RECORDING REQUESTED BY: City of Redlands WHEN RECORDED, RETURN TO: City Clerk, City of Redlands

P. O. Box 280

Redlands, California, 92373

RECORDED IN OFFICIAL RECORDS FEB 8 1978 AT 10:30 AM V. DENNIS WARDLE CLERK-RECORDER

SAN BERNARDINO COUNTY, CALIF.

8001.9364 PAGE 1271

NO FEE

AGREEMENT

The parties to this agreement, dated this ____ day of 197_, are the City of Redlands, a Municipal Corporation, hereinafter called "City", and Nicon Development, Inc. including all assignees, heirs, mortgagees, and successors in interest, hereinafter called "Applicant".

RECITAL

WHEREAS the Planning Commission, in its approval of Minor Subdivision #46 has required the installation of sanitary sewer along the frontage of applicants' property shown on Exhibit "A" attached hereto and made a part of this agreement, and

WHEREAS the City Council has authority to suspend the requirement for installation of sanitary sewers provided that such an action will not adversely affect the health, safety, and welfare of the public, and further provided that appellant agrees in writing to install the required sanitary sewer when the City deems it necessary, and that such agreement shall be recorded with the County Recorder by the City Clerk.

COVENANTS

Applicant hereby covenants as follows:

- To install sanitary sewer along the frontage of their property shown on Exhibit "A" at such time as the required installation will provide for a completed and useable system.
- This agreement shall be binding upon and enforceable against 2. applicants and all assignees, heirs, mortgagees, and successors in interest, and shall be recorded in the office of the County Recorder.
- If applicant or any successor in interest fails to comply with 3. any term of this agreement or acts contrary to any ordinance of the City of Redlands, the City may initiate proceedings and file a proper action to enforce this agreement. Applicant and all successors in interest agree to pay all costs of suit and reasonable attorney's fees for such action.

The City hereby covenants as follows:

- 1. That on the $\underline{17th}$ day of $\underline{\underline{1anuary}}$, $197_{\underline{8}}$, the City Council has determined that the provisions of this agreement do not adversely affect the health, safety, and welfare of the public.
- 2. That the requirement to install sanitary sewer along the frontage of the applicant's property shown on Exhibit "A" is hereby. suspended provided that applicants agree in writing to install the sanitary sewer at such time as the required installation will provide for a completed and useable system.

NICON Development Inc.
Applicant

Applicant

Applicant

, 197___, before me, the undersigned, a

ATTEST:

City Clerk Moneley

APPROVED FOR FORM:

/s/ Edward F. Taylor City Attorney

State of California)
County of San Bernardino)

, 197____, l

STATE OF CALIFORNIA

COUNTY OF San Bernardino

On January 23, 1978

before me

the undersigned, a Notary Public in and for said County and State, rersonally appeared Frederick L. Nichols nown to me to be the President, and ...

Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

Signature Senora K.M. Clushey



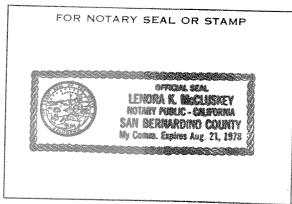


EXHIBIT 'A" 800: 9364 PAGE 1273

