



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 24, 2017

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARD: 2

SUBJECT: TERMINATE A COVENANT AND AGREEMENT ESTABLISHING EASEMENTS FOR ACCESS AND PARKING NECESSARY TO CLOSE ESCROW ON 4015 AND 4085 VINE STREET WITH THE RIVERSIDE TRANSIT AGENCY

ISSUE:

Approve the Termination of Covenant and Agreement Establishing Easements for Access and Parking as necessary to close escrow on 4015 and 4085 Vine Street with the Riverside Transit Agency.

RECOMMENDATION:

That the City Council authorize the City Manager, or his designee, to execute the Termination of Covenant and Agreement Establishing Easements for Access and Parking and file any and all documents necessary to release Document number 291601, filed September 5, 1995, Covenant and Agreement Establishing Easements for Access and Parking recorded against title of Assessor's Parcel Number 215-152-012 (4085 Vine Street), as necessary to close escrow on 4015 and 4085 Vine Street with the Riverside Transit Agency.

BACKGROUND:

The property located at 4015 Vine Street, identified as Assessor's Parcel Number 215-152-019, was a vacant land site, and the property located at 4085 Vine Street, identified as Assessor's Parcel Number 215-152-012, was developed with a restaurant in 1995.

As a condition for approving design review, the City of Riverside required that a covenant and agreement be recorded to assure mutual access for ingress, egress, and parking across both parcels. On August 29, 1995, a Covenant and Agreement Establishing Easements for Access and Parking (Covenant) was entered into by Allie T. Mallad, Trustee of the Allie T. Mallad Private Revocable Living Trust Dated July 26, 1990 (the owner of 4085 Vine Street property at the time). The Covenant was filed and recorded on September 5, 1995 with the County of Riverside Recorder's Office as Document Number 291601.

In July 2007, the Redevelopment Agency acquired the property located at 4085 Vine Street, known as the Babylon Restaurant. Subsequently, in 2009, the City purchased 4015 Vine Street, known as the Life Touch building with the associated parking lot, with the Redevelopment Agency funding the acquisition of the property. The improved structures on these parcels were demolished for the future development of a transit facility. On March 30, 2012, the Oversight Board adopted

Resolution 1 approving the transfer of 4085 Vine Street from the Successor Agency to the Redevelopment Agency to the City of Riverside as a public facility. 4015 and 4085 Vine Street is currently vacant land with approximately 2.357 acres (Property), as shown below in the yellow highlighted area.



On May 16, 2017, the City Council approved a Purchase and Development Agreement with the Riverside Transit Agency (RTA) for the disposition of the Property to facilitate the transfer of the Federal Transit Administration grant interest from the Downtown Transit Terminal at Fairmount Boulevard and University Avenue to the Property and development of a new facility to accommodate RTA's buses.

DISCUSSION:

The Property is currently in Escrow. RTA recently requested that the Covenant be removed from title prior to the closing of escrow. Since the structure, located at 4085 Vine Street, has been demolished and the previous restaurant use has been removed, staff determined that the Covenant on title of this property is no longer necessary. To formally document staff's determination and relieve the future property owner, RTA, of any future obligations, staff recommends filing the attached Termination of Covenant and Agreement Establishing Easements for Access and Parking or other appropriate documentation with the County of Riverside Recorder's Office to remove the Covenant from the property title.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

Prepared by:	Rafael Guzman, Community & Economic Development Director
Certified as to availability of funds:	Adam Raymond, Chief Financial Officer/Treasurer
Approved by:	Al Zelinka, FAICP, Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachment:	Termination of the Covenant and Agreement Establishing Easements for Access and Parking
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