

EXHIBIT E
CONDITIONS OF ZONING

85050412

Recording requested by
City Clerk, Fresno, California
No Fed-Govt. Code 6103 &
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AT 50 MIN PAST 2 P M
MAY 22 1985

FRESNO COUNTY, CALIFORNIA
GALEN LARSON, County Recorder

Walter H. Himmels
BY DEPUTY RECORDER

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-----SPACE ABOVE FOR RECORDER'S USE-----

STATEMENT OF COVENANTS
AFFECTING LAND DEVELOPMENT
(Rezoning Application No. 7143)

RECITALS

A. RIVER PARK PROPERTIES, hereinafter referred to as "the Covenantor," is the owner of that certain real property in the City of Fresno, County of Fresno, State of California, hereinafter referred to as "the Subject Property" and more particularly described on the attached Exhibit "L".

B. The Covenantor has applied to the City of Fresno for a district amendment changing the AE-20/UGM Zone District classification to the C-M/cz/UGM, C-1/cz/UGM, and C-P/cz/UGM Zone District classifications for the Subject Property.

C. The City of Fresno desires to obtain covenants from the Covenantor to insure that the Subject Property is not developed, used, or maintained in such a way as to adversely affect adjoining properties.

COVENANTS, CONDITIONS, AND RESTRICTIONS

For favorable action on, and approval of, the Covenantor's application for an amendment to the Zone District classification of the Subject Property as referred to hereinabove, the Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following covenants, conditions, and restrictions, which are for the purpose of enhancing attractiveness, usefulness, value, and desirability of the Subject Property, the surrounding

property, and the public at large and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement will run with the Subject Property and shall be binding on each successive owner of the Subject Property and his heirs, administrators, successors, and assigns.

1. Covenantor hereby covenants as follows:

- A. Development of the subject property shall be in accordance with the conditions and requirements described on the attached Exhibit "A".

2. The conditions of this Statement are intended to benefit the public and public properties. Accordingly, the City of Fresno shall have the right to enforce this Statement by any legal or equitable means against the Covenantor and such person or persons in actual possession of Subject Property who directly or who through any agent violate the terms hereof. All obligations of the Covenantor under this Statement shall inure solely to the benefit of the City of Fresno. There are no third party beneficiaries of said obligations nor shall the right of the City of Fresno be transferrable in any manner to any person other than to a successor municipal corporation whose geographic boundaries include the Subject Property.

3. Covenantor covenants that, in the event of failure to comply with the conditions set forth in this Statement, Covenantor will not object to the redistricting of the Subject Property to a land use zoning district which the Council of the City of Fresno determines is proper without compliance with such conditions, and in such event, Covenantor waives any right to have any uses or improvements, installed subsequently to the change of land use zoning district herein requested, considered, or treated as not conforming uses or improvements after such redistricting.

4. The foregoing conditions shall remain in full force and effect until such time as the City of Fresno, pursuant to the district amendment procedure of the Fresno Municipal Code, finds the enforcement of such condition is no longer equitable.

5. The provisions of this Statement shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context of the statement so requires in interpreting this Statement, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.

DATED: _____

Accepted By:

CITY OF FRESNO,
a Municipal Corporation

By George A. Kerber
George A. Kerber, Director
Development Department

ATTEST:

JACQUELINE L. RYLE
City Clerk

By Olivia Somerville
Deputy

APPROVED AS TO FORM:

JAMES A. MCKELVEY
City Attorney

By [Signature]

NY:dr
0006g/39

COVENANTOR

RIVER PARK PROPERTIES
A General Partnership

Leo Kolligian
Leo Kolligian, General Partner

Harold Zinkin
Harold Zinkin, General Partner

Joe Josephine
Joe Josephine, General Partner

Edward M. Kashian
Edward M. Kashian, General Partner

Eugene Ohanian
Eugene Ohanian, General Partner

Lee Jay Kolligian
Lee Jay Kolligian, General Partner

[Signature]

(Attach Notary Acknowledgment)

STATE OF CALIFORNIA
COUNTY OF Fresno

} ss

85050412

On this 9th day of May, 1985, before me, the undersigned,
a Notary Public in and for said County and State, personally appeared Joe Josephine
Harold Zinkin, Eugene Ohanian, Leo Kolligian, and
Edward M. Kashian

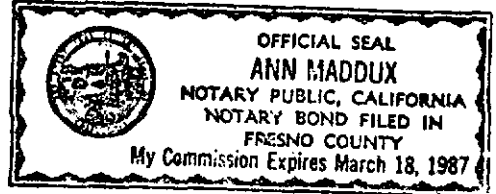
Acknowledgment - Partnership

_____ personally known
to me (or proved to me on the basis of satisfactory evidence) to be five of the partners of the
partnership that executed the within instrument, and acknowledged to me that such partnership executed
the same.

WITNESS my hand and official seal.

Signature Ann Maddux

Name (Typed or Printed)

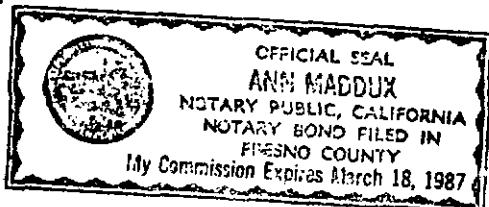


T1103

(This area for official seal)

State of California)
)) ss
County of Fresno)

On May 9, 1985, before me, the undersigned, a Notary Public in and for said
State personally appeared Leo Kolligian, attorney in fact
of Lee Jay Kolligian personally known to
me to be the person who executed the within instrument on behalf of the Partnership
therein Named, and he acknowledged to me that such partnership executed the same, and
also personally known to me to be the person whose name is subscribed to the within
instrument as Attorney-in-fact of Lee Jay Kolligian
and acknowledged to me that he subscribed the name(s) of Lee Jay Kolligan
thereto as a partner(s) and h own name as attorney -
in-fact.



Ann Maddux
Notary's signature

EXHIBIT "L"
 (Rezoning Application 7143)
 AE-20/UGM TO C-1/cz/UGM

Those portions of Lots 223 and 224 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Seventh Street (Nees) and Blackstone Avenue (Fresno), adjacent thereto, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of said Section 28; thence North $0^{\circ} 08' 00''$ West, along the East line of said Section 28, a distance of 896.05 feet to the Southeasterly line of the Minarets and Western (Southern Pacific) Railroad Right of Way; thence South $46^{\circ} 56' 12''$ West, along said Southeasterly line to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Easterly line to the South line of said Section 28; thence North $89^{\circ} 47' 18''$ East, along said South line to the Point of Beginning.

AE-20/UGM TO C-M/cz/UGM

Those portions of Lots 188, 189, 220, 221, 222, 240, 241 and 242 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Blackstone Avenue (Fresno), adjacent thereto, all in the East Half of Section 28 and the West Half of Section 27, in Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the East Quarter corner of said Section 28; thence North $0^{\circ} 24' 10''$ East, along the East line of said Section 28, a distance of 17.68 feet; thence Northeasterly along a curve, concave to the Southeast, whose radius point bears South $68^{\circ} 27' 53''$ East, having a radius of 3040.00 feet, through a central angle of $5^{\circ} 19' 03''$, an arc distance of 282.14 feet; thence North $26^{\circ} 51' 08''$ East, a distance of 221.70 feet to the intersection with a tangent curve, concave to the Southwest; thence Northwesterly along said curve, having a radius of 20.00 feet, through a central angle of $90^{\circ} 13' 03''$, an arc distance of 31.49 feet; thence North $62^{\circ} 10' 22''$ West, a distance of 394.95 feet to the intersection with a tangent curve, concave to the Southwest; thence Northwesterly along said curve, having a radius of 500.00 feet, through a central angle of $26^{\circ} 06' 00''$, an arc distance of 227.66 feet; thence North $89^{\circ} 27' 55''$ West to the intersection with the Northeasterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Northeasterly line to the intersection with the Northwesterly line of the Proposed North Friant Road Right of Way, location of said Route to be established; thence Northeasterly along said Northwesterly line; thence South $39^{\circ} 57' 03''$ East, a distance of 63.00 feet; thence Northeasterly along a curve, concave to the Northwest, having a radius of 3000.00 feet, whose radius point bears North $39^{\circ} 57' 03''$ West, through a central angle of $23^{\circ} 12' 40''$, an arc distance of 1215.33 feet; thence North $63^{\circ} 09' 43''$ West, a distance of 41.71 feet, thence South $26^{\circ} 50' 17''$ West, a distance of 165.39 feet to the Point of Beginning.

AE-20/UGM TO C-P/cz/UGM

Those portions of Lots 222, 223 and 224 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the intersection of the Northwesterly line of the Minarets and Western (Southern Pacific) Railroad Right of Way and the East line of said Section 28, said point of intersection being

North $0^{\circ} 07' 49''$ East, a distance of 978.00 feet from the Southeast corner of said Section 28; thence South $46^{\circ} 56' 12''$ West, along said Northwesterly line, a distance of 79.72 feet to the TRUE POINT OF BEGINNING; thence South $46^{\circ} 56' 12''$ West, along said Northwesterly line to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Northwesterly along said Easterly line to the intersection with the Southerly line of the Proposed Friant Road Right of Way, location of said Route to be established; thence Northeasterly along said Southerly line to the intersection with the centerline of the North Fresno Street Plan Line; thence South $51^{\circ} 26' 42''$ East, along said centerline, a distance of 33.00 feet to the intersection with a tangent curve, concave to the Southwest; thence Southeasterly along said curve, also being along said centerline, having a radius of 550.00 feet, through a central angle of $45^{\circ} 18' 53''$, an arc distance of 434.99 feet; thence South $6^{\circ} 07' 49''$ East, along said centerline, a distance of 656.36 feet to the True Point of Beginning.

Those portions of Lots 225 to 228 inclusive of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Sixth Street (Alluvial), Seventh Street (Nees) and Blackstone Avenue (Fresno), adjacent thereto, all in the Northeast Quarter of Section 33, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of said Section 33; thence North $89^{\circ} 42' 07''$ West, along the North line of said Northeast Quarter to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southerly along said Easterly line to the South line of said Northeast Quarter; thence South $89^{\circ} 43' 14''$ East, along the South line of said Northeast Quarter to the East Quarter corner of said Section 33; thence North $0^{\circ} 45' 24''$ East, along the East line of said Section 33, a distance of 2636.49 feet to the Point of Beginning.

ALSO those portions of Lots 229 and 230 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Sixth Street (Alluvial) and Blackstone Avenue (Fresno), adjacent thereto, all in the Southeast Quarter of Section 33, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the East Quarter corner of said Section 33; thence South $0^{\circ} 45' 24''$ West, along the East line of said Section 33, a distance of 1168.91 feet; thence North $89^{\circ} 44' 34''$ West to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Northerly, along said Easterly line to the North line of said Southeast Quarter; thence South $89^{\circ} 43' 14''$ East, along said North line, to the Point of Beginning.

Those portions of Lots 243 and 244 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with a portion of Blackstone Avenue, adjacent thereto, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the centerline of the Blackstone Avenue Right of Way and the Northwesterly line of the Proposed North Friant Road Right of Way, location of said Proposed North Friant Road Right of Way to be established; thence Northerly along said centerline to the intersection with the Southwesterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Southwesterly line to the intersection with said Northwesterly line; thence Southwesterly along said Northwesterly line to the Point of Beginning.

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CONDITIONS FOR C-M/UGM ZONED PROPERTY
(Rezoning Application 7143)

1. Development of the property zoned C-M/UGM shall be limited to uses that will not generate more than 30,040 daily vehicle trips based on normal traffic generation factors. For comparison purposes this would allow for up to 751,000 square feet of building area.* Any modification to this limitation can only be justified by analysis of specific land use performance standards through a traffic circulation study. The study must have specific prior written approval of the City of Fresno Development Department Director and the Public Works Department Director.
2. Development of the C-M/UGM zoned property shall be limited to the following uses:
 - A. Retail Uses
 1. Automobile Service Station
 2. Electrical Supply
 3. Plumbing Supply
 4. Radio-television sales and service
 5. Lumber Yard (including incidental millwork but not including planing mill).
 - B. Service Uses
 1. Blueprinting and photocopying
 2. Employment agencies
 3. Financial institutions
 4. Libraries
 5. Newspaper publishing
 6. Offices
 - a. Administrative
 - b. Business
 - c. General
 - d. Medical
 - e. Professional
 7. Picture framing
 8. Printing shop, lithographing, publishing
 9. Technical Schools
 10. Vocational Schools
 - C. Related Uses
 1. Banks
 2. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.
 3. Restaurants
 - D. Manufacturing Uses
 1. Book binding
 2. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
 3. Jewelry manufacturing
 4. Machinery and shop (no punch presses over twenty (20) tons or drop hammers)
 - a. Cabinet or carpenter shops
 - b. Custom furniture shops
 - c. Furniture upholstery shops, custom retail work
 5. Manufacturing and maintenance of electric or neon signs
 6. Novelties
 7. Rubber and metal stamps
 8. Wholesaling and warehousing

*Note: For comparison purposes, if 751,000 square feet of buildings were developed for uses generating an average of 40 daily vehicle trips per 1,000 square feet of building area, 30,040 daily vehicle trips would be generated. Traffic generation, not building square footage, is intended to be the controlling factor. If buildings are developed for uses that generate more or less than 40 vehicle trips per 1,000 square feet, the permitted building area would increase or decrease accordingly.

E. Processing

1. Carpet and rug cleaning plants
2. Cleaning dyeing plants
3. Laundries
4. Laboratories

F. Fabrication

1. Assembly of small electrical and electronic equipment

G. Off-street parking

H. Communications equipment buildings

I. Temporary or permanent telephone booths

J. Water pump stations

K. Uses permitted subject to Conditional Use Permit

1. Animal hospital and shelter
2. Commercial blood banks
3. Electric motor rebuilding
4. Kennels
5. Microwave relay structures
6. Motels, hotels
7. Rubber, fabrication of products made from finished rubber
8. Unit planned development

L. Uses that are determined by the Director of the City of Fresno Development Department to be appropriate for a "business park" location.

3. Development of the C-M/UGM zoned property shall occur according to the following property development standards, or development standards of the M-1-P Zone District and the Fresno Municipal Code, whichever are more restrictive. The term "Director" used below shall mean the Director of the City of Fresno Development Department.

A. Minimum Setback Lines

1. General - No structure of any kind, and no part thereof, shall be placed on any site closer to a property line than herein provided. The following structures and improvements are specifically excluded from these setback provisions:
 - (a) Roof Overhang.
 - (b) Steps and walks.
 - (c) Paving and associated curbing, except that vehicle parking areas shall not be permitted within the front setback of any property fronting on East Audubon Drive or North Friant Road.
 - (d) Fences, except that no fence shall be placed within the street setback area unless specific approval is given by the Director. Generally, it is intended that the design, construction, and appearance of such fences be harmonious with the aesthetic standards established for the property.
 - (e) Landscaping.
 - (1) The first fifteen (15) feet of all setback areas in which parking is permitted shall be adequately landscaped.

- (2) The entire front setback shall be landscaped if no parking is permitted therein.
- (f) Planters, not to exceed three (3) feet in height.
2. Setback from street property lines shall be fifty (50) feet on East Audubon Drive and thirty (30) feet on North Friant Road. All setbacks shall be across the full width of the lot.
3. Setback from side and rear property lines - The setback line is established as ten (10) feet from each such property line.
- (a) Any site which is bounded on more than one side by a public street shall have a setback from each such public street at least as great as the minimum front setback from such street as required in Section B herein regardless of the orientation of building improvements on said site.

B. Landscaping

1. Concurrently with the submission of a site plan for approval, there shall also be submitted for approval a detailed landscaping plan which must be approved prior to the commencement of any landscaping and every site on which a building shall have been placed shall be landscaped according to said plans as approved and as specified herein and shall be maintained thereafter in a sightly and well kept condition.
2. The property owner, lessee, or occupant shall landscape and maintain unpaved areas between the property lines and the setback lines. The first fifteen (15) feet of the setback from street property lines shall be used exclusively for landscaping except for walks and driveways crossing the required landscaped area; provided, however, that the entire setback area for sites fronting on North Friant Road and East Audubon Drive shall be entirely landscaped except for walks and driveways.
3. The property owner, lessee, or occupant shall provide facilities adequate to sustain and maintain the landscaped areas. Such facilities are to be adequately screened.
4. Approved landscaping shall be installed within thirty (30) days of the occupancy or completion of the building, whichever occurs first, weather and planting seasons permitting.

C. Signs

1. No temporary sign shall be permitted other than those offering the site for sale or lease or giving credit to parties to a proposed development. Billboards are expressly prohibited.
2. Signs painted on the wall surface of buildings are not permitted unless such restriction is waived by the Director.
3. No sign shall be placed or painted on any roof or portion thereof, nor shall the top of any sign extend above the parapet line or the top of the exterior wall of any building or structure.

D. Parking Areas

1. General - Adequate off-street parking shall be provided to accommodate all parking needs for employee, visitor, and company vehicles on the site. The intent of this provision is to eliminate the need for any on-street parking. If parking requirements increase as a result of a change in use or number of employees, additional off-street parking shall be provided to satisfy the intent of this Section. The property owner, lessee, or occupant shall provide at least three (3) parking stalls for each four (4) persons to be employed on the site, in addition to customer and visitor parking; provided, however, that should the proposed use for a site come under more restrictive parking requirements of the Municipal Code of the City of Fresno, the more restrictive requirements shall apply.
2. Parking shall not be permitted.
 - (a) On any public street.
 - (b) Between the public street pavement and property line.
 - (c) Closer than fifteen (15) feet to a street property line.
 - (d) Within any applicable building setback line.
 - (e) By any vehicle for more than a continuous forty-eight (48) hour period, except within enclosed structures.
 - (f) By any vehicle used primarily for storage or personal property, and/or recreational vehicles, except for (a) temporary loading or unloading of personal property and (b) parking within enclosed structures.
3. The parking requirements may not be modified except as to a particular site by the written consent of the Director.

E. Storage and Loading Areas

1. No materials, supplies, or equipment, including company-owned or operated trucks, shall be stored in any area on a site except inside a closed building, or behind a visual barrier screening such area from the view of adjoining properties and/or a public street.
2. Loading areas shall not encroach into setback areas unless specifically approved by the Director.
3. Loading docks shall be set back and screened to conceal visibility from the street. Docks shall not be closer than seventy (70) feet to the street property line, unless specifically approved by the Director. Loading shall not be permitted from the front of any building.
4. The loading or unloading of trucks on East Audubon Drive and North Friant Road is prohibited.

F. Location of Retail Uses

1. The uses identified in Sections 1A and 1C above shall be situated on the subject property such that (1) their buildings cannot be seen from East Audubon Drive, and (2) their advertising shall be oriented away from East Audubon Drive and Freeway 41.
Exceptions to this requirement can be granted

CONDITIONS FOR ALL PROPERTY

1. The following mitigation measures shall be implemented when more than 50% of the subject property is developed.
 - A. Provide a four-lane divided roadway (constructed to City arterial standards except as noted below) on the Fresno Street alignment (as depicted on figure four of the Traffic Study prepared for the Blackstone/Nees Amendment by "Linscott, Law, and Greenspan, Inc.," hereinafter referred to as Traffic Study, dated April, 1983 and on file in Rezoning Application No. 7143 in the City of Fresno Development Department) between Friant Road and Herndon Avenue. Additional left-turn lanes shall be provided for north bound and west bound traffic flow at the intersection of Friant Road and Fresno Street (a total of four left-turn lanes at the intersection) and for all four directions of traffic flow at the intersection of Herndon and Fresno Street (a total of eight left-turn lanes at the intersection).
 - B. Provide two through lanes in each direction, with four-foot shoulders and a 26 foot wide median, on the Nees Avenue alignment between Blackstone and Fresno Street. This roadway shall include separate right-turn lanes at both Blackstone Avenue and Fresno Street. Dual left-turn lanes shall be provided for all four directions of traffic flow at the Fresno/Nees intersection. Rights-of-way protection for a six-lane roadway with a 26 foot wide median and separate right-turn lanes, as described above, shall be provided for this portion of Nees Avenue.

It is pointed out that any connection of the east leg of Nees Avenue with Blackstone Avenue carries with it requirements to provide certain improvement to Blackstone between Nees Avenue and Herndon Avenue pursuant to an agreement between CALTRANS and the City. The Blackstone improvements are therefore made a part of the minimum mitigation measures.
 - C. Provide a six-lane roadway with a 26 foot wide median on the Friant Road alignment (depicted in figure 4 of the Traffic Study) between Nees Avenue and Audubon Drive. Separate right-turn lanes and dual-left-turn lanes shall be provided for north bound and south bound traffic flow at the intersection of Friant Road/Nees Avenue/Blackstone. A separate right-turn lane shall be provided for north bound traffic flow at Fresno Street and at Audubon Road. A separate right-turn lane shall be provided for south bound traffic flow at Audubon Drive.
2. The following mitigation measures shall be implemented prior to construction of any on site improvements on the subject property and shall be completed prior to issuance of any building permit.
 - A. Provide the 54 foot wide center section (standard median plus two 16 foot travel lanes) of a standard arterial road on the Fresno Street alignment (as depicted on figure four of the Traffic Study) between Friant Road and Herndon Avenue. An additional left-turn lane shall be provided for north bound and west bound traffic flow at the intersection of Friant Road and Fresno Street and for north bound and south bound traffic flow at the intersection of Herndon Avenue and Fresno Street. A separate right-turn lane for south bound traffic flow at Herndon Avenue is also required.
 - B. Provide the 58 foot wide center section (standard median plus two 16 foot lanes) of Nees Avenue between Fresno and Blackstone.

Separate right-turn lanes shall be provided for Nees Avenue traffic at Fresno and at Blackstone. Dual left-turn lanes shall be for east bound and west bound traffic flow at Blackstone. Rights-of-way protection for a 120 foot wide roadway and additional width for right-turn lanes at major intersections shall be provided for Nees Avenue between Blackstone Avenue and Fresno Street.

It is pointed out that any connection of the east leg of Nees Avenue with Blackstone Avenue carries with it requirements to provide certain improvements to Blackstone Avenue between Nees Avenue and Herndon Avenue pursuant to an agreement between CALTRANS and the City. The Blackstone improvements are therefore made a part of the minimum mitigation measures.

- C. Provide the 58 foot wide center section (standard median plus two 16 foot travel lanes) of the Friant Road alignment (as depicted on figure four of the Traffic Study) between Nees Avenue and Audubon Drive. Dual left-turn lanes and separate right-turn lanes shall be provided for Friant Road traffic flow at all major intersections. Rights-of-way shall be protected for a six lane roadway, with dual left-turns and separate right-turns at major intersections.

3. The following general notes shall apply relative to the mitigation measures listed above:

NOTE #1

The terms build, construct, improve, provide, widen or modify between major streets when used relative to roadway mitigation measures shall include, but not limited to, responsibility for:

Acquisition of rights-of-way; design and construction of all street work including installation of railroad protection, installation of traffic signals, placement of traffic signs and markings, construction of bridges, installation of street lighting, construction of sidewalks, placement of required landscaping, relocation and/or installation of both underground and overhead utilities, relocation, reconstruction, modification or demolition of existing local streets necessary to make the existing system whole.

NOTE #2

When a section of roadway to be improved is described as being between two intersections, it shall be understood that the work to be accomplished includes all roadway construction beyond the intersections necessary to provide a smooth transition between the section being improved and the existing improvements.

NOTE #3

In addition to the mitigation measures listed above, the developer is responsible for all cost and construction associated with development of local streets or additional access points to major streets.

NOTE #4

When reference is made to the intersection of Herndon and Fresno, it shall mean the location of the intersection of Herndon Avenue and the existing south leg of Fresno Street.

NOTE #5

When reference is made to the intersection of Friant Road and Fresno Street, it shall mean the intersection on the proposed new alignments of both Fresno Street and Friant Road as shown on figure four of the Traffic Study.

NOTE #6

The above listed requirements may be subject to minor revisions authorized and directed in writing by the City of Fresno Public Works Director.

85050412

Recording requested by
City Clerk, Fresno, California
No Fed-Govt. Code 6103 &
Return to City Clerk, Fresno

AT 50 MIN PAST 2 P M
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FRESNO COUNTY, CALIFORNIA
GALEN LARSON, County Recorder

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AFFECTING LAND DEVELOPMENT
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B. The Covenantor has applied to the City of Fresno for a district amendment changing the AE-20/UGM Zone District classification to the C-M/cz/UGM, C-1/cz/UGM, and C-P/cz/UGM Zone District classifications for the Subject Property.

C. The City of Fresno desires to obtain covenants from the Covenantor to insure that the Subject Property is not developed, used, or maintained in such a way as to adversely affect adjoining properties.

COVENANTS, CONDITIONS, AND RESTRICTIONS

For favorable action on, and approval of, the Covenantor's application for an amendment to the Zone District classification of the Subject Property as referred to hereinabove, the Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following covenants, conditions, and restrictions, which are for the purpose of enhancing attractiveness, usefulness, value, and desirability of the Subject Property, the surrounding

property, and the public at large and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement will run with the Subject Property and shall be binding on each successive owner of the Subject Property and his heirs, administrators, successors, and assigns.

1. Covenantor hereby covenants as follows:

- A. Development of the subject property shall be in accordance with the conditions and requirements described on the attached Exhibit "A".

2. The conditions of this Statement are intended to benefit the public and public properties. Accordingly, the City of Fresno shall have the right to enforce this Statement by any legal or equitable means against the Covenantor and such person or persons in actual possession of Subject Property who directly or who through any agent violate the terms hereof. All obligations of the Covenantor under this Statement shall inure solely to the benefit of the City of Fresno. There are no third party beneficiaries of said obligations nor shall the right of the City of Fresno be transferrable in any manner to any person other than to a successor municipal corporation whose geographic boundaries include the Subject Property.

3. Covenantor covenants that, in the event of failure to comply with the conditions set forth in this Statement, Covenantor will not object to the redistricting of the Subject Property to a land use zoning district which the Council of the City of Fresno determines is proper without compliance with such conditions, and in such event, Covenantor waives any right to have any uses or improvements, installed subsequently to the change of land use zoning district herein requested, considered, or treated as not conforming uses or improvements after such redistricting.

4. The foregoing conditions shall remain in full force and effect until such time as the City of Fresno, pursuant to the district amendment procedure of the Fresno Municipal Code, finds the enforcement of such condition is no longer equitable.

5. The provisions of this Statement shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context of the statement so requires in interpreting this Statement, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.

DATED: _____

Accepted By:

CITY OF FRESNO,
a Municipal Corporation

By George A. Kerber
George A. Kerber, Director
Development Department

ATTEST:

JACQUELINE L. RYLE
City Clerk

By Olivia Somerville
Deputy

APPROVED AS TO FORM:

JAMES A. MCKELVEY
City Attorney

By [Signature]

NY:dr
0006g/39

COVENANTOR

RIVER PARK PROPERTIES
A General Partnership

Leo Kolligian
Leo Kolligian, General Partner

Harold Zinkin
Harold Zinkin, General Partner

Joe Josephine
Joe Josephine, General Partner

Edward M. Kashian
Edward M. Kashian, General Partner

Eugene Ohanian
Eugene Ohanian, General Partner

Lee Jay Kolligian
Lee Jay Kolligian, General Partner

[Signature]

(Attach Notary Acknowledgment)

EXHIBIT "L"
 (Rezoning Application 7143)
 AE-20/UGM TO C-1/cz/UGM

Those portions of Lots 223 and 224 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Seventh Street (Nees) and Blackstone Avenue (Fresno), adjacent thereto, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of said Section 28; thence North $0^{\circ} 08' 00''$ West, along the East line of said Section 28, a distance of 896.05 feet to the Southeasterly line of the Minarets and Western (Southern Pacific) Railroad Right of Way; thence South $46^{\circ} 56' 12''$ West, along said Southeasterly line to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Easterly line to the South line of said Section 28; thence North $89^{\circ} 47' 18''$ East, along said South line to the Point of Beginning.

AE-20/UGM TO C-M/cz/UGM

Those portions of Lots 188, 189, 220, 221, 222, 240, 241 and 242 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Blackstone Avenue (Fresno), adjacent thereto, all in the East Half of Section 28 and the West Half of Section 27, in Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the East Quarter corner of said Section 28; thence North $0^{\circ} 24' 10''$ East, along the East line of said Section 28, a distance of 17.68 feet; thence Northeasterly along a curve, concave to the Southeast, whose radius point bears South $68^{\circ} 27' 53''$ East, having a radius of 3040.00 feet, through a central angle of $5^{\circ} 19' 03''$, an arc distance of 282.14 feet; thence North $26^{\circ} 51' 08''$ East, a distance of 221.70 feet to the intersection with a tangent curve, concave to the Southwest; thence Northwesterly along said curve, having a radius of 20.00 feet, through a central angle of $90^{\circ} 13' 03''$, an arc distance of 31.49 feet; thence North $62^{\circ} 10' 22''$ West, a distance of 394.95 feet to the intersection with a tangent curve, concave to the Southwest; thence Northwesterly along said curve, having a radius of 500.00 feet, through a central angle of $26^{\circ} 06' 00''$, an arc distance of 227.66 feet; thence North $89^{\circ} 27' 55''$ West to the intersection with the Northeasterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Northeasterly line to the intersection with the Northwesterly line of the Proposed North Friant Road Right of Way, location of said Route to be established; thence Northeasterly along said Northwesterly line; thence South $39^{\circ} 57' 03''$ East, a distance of 63.00 feet; thence Northeasterly along a curve, concave to the Northwest, having a radius of 3000.00 feet, whose radius point bears North $39^{\circ} 57' 03''$ West, through a central angle of $23^{\circ} 12' 40''$, an arc distance of 1215.33 feet; thence North $63^{\circ} 09' 43''$ West, a distance of 41.71 feet, thence South $26^{\circ} 50' 17''$ West, a distance of 165.39 feet to the Point of Beginning.

AE-20/UGM TO C-P/cz/UGM

Those portions of Lots 222, 223 and 224 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the intersection of the Northwesterly line of the Minarets and Western (Southern Pacific) Railroad Right of Way and the East line of said Section 28, said point of intersection being

North 0° 07' 49" East, a distance of 978.00 feet from the Southeast corner of said Section 28; thence South 46° 56' 12" West, along said Northwesterly line, a distance of 79.72 feet to the TRUE POINT OF BEGINNING; thence South 46° 56' 12" West, along said Northwesterly line to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Northwesterly along said Easterly line to the intersection with the Southerly line of the Proposed Friant Road Right of Way, location of said Route to be established; thence Northeasterly along said Southerly line to the intersection with the centerline of the North Fresno Street Plan Line; thence South 51° 26' 42" East, along said centerline, a distance of 33.00 feet to the intersection with a tangent curve, concave to the Southwest; thence Southeasterly along said curve, also being along said centerline, having a radius of 550.00 feet, through a central angle of 45° 18' 53" , an arc distance of 434.99 feet; thence South 6° 07' 49" East, along said centerline, a distance of 656.36 feet to the True Point of Beginning.

Those portions of Lots 225 to 228 inclusive of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Sixth Street (Alluvial), Seventh Street (Nees) and Blackstone Avenue (Fresno), adjacent thereto, all in the Northeast Quarter of Section 33, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of said Section 33; thence North 89° 42' 07" West, along the North line of said Northeast Quarter to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southerly along said Easterly line to the South line of said Northeast Quarter; thence South 89° 43' 14" East, along the South line of said Northeast Quarter to the East Quarter corner of said Section 33; thence North 0° 45' 24" East, along the East line of said Section 33, a distance of 2636.49 feet to the Point of Beginning.

ALSO those portions of Lots 229 and 230 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with portions of Sixth Street (Alluvial) and Blackstone Avenue (Fresno), adjacent thereto, all in the Southeast Quarter of Section 33, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the East Quarter corner of said Section 33; thence South 0° 45' 24" West, along the East line of said Section 33, a distance of 1168.91 feet; thence North 89° 44' 34" West to the Easterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Northerly, along said Easterly line to the North line of said Southeast Quarter; thence South 89° 43' 14" East, along said North line, to the Point of Beginning.

Those portions of Lots 243 and 244 of PERRIN COLONY NO. 2, according to the amended map recorded in Volume 4, page 68 of Plats, Fresno County Records, together with a portion of Blackstone Avenue, adjacent thereto, all in the Southeast Quarter of Section 28, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the centerline of the Blackstone Avenue Right of Way and the Northwesterly line of the Proposed North Friant Road Right of Way, location of said Proposed North Friant Road Right of Way to be established; thence Northerly along said centerline to the intersection with the Southwesterly line of the Adopted Freeway 41 Route, location of said Route to be established; thence Southeasterly along said Southwesterly line to the intersection with said Northwesterly line; thence Southwesterly along said Northwesterly line to the Point of Beginning.

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CONDITIONS FOR C-M/UGM ZONED PROPERTY
(Rezoning Application 7143)

1. Development of the property zoned C-M/UGM shall be limited to uses that will not generate more than 30,040 daily vehicle trips based on normal traffic generation factors. For comparison purposes this would allow for up to 751,000 square feet of building area.* Any modification to this limitation can only be justified by analysis of specific land use performance standards through a traffic circulation study. The study must have specific prior written approval of the City of Fresno Development Department Director and the Public Works Department Director.
2. Development of the C-M/UGM zoned property shall be limited to the following uses:
 - A. Retail Uses
 1. Automobile Service Station
 2. Electrical Supply
 3. Plumbing Supply
 4. Radio-television sales and service
 5. Lumber Yard (including incidental millwork but not including planing mill).
 - B. Service Uses
 1. Blueprinting and photocopying
 2. Employment agencies
 3. Financial institutions
 4. Libraries
 5. Newspaper publishing
 6. Offices
 - a. Administrative
 - b. Business
 - c. General
 - d. Medical
 - e. Professional
 7. Picture framing
 8. Printing shop, lithographing, publishing
 9. Technical Schools
 10. Vocational Schools
 - C. Related Uses
 1. Banks
 2. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses.
 3. Restaurants
 - D. Manufacturing Uses
 1. Book binding
 2. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas.
 3. Jewelry manufacturing
 4. Machinery and shop (no punch presses over twenty (20) tons or drop hammers)
 - a. Cabinet or carpenter shops
 - b. Custom furniture shops
 - c. Furniture upholstery shops, custom retail work
 5. Manufacturing and maintenance of electric or neon signs
 6. Novelties
 7. Rubber and metal stamps
 8. Wholesaling and warehousing

*Note: For comparison purposes, if 751,000 square feet of buildings were developed for uses generating an average of 40 daily vehicle trips per 1,000 square feet of building area, 30,040 daily vehicle trips would be generated. Traffic generation, not building square footage, is intended to be the controlling factor. If buildings are developed for uses that generate more or less than 40 vehicle trips per 1,000 square feet, the permitted building area would increase or decrease accordingly.

E. Processing

1. Carpet and rug cleaning plants
2. Cleaning dyeing plants
3. Laundries
4. Laboratories

F. Fabrication

1. Assembly of small electrical and electronic equipment

G. Off-street parking

H. Communications equipment buildings

I. Temporary or permanent telephone booths

J. Water pump stations

K. Uses permitted subject to Conditional Use Permit

1. Animal hospital and shelter
2. Commercial blood banks
3. Electric motor rebuilding
4. Kennels
5. Microwave relay structures
6. Motels, hotels
7. Rubber, fabrication of products made from finished rubber
8. Unit planned development

L. Uses that are determined by the Director of the City of Fresno Development Department to be appropriate for a "business park" location.

3. Development of the C-M/UGM zoned property shall occur according to the following property development standards, or development standards of the M-1-P Zone District and the Fresno Municipal Code, whichever are more restrictive. The term "Director" used below shall mean the Director of the City of Fresno Development Department.

A. Minimum Setback Lines

1. General - No structure of any kind, and no part thereof, shall be placed on any site closer to a property line than herein provided. The following structures and improvements are specifically excluded from these setback provisions:
 - (a) Roof Overhang.
 - (b) Steps and walks.
 - (c) Paving and associated curbing, except that vehicle parking areas shall not be permitted within the front setback of any property fronting on East Audubon Drive or North Friant Road.
 - (d) Fences, except that no fence shall be placed within the street setback area unless specific approval is given by the Director. Generally, it is intended that the design, construction, and appearance of such fences be harmonious with the aesthetic standards established for the property.
 - (e) Landscaping.
 - (1) The first fifteen (15) feet of all setback areas in which parking is permitted shall be adequately landscaped.

- (2) The entire front setback shall be landscaped if no parking is permitted therein.
- (f) Planters, not to exceed three (3) feet in height.
2. Setback from street property lines shall be fifty (50) feet on East Audubon Drive and thirty (30) feet on North Friant Road. All setbacks shall be across the full width of the lot.
3. Setback from side and rear property lines - The setback line is established as ten (10) feet from each such property line.
- (a) Any site which is bounded on more than one side by a public street shall have a setback from each such public street at least as great as the minimum front setback from such street as required in Section B herein regardless of the orientation of building improvements on said site.

B. Landscaping

1. Concurrently with the submission of a site plan for approval, there shall also be submitted for approval a detailed landscaping plan which must be approved prior to the commencement of any landscaping and every site on which a building shall have been placed shall be landscaped according to said plans as approved and as specified herein and shall be maintained thereafter in a sightly and well kept condition.
2. The property owner, lessee, or occupant shall landscape and maintain unpaved areas between the property lines and the setback lines. The first fifteen (15) feet of the setback from street property lines shall be used exclusively for landscaping except for walks and driveways crossing the required landscaped area; provided, however, that the entire setback area for sites fronting on North Friant Road and East Audubon Drive shall be entirely landscaped except for walks and driveways.
3. The property owner, lessee, or occupant shall provide facilities adequate to sustain and maintain the landscaped areas. Such facilities are to be adequately screened.
4. Approved landscaping shall be installed within thirty (30) days of the occupancy or completion of the building, whichever occurs first, weather and planting seasons permitting.

C. Signs

1. No temporary sign shall be permitted other than those offering the site for sale or lease or giving credit to parties to a proposed development. Billboards are expressly prohibited.
2. Signs painted on the wall surface of buildings are not permitted unless such restriction is waived by the Director.
3. No sign shall be placed or painted on any roof or portion thereof, nor shall the top of any sign extend above the parapet line or the top of the exterior wall of any building or structure.

D. Parking Areas

1. General - Adequate off-street parking shall be provided to accommodate all parking needs for employee, visitor, and company vehicles on the site. The intent of this provision is to eliminate the need for any on-street parking. If parking requirements increase as a result of a change in use or number of employees, additional off-street parking shall be provided to satisfy the intent of this Section. The property owner, lessee, or occupant shall provide at least three (3) parking stalls for each four (4) persons to be employed on the site, in addition to customer and visitor parking; provided, however, that should the proposed use for a site come under more restrictive parking requirements of the Municipal Code of the City of Fresno, the more restrictive requirements shall apply.
2. Parking shall not be permitted.
 - (a) On any public street.
 - (b) Between the public street pavement and property line.
 - (c) Closer than fifteen (15) feet to a street property line.
 - (d) Within any applicable building setback line.
 - (e) By any vehicle for more than a continuous forty-eight (48) hour period, except within enclosed structures.
 - (f) By any vehicle used primarily for storage or personal property, and/or recreational vehicles, except for (a) temporary loading or unloading of personal property and (b) parking within enclosed structures.
3. The parking requirements may not be modified except as to a particular site by the written consent of the Director.

E. Storage and Loading Areas

1. No materials, supplies, or equipment, including company-owned or operated trucks, shall be stored in any area on a site except inside a closed building, or behind a visual barrier screening such area from the view of adjoining properties and/or a public street.
2. Loading areas shall not encroach into setback areas unless specifically approved by the Director.
3. Loading docks shall be set back and screened to conceal visibility from the street. Docks shall not be closer than seventy (70) feet to the street property line, unless specifically approved by the Director. Loading shall not be permitted from the front of any building.
4. The loading or unloading of trucks on East Audubon Drive and North Friant Road is prohibited.

F. Location of Retail Uses

1. The uses identified in Sections 1A and 1C above shall be situated on the subject property such that (1) their buildings cannot be seen from East Audubon Drive, and (2) their advertising shall be oriented away from East Audubon Drive and Freeway 41.
 Exceptions to this requirement can be granted

CONDITIONS FOR ALL PROPERTY

1. The following mitigation measures shall be implemented when more than 50% of the subject property is developed.
 - A. Provide a four-lane divided roadway (constructed to City arterial standards except as noted below) on the Fresno Street alignment (as depicted on figure four of the Traffic Study prepared for the Blackstone/Nees Amendment by "Linscott, Law, and Greenspan, Inc.," hereinafter referred to as Traffic Study, dated April, 1983 and on file in Rezoning Application No. 7143 in the City of Fresno Development Department) between Friant Road and Herndon Avenue. Additional left-turn lanes shall be provided for north bound and west bound traffic flow at the intersection of Friant Road and Fresno Street (a total of four left-turn lanes at the intersection) and for all four directions of traffic flow at the intersection of Herndon and Fresno Street (a total of eight left-turn lanes at the intersection).
 - B. Provide two through lanes in each direction, with four-foot shoulders and a 26 foot wide median, on the Nees Avenue alignment between Blackstone and Fresno Street. This roadway shall include separate right-turn lanes at both Blackstone Avenue and Fresno Street. Dual left-turn lanes shall be provided for all four directions of traffic flow at the Fresno/Nees intersection. Rights-of-way protection for a six-lane roadway with a 26 foot wide median and separate right-turn lanes, as described above, shall be provided for this portion of Nees Avenue.

It is pointed out that any connection of the east leg of Nees Avenue with Blackstone Avenue carries with it requirements to provide certain improvement to Blackstone between Nees Avenue and Herndon Avenue pursuant to an agreement between CALTRANS and the City. The Blackstone improvements are therefore made a part of the minimum mitigation measures.
 - C. Provide a six-lane roadway with a 26 foot wide median on the Friant Road alignment (depicted in figure 4 of the Traffic Study) between Nees Avenue and Audubon Drive. Separate right-turn lanes and dual-left-turn lanes shall be provided for north bound and south bound traffic flow at the intersection of Friant Road/Nees Avenue/Blackstone. A separate right-turn lane shall be provided for north bound traffic flow at Fresno Street and at Audubon Road. A separate right-turn lane shall be provided for south bound traffic flow at Audubon Drive.
2. The following mitigation measures shall be implemented prior to construction of any on site improvements on the subject property and shall be completed prior to issuance of any building permit.
 - A. Provide the 54 foot wide center section (standard median plus two 16 foot travel lanes) of a standard arterial road on the Fresno Street alignment (as depicted on figure four of the Traffic Study) between Friant Road and Herndon Avenue. An additional left-turn lane shall be provided for north bound and west bound traffic flow at the intersection of Friant Road and Fresno Street and for north bound and south bound traffic flow at the intersection of Herndon Avenue and Fresno Street. A separate right-turn lane for south bound traffic flow at Herndon Avenue is also required.
 - B. Provide the 58 foot wide center section (standard median plus two 16 foot lanes) of Nees Avenue between Fresno and Blackstone.

Separate right-turn lanes shall be provided for Nees Avenue traffic at Fresno and at Blackstone. Dual left-turn lanes shall be for east bound and west bound traffic flow at Blackstone. Rights-of-way protection for a 120 foot wide roadway and additional width for right-turn lanes at major intersections shall be provided for Nees Avenue between Blackstone Avenue and Fresno Street.

It is pointed out that any connection of the east leg of Nees Avenue with Blackstone Avenue carries with it requirements to provide certain improvements to Blackstone Avenue between Nees Avenue and Herndon Avenue pursuant to an agreement between CALTRANS and the City. The Blackstone improvements are therefore made a part of the minimum mitigation measures.

- C. Provide the 58 foot wide center section (standard median plus two 16 foot travel lanes) of the Friant Road alignment (as depicted on figure four of the Traffic Study) between Nees Avenue and Audubon Drive. Dual left-turn lanes and separate right-turn lanes shall be provided for Friant Road traffic flow at all major intersections. Rights-of-way shall be protected for a six lane roadway, with dual left-turns and separate right-turns at major intersections.

3. The following general notes shall apply relative to the mitigation measures listed above:

NOTE #1

The terms build, construct, improve, provide, widen or modify between major streets when used relative to roadway mitigation measures shall include, but not limited to, responsibility for:

Acquisition of rights-of-way; design and construction of all street work including installation of railroad protection, installation of traffic signals, placement of traffic signs and markings, construction of bridges, installation of street lighting, construction of sidewalks, placement of required landscaping, relocation and/or installation of both underground and overhead utilities, relocation, reconstruction, modification or demolition of existing local streets necessary to make the existing system whole.

NOTE #2

When a section of roadway to be improved is described as being between two intersections, it shall be understood that the work to be accomplished includes all roadway construction beyond the intersections necessary to provide a smooth transition between the section being improved and the existing improvements.

NOTE #3

In addition to the mitigation measures listed above, the developer is responsible for all cost and construction associated with development of local streets or additional access points to major streets.

NOTE #4

When reference is made to the intersection of Herndon and Fresno, it shall mean the location of the intersection of Herndon Avenue and the existing south leg of Fresno Street.

NOTE #5

When reference is made to the intersection of Friant Road and Fresno Street, it shall mean the intersection on the proposed new alignments of both Fresno Street and Friant Road as shown on figure four of the Traffic Study.

NOTE #6

The above listed requirements may be subject to minor revisions authorized and directed in writing by the City of Fresno Public Works Director.