

WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: 5021 Myrtle Avenue
Riverside, CA 92506
APN: 219-292-011

FOR RECORDER'S OFFICE USE ONLY

**RELEASE AND TERMINATION OF COVENANT AND
AGREEMENT AND DECLARATION OF RESTRICTIONS**

This Release and Termination of Covenant and Agreement And Declaration of Restrictions ("Termination") is made this ____ day of _____, 2017 by the CITY OF RIVERSIDE, a California charter city and municipal corporation ("City") with reference to the following facts:

A. Richard G. Engelauf and Donna Engelauf ("Declarants"), in connection with the development of that certain real property located at 5021 Myrtle Avenue, more specifically described in Exhibit "A" attached hereto and imported herein by reference ("Property"), were required to record a Covenant and Agreement and Declaration of Restrictions ("Covenant") for the deferred payment of the Distribution System Fee and other conditions.

B. Declarants executed and recorded a Covenant, dated July 22, 1991, and recorded on August 5, 1991, as Instrument No. 267762, to satisfy the above stated conditions.

C. City has now determined that the conditions are no longer necessary.

D. The Covenant provides that it shall run with the land and each and all of its terms shall be binding upon Declarants, their successor and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

NOW, THEREFORE, in consideration of the above recitals, the City Council of the City of Riverside, by and through its City Manager, hereby releases the Covenant, Agreement and Declaration of Restrictions dated July 22, 1991, executed by Declarants and recorded on August 5, 1991 as Instrument No. 267762, official Records of Riverside County, California, and hereby discharges Declarants and their successors and assigns, including from any further obligation or duty set forth therein and hereby terminates said Covenant.

IN WITNESS WHEREOF, City has caused this Release and Termination of Covenant and Agreement to be executed as of the day and year first written above.

CITY OF RIVERSIDE,
a municipal corporation

By: _____
City Manager

Attest: _____
City Clerk

APPROVED AS TO FORM:

Kristi J. Smith
Chief Assistant City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of Lot 92 in division "C" of Halls Addition to Riverside as shown by map on file in Book 9 of Maps, at page 3 thereof, and that portion of Lot 83 in Division "D" of Halls Addition to Riverside, as shown by map on file in Book 9 of Maps, at page 4 thereof, both Records of San Bernardino County, California, described as follows:

BEGINNING at the Southeast corner of said Lot 83, also being the Southeast corner of Parcel 4 of that certain parcel of land as conveyed to Derrill E. Yaeger and Frances E. Yaeger by Deed recorded April 2, 1975, as Instrument No. 37524, Official Records of Riverside County, California;

THENCE S. 89° 50' 22" W., a distance of 139.73 feet;

THENCE Southwesterly along a curve concave Southeasterly, having a radius of 233.00 feet, through an angle of 21° 23' 37", an arc length of 87.00 feet;

The preceding two (2) courses are along the Southerly line of said Lot 83 and said Parcel 4;

THENCE N. 21° 33' 15" W., a distance of 187.29 feet to the Northerly line of Parcel 3 of said parcel of land as conveyed to Derrill E. Yaeger et ux;

THENCE N. 87° 41' 47" E., along said Northerly line, a distance of 293.24 feet to the most Easterly corner thereof, also being the Northeast corner of said Lot 83 and said Parcel 4;

THENCE S. 00° 09' 38" E., along the Easterly line of said Lot 83 and said Parcel 4, a distance of 169.30 feet to the point of beginning.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

ACKNOWLEDGMENT

State of California

County of _____

On _____, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

ACKNOWLEDGMENT

State of California

County of _____

On _____, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature