situated at 3763 Tibbetts Street in the City of Riverside, County of Riverside, State of California (See Exhibit "B").
- C. The Property is located at 3767 Tibbetts Street, Riverside, California, and is currently developed with a two (2) story office building. The Property is adjacent on the west side of the subject site and is shown on Exhibit "C" attached to and made a part hereof.
- D. A Variance Case, P03-0060 has been filed with the City of Riverside by Grantee in order to facilitate the development of Grantee's subject site with a dental office as shown on Exhibit "D" attached hereto and made a part hereof.
- E. As one of the conditions for the approval of the case, the City of Riverside is requiring Grantee to submit a Landscape and Access Easement for Planning Department and Legal Department approval to assure adequate landscaping and access for the subject site.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside under Case No. P03-0060, GRANTORS hereby grant to GRANTEE, AN IRREVOCABLE LANDSCAPE AND ACCESS EASEMENT FOR landscaping and pedestrian ingress and egress over, along and across the 5 foot area located on the easterly side of the Property and shown on the site plan marked as Exhibit "D", attached hereto.

Said easement area is more particularly described as follows: The Easterly five feet of Lot 12 in Book 2 of Tibbetts Tract, as shown by map recorded, in Book 2, Page 35 of Maps, Records of San Bernardino County, California.

Said easement is for the use and benefit of and as an appurtenance to Grantee's subject site located at 3763 Tibbetts Street.

PROVIDED, HOWEVER, Grantee shall have no right to use said easement until such time as the dental office on Grantee's subject site is built and, further, Grantee shall install a walkway, irrigation system and landscaping and shall maintain same over said 5 foot easement area.

This Grant of an Irrevocable Landscape and Access Easement is made and entered into for the purpose of complying with a condition of approval of City of Riverside, Case P03-0060 and shall not be modified, amended or terminated in any way without the prior written consent of the parties (Grantors and Grantee) and the Planning Director of the City of Riverside and recorded with the Riverside County Recorder..

This Grant of an Irrevocable Landscape and Access Easement shall run with the land and shall be binding upon Grantors, their heirs, successors and assigns.

IN WITNESS WHEREOF Grantors have caused this Grant of Landscape and Access Easement to be executed the day and year first written above.

GRANTORS:



CAROL SESSA



~~DONALD~~ D. LORENZI
DONALD

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



DEPUTY CITY ATTORNEY



PLANNING DEPARTMENT



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EXHIBIT "A"

GRANTOR'S PROPERTY

PARCEL NO. 1:

Lot 12 in Block 2 of Tibbett's Tract, as shown by Map recorded in Book 2, Page 35 of Maps, records of San Bernardino County, California.

Also, the Northerly 15 feet of Tibbett's Avenue, as shown on said Map, adjoining said Lot 12 on the South and lying between the southerly extensions of the West line and the East line of Lot 12, as abandoned by Ordinance No. 262, passed by the Board of Trustees of the City of Riverside, California, April 11, 1899, a certified copy of said Ordinance being recorded February 23, 1951 in Book 1247, Page 65 of Official Records of Riverside County, California.

PARCEL NO. 2:

That portion of the following described property lying Easterly of the Northerly prolongation of the Westerly line of Lot 12 in Block 2 of Tibbett's Tract, as shown by Map recorded in Book 2, Page 35 of Maps, San Bernardino County Records, described as follows:

That portion of the Southwest quarter of the Southwest quarter of Section 34, Township 2 South, Range 5 West, San Bernardino Base and Meridian, as shown by U.S. Government Survey, approved April 16, 1896 described as follows:

Commencing at the intersection of the Westerly line of Eliza Street now known as Brockton Avenue and the Northerly line of Block 2 of Tibbett's Tract as shown by Map on file in Book 2, Page 35 of Maps, San Bernardino County Records; Thence West on said Northerly line of said Block 2 to the Easterly line of Magnolia Avenue, conveyed to the City of Riverside by deed recorded in Book 276, Page 23 of Deeds, records of Riverside County, the true point of beginning; Thence Northeasterly on said Easterly line of Magnolia Avenue to the Southerly line of a tract of land conveyed to B. Edmiston by deed recorded in Book 2, Page 584 of Deeds, San Bernardino County records; Thence Easterly on said Southerly line 300 feet; Thence Southerly parallel with the Westerly line of Brockton to the Northerly line of said Block 2 of Tibbett's; Thence Westerly on the Northerly line of said Block 2 to the true point of beginning.

Excepting therefrom the Northerly 50 feet thereof. Said property is also situated in the City of Riverside.



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EXHIBIT "B"

GRANTEE'S SUBJECT SITE

**LOT 13 IN BOOK 2 OF TIBBETTS TRACT AS SHOWN BY MAP
RECORDED IN BOOK 2 PAGE 35 OF MAPS, RECORDS OF SAN
BERNARDINO COUNTY, CALIFORNIA.**



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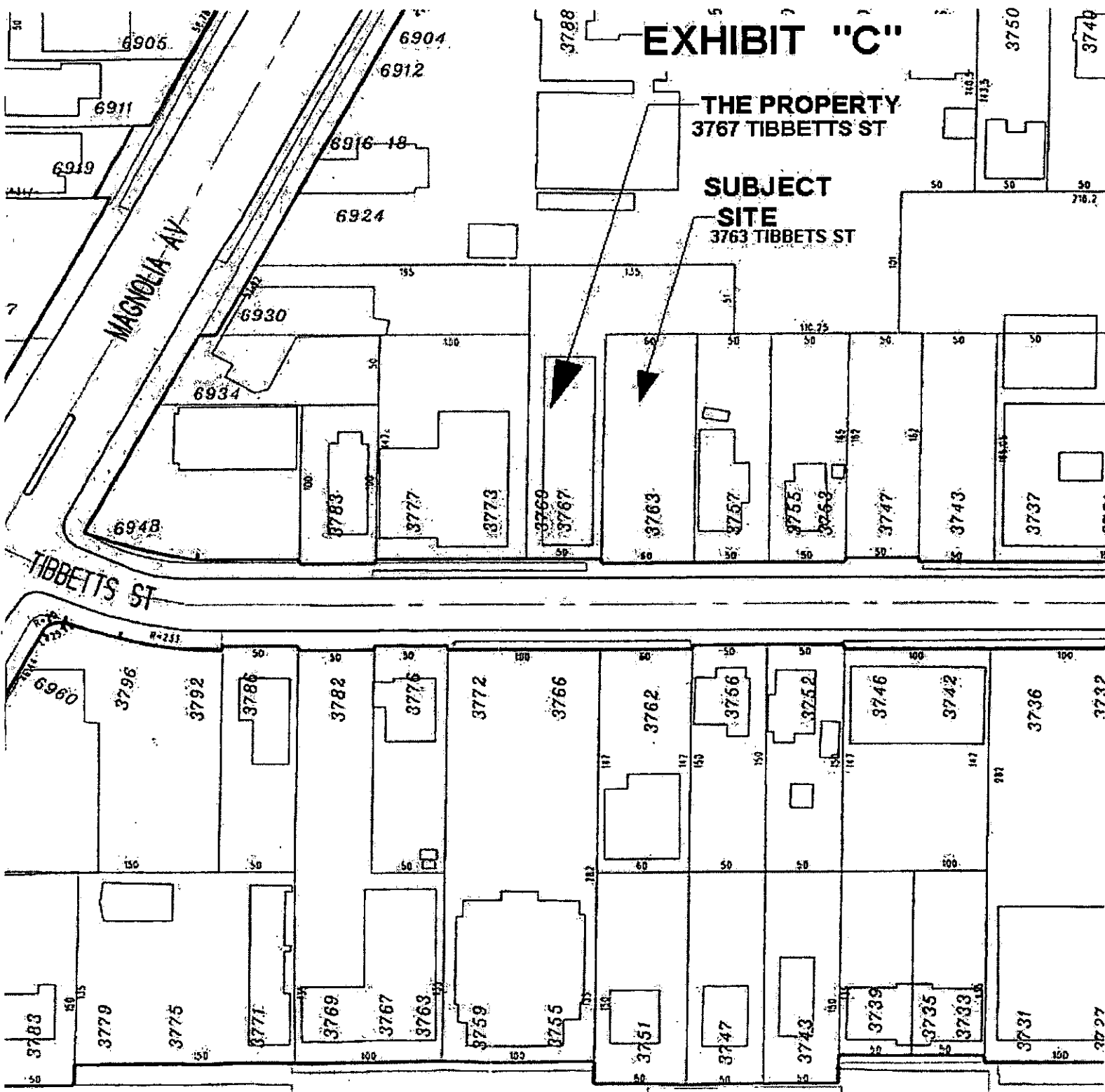


EXHIBIT "C"

THE PROPERTY
3767 TIBBETTS ST

SUBJECT SITE
3763 TIBBETTS ST

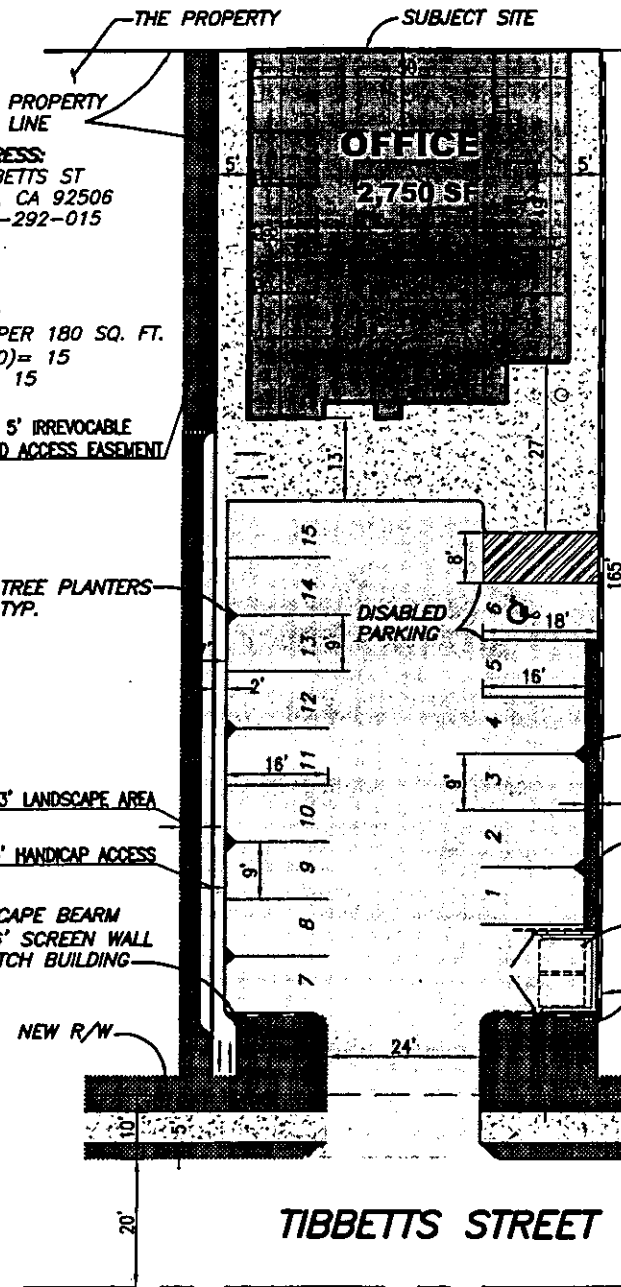
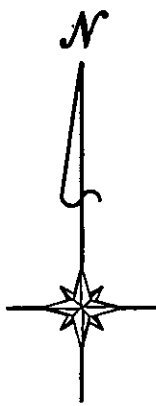


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SITE PLAN EXHIBIT DENTAL/ORAL SURGERY OFFICE EXHIBIT "D"



SITE ADDRESS:
3763 TIBBETTS ST
RIVERSIDE, CA 92506
APN. 225-292-015

PARKING:
REQUIRED:
1 SPACE PER 180 SQ. FT.
(2750/180) = 15
PROVIDED: 15

**PROPOSED 5' IRREVOCABLE
LANDSCAPE AND ACCESS EASEMENT**

PRELIMINARY GRADING CONCEPTS/PLANS

A. Grade to drain site to the North, which will require a Drainage Easement/Agreement and most likely no retaining wall.

B. If a Drainage Easement/Agreement can not be obtained, grade site to drain to Tibbetts Street, which may require 2ft. to 4ft. retaining walls around the building at the rear of the site.

NOTE:

A grading plan will be prepared after project approval of the site plan, variances and design review.

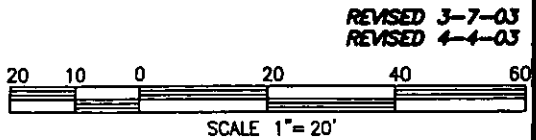
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Architect: **S.E. SHOVER ARCHITECT INC.**
PHONE (909) 883-0777
3604 SHANDIN CIRCLE
SAN BERNARDINO, CA 92404

Applicant: **LIVU F. EFTIMIE DDS**
PAGER (909) 385-5306
25660 ALLEN WAY
LOMA LINDA, CA 92354

CEC CANTY ENGINEERING GROUP, INC.
CIVIL ENGINEERING - PLANNING - SURVEYING
2020 IOWA AVENUE, SUITE 102, P.O. BOX 52050, RIVERSIDE, CA 92517
TEL. (909) 883-5234 FAX (909) 883-5301
W.O. 1234-001 DATE: 02/18/03

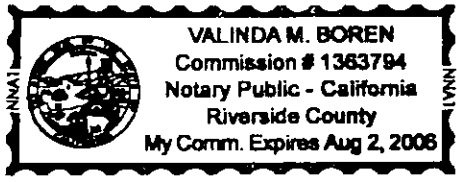


CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of RIVERSIDE } ss.

On 5/5/03 before me, Valinda M. Boren - Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Carol Sessa
Name(s) of Signer(s)

- personally known to me
- 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.
Valinda M. Boren
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

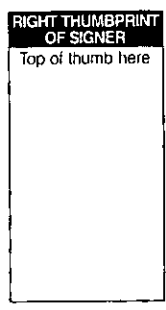
Title or Type of Document: Grant of an Irrevocable Landscape
an access easement
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney-in-Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____

Signer Is Representing: _____



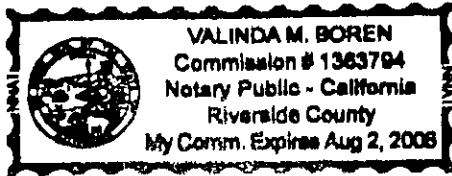
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State of California }
County of RIVERSIDE } ss.

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Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Donald Lorenzi
Name(s) of Signer(s)

personally known to me
 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) upon 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.

Valinda M. Boren
Signature of Notary Public

OPTIONAL

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Description of Attached Document

Title or Type of Document: Grant of an Irrevocable Landscape and Access Easement

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

