

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRAMOS DATE: 5/19/16

**SUBMITTAL TO THE BOARD OF COMMISSIONERS  
 HOUSING AUTHORITY  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

8.5



**FROM:** Housing Authority

**SUBMITTAL DATE:**  
 May 25, 2016

**SUBJECT:** Adopt Resolution No. 2016-005 Authorizing the Conversion of the Housing Authority of the County of Riverside's Public Housing Sites to Project Based Section 8 under the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Program and the Conveyance of Related Real Property to the Riverside Community Housing Corp., All districts, [\$55,000] 100% Housing Authority Public Housing Reserve; Project is CEQA Exempt

**RECOMMENDED MOTION:** That the Board of Commissioners:

1. Find that the project is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15301;
2. Find that the project is a categorically excluded activity subject to Title 24 of the Code of Federal Regulations (CFR) Section 58.5 and is an exempt activity pursuant to Title 24 CFR Section 58.34(a)(12) in accordance with the National Environmental Policy Act of 1969;

(Continued)

*[Signature]*

Robert Field  
 Executive Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
<b>COST</b>	\$ 55,000	\$ 0	\$ 55,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0	

<b>SOURCE OF FUNDS:</b> Housing Authority Public Housing Reserves 100%	<b>Budget Adjustment:</b> No
	<b>For Fiscal Year:</b> 2015/2016

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *[Signature]*  
 Rohini Dasika

County Executive Office Signature

**MINUTES OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS**

On motion of Commissioner Jeffries, seconded by Commissioner Washington and duly, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington and Benoit  
 Nays: None  
 Absent: Tavaglione and Ashley  
 Date: June 7, 2016  
 xc: Housing Authority, RCHC

Kezia Harper-Ihem  
 Clerk of the Board  
 By: *[Signature]*  
 Deputy

(Comp. Item 14-1)

Prev. Agn. Ref.: 10.1 9/23/2014      District: All      Agenda Number:

FISCAL PROCEDURES APPROVED  
 PAUL ANGLIO CPA-AUDITOR-CONTROLLER  
 BY: *[Signature]*  
 Esteban Hernandez

- A-30
- 4/5
- Positions Added
- Change Order
- Vote

**SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Housing Authority

**FORM 11:** Adopt Resolution No. 2016-005 Authorizing the Conversion of the Housing Authority of the County of Riverside's Public Housing Sites to Project Based Section 8 under the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Program and the Conveyance of Related Real Property to the Riverside Community Housing Corp., All districts, [\$55,000] 100% Housing Authority Public Housing Reserve; Project is CEQA Exempt

**DATE:** May 25, 2016

**PAGE:** 2 of 5

**RECOMMENDED MOTION (Continued)**

3. Adopt Resolution No. 2016-005 Authorizing the Conversion of the Housing Authority of the County of Riverside's (Authority) Public Housing Sites to Project Based Section 8 under the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration (RAD) Program, Approving the Conveyance of Related Real Property Pursuant to RAD from the Housing Authority to Riverside Community Housing Corp. (RCHC) for the Sum of \$1, and Related Activities;
4. Approve the attached form of Use Agreement and authorize the Executive Director, or designee, to execute Use Agreements conforming to the attached form; and
5. Authorize the Authority Executive Director, or designee, to take all necessary steps to complete and implement Resolution No. 2016-005 and the RAD conversion on behalf of the Authority, including, but not limited to, executing any and all necessary documents and completing all actions to support the RAD conversion and all associated real estate activity, including, but not limited to, the execution of HUD RAD documents, real estate documents, grant deeds, Use Agreements, releases, and housing assistance payment contracts subject to approval by County Counsel.

**BACKGROUND:**

**Summary**

The Housing Authority of the County of Riverside (Authority) currently owns and operates 469 units of affordable housing (collectively, the Properties) within the County of Riverside. These Properties comprise 19 sites for a total of 54 assessor's parcel numbers (APNs) as described in Attachment A, Properties Overview, attached hereto. Site maps for the Properties are attached hereto as Attachment B.

Funding to maintain the Properties is currently derived from the U.S. Department of Housing and Urban Development (HUD) for the Public Housing Program. The Public Housing Program has continued to be underfunded through the years, with additional budget cuts to the Capital Fund Program that provides the income source for the modernization of public housing units. This dilemma has forced the Authority to make tough choices between maximizing the funding for repairs or focusing on preventive maintenance. The current available funding has failed to keep up with the renovation needs to enhance the living conditions of residents. Further, through the Public Housing Program, residents do not have flexibility to choose where they prefer to live without losing housing assistance.

The Rental Assistance Demonstration (RAD) Program is a voluntary program sponsored by HUD. RAD seeks to preserve public housing by providing Public Housing Agencies (PHA), such as the Authority, with access to more stable funding. Under RAD's Project-Based Vouchers (PBVs) component, projects funded under the Public Housing Program convert their assistance to long-term, project-based Section 8 rental assistance contracts that can leverage debt, obtain tax credits, and modify their operating structures to achieve greater levels of efficiency to the benefit of residents, public housing authorities and communities. The Section 8 contracts are for 15-20 years and are a more stable funding source than traditional public housing funding sources.

(Continued)

**SUBMITTAL TO THE BOARD OF COMMISSIONERS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Housing Authority

**FORM 11:** Adopt Resolution No. 2016-005 Authorizing the Conversion of the Housing Authority of the County of Riverside's Public Housing Sites to Project Based Section 8 under the U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Program and the Conveyance of Related Real Property to the Riverside Community Housing Corp., All districts, [\$55,000] 100% Housing Authority Public Housing Reserve; Project is CEQA Exempt

**DATE:** May 25, 2016

**PAGE:** 3 of 5

**BACKGROUND:** (Continued)

**Summary**

Converted Properties will be available for rent to households with income of not more than 50% of the area median income (AMI), adjusted by household size, as set forth annually by HUD, at the initial lease term. Existing rents will remain the same.

The Authority notified all residents of the Properties about its plans to convert the Properties under RAD. Public meetings were held on July 21, 2014 and July 28, 2014, during which time residents of the Properties were provided the opportunity to comment. An additional meeting was held on June 10, 2015 with the Resident Advisory Board. The outcomes were favorable overall.

The Authority Board of Commissioners approved and authorized the Authority to apply to HUD for the RAD Program on September 23, 2014. On May 15, 2015 HUD approved the Authority's RAD request for PBV conversion for all Properties and provided a Commitment to enter into Housing Assistance Payments (CHAP). In January, 2016 the Authority submitted documents to HUD to satisfy conditions of the CHAP. Three separate RAD Conversion Commitments (RCC) covering all the Properties were issued by HUD to the Authority on April 14, 2016 representing the agreed upon and approved terms of the RAD transaction. Conveyance of title to the Properties, effectuating final RAD conversion, is expected to be completed by July 8, 2016.

To facilitate the RAD conversion, the Properties will be conveyed from the Authority, by grant deed, to the Riverside Community Housing Corp. (RCHC), a California nonprofit public benefit corporation that is an affiliate of the Authority. The Properties will be conveyed for one dollar. Costs associated with the transfer of the Properties from the Authority to RCHC, including escrow fees, title fees, recording fees, costs to conduct RAD-required final property inspections, and costs to convert Tenmast software, are itemized under the Additional Fiscal Information section below.

In order to ensure that the Properties will be used for the purposes required by HUD through RAD, Use Agreements will be recorded against the Properties at the close of escrow. A copy of the proposed form of Use Agreement is attached hereto as Attachment C. The Use Agreements restrict occupancy of the Properties to households whose income does not exceed 50% AMI at the initial lease term and other HUD required restrictions. Recordation of a deed restriction such as the Use Agreement is also necessary for RCHC to obtain exemption from the Riverside County Assessor for payment of real property taxes.

**Environmental Findings**

Pursuant to the California Environmental Quality Act (CEQA), the Use Agreement and Resolution No. 2016-005 were reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines Section 15061(b) (3), General Rule or "Common Sense" exemption, and Section 15301 Class 1- Existing Facilities exemption. The project includes the following, (i) a Use Agreement restricting use and occupancy of the Properties to rental to very low income households; and (ii) Resolution No. 2016-005, authorizing the conveyance of the existing Properties from the Authority to RCHC and implementation of the RAD conversion as required by HUD (Project). The Use Agreement and Resolution No. 2016-005 are administrative in nature and will have purely financial effects. The conveyance of already existing housing units will also not have an effect on the environment since the current use and operation of the Properties will remain the same.

(Continued)

**RESOLUTION NO. 2016-005**

**AUTHORIZING THE CONVERSION OF THE HOUSING AUTHORITY OF THE COUNTY OF RIVERSIDE'S PUBLIC HOUSING SITES TO PROJECT BASED SECTION 8 UNDER THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S RENTAL ASSISTANCE DEMONSTRATION PROGRAM, AUTHORIZING THE CONVEYANCE OF REAL PROPERTY, AND RELATED ACTIVITIES**

**WHEREAS**, in May, 2015 the Housing Authority of the County of Riverside ("Authority") was selected as a successful recipient of the U.S. Department of Housing and Urban Development ("HUD") Rental Assistance Demonstration ("RAD") Program to implement the conversion of all Authority Public Housing sites to long term, Project Based Section 8 rental assisted properties;

**WHEREAS**, the Authority is of owner of certain real property identified as Assessor's Parcel Numbers 179-140-011, 179-140-013, 179-140-015, 179-140-017, 181-081-00, 181-081-010, 181-081-011, 191-110-003, 247-111-018, 247-111-021, 247-111-022, 291-192-010, 291-192-011, 291-192-012, 291-192-013, 313-283-027, 313-283-028, 313-283-029, 313-283-030, 313-283-031, 313-283-032, 313-283-033, 313-283-034, 313-283-035, 313-283-036, 379-250-037, 379-250-038, 379-250-039, 379-250-040, 387-092-027, 387-092-028, 387-092-029, 387-092-030, 387-092-031, 387-092-032, 387-092-033, 418-150-011, 418-150-012, 418-150-014, 434-314-001, 434-314-002, 434-314-003, 479-210-008, 479-210-009, 482-080-033, 482-080-034, 541-121-042, 608-230-032, 644-230-005, 673-140-007, 727-130-017, 757-061-031, 757-061-032, and 757-061-033 and all improvements and fixtures located thereon consisting of Four Hundred and Sixty Nine (469) units of affordable housing all within the County of Riverside, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (collectively, the "Properties");

**WHEREAS**, the Properties are currently operated as public housing and, as

1 such, are encumbered by declarations of trust in favor of HUD ("Declarations");

2       **WHEREAS**, it is intended that the Properties will convert from public housing  
3 units to Project-Based Section 8 Housing Units ("Section 8 Units") through HUD's RAD  
4 Program and receive Project-Based Section 8 vouchers for all Four Hundred and Sixty  
5 Nine (469) units through a Housing Assistance Payment Contract with the Authority  
6 ("HAP Contract");

7       **WHEREAS**, HUD approved the Authority's request for conversion to PBV  
8 contracts under RAD;

9       **WHEREAS**, the Authority's participation in RAD as the administrator of PBV  
10 Section 8 rental assistance contracts requires that title to the Properties be transferred  
11 to an eligible recipient entity;

12       **WHEREAS**, the Riverside Community Housing Corporation ("Corporation"), a  
13 California nonprofit public benefit corporation controlled by the Authority, is a qualified  
14 recipient of the Properties under RAD;

15       **WHEREAS**, the Authority desires to convey the Properties to the Corporation  
16 under RAD for \$1;

17       **WHEREAS**, no current tenants of the Properties will have to move due to RAD  
18 conversion and there were no tenant objections to the conversion;

19       **WHEREAS**, the Authority deems it to be in the best interest of the Authority for  
20 the Authority to execute grant deeds, and ancillary documents, including, but not  
21 limited to a preliminary change of ownership report, closing statements, escrow  
22 instructions, and any and all other documents and certifications necessary to convey  
23 the Properties to the Corporation ("Acquisition Documents");

24       **WHEREAS**, as a condition of participation in the RAD Program, HUD will require  
25 that Use Agreements restricting the use of the Properties be executed by the  
26 Corporation and recorded against the Properties ("Use Agreement") and that the  
27 Corporation execute a RAD Conversion Commitment and any amendments thereto

28

1 ("RCC"), and other RAD Program documents;

2       **WHEREAS**, the Authority deems it to be in the best interest of the Authority for  
3 the Authority to enter into any and all documents, including, but not limited to,  
4 the Use Agreement, the RCC and the RAD HAP Contract, and execute any  
5 certifications required by HUD in order to facilitate the conversion of the public housing  
6 units to Section 8 Units (collectively, the "RAD Documents");

7       **WHEREAS**, upon conversion of the Properties from public housing to Section 8,  
8 HUD will release the Declarations as encumbrances against the Properties;

9       **WHEREAS**, the Authority is expected to expend approximately fifty-five  
10 thousand dollars (\$55,000) for transaction costs including outside attorney fees,  
11 property inspection fees and Tenmast conversion costs; and

12       **WHEREAS**, timing requirements for completing the RAD conversion and  
13 conveyance of the Properties to the Corporation require that the Authority Executive  
14 Director, or designee, have the ability to negotiate the final terms of all of the above-  
15 referenced documents and any other necessary project documents in the best interests  
16 of the Authority.

17  
18       **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED**  
19 by the Board of Commissioners in regular session assembled on June 7, 2016, as  
20 follows:

- 21       1. That the Board of Commissioners hereby finds and declares that the  
22       above recitals are true and correct.
- 23       2. That the Board of Commissioners hereby authorizes the Housing  
24       Authority to convey to the Riverside Community Housing Corp. that  
25       certain real property located in Riverside County, identified as  
26       Assessor's Parcel Numbers 179-140-011, 179-140-013, 179-140-015,  
27       179-140-017, 181-081-00, 181-081-010, 181-081-011, 191-110-003,

1 247-111-018, 247-111-021, 247-111-022, 291-192-010, 291-192-011,  
2 291-192-012, 291-192-013, 313-283-027, 313-283-028, 313-283-029,  
3 313-283-030, 313-283-031, 313-283-032, 313-283-033, 313-283-034,  
4 313-283-035, 313-283-036, 379-250-037, 379-250-038, 379-250-039,  
5 379-250-040, 387-092-027, 387-092-028, 387-092-029, 387-092-030,  
6 387-092-031, 387-092-032, 387-092-033, 418-150-011, 418-150-012,  
7 418-150-014, 434-314-001, 434-314-002, 434-314-003, 479-210-008,  
8 479-210-009, 482-080-033, 482-080-034, 541-121-042, 608-230-032,  
9 644-230-005, 673-140-007, 727-130-017, 757-061-031, 757-061-032,  
10 and 757-061-033 and all improvements and fixtures located thereon  
11 consisting of Four Hundred and Sixty Nine (469) units of affordable  
12 housing all within the County of Riverside, as more particularly described  
13 in Exhibit "A" attached hereto and incorporated herein by this reference,  
14 for a total purchase price of One Dollar (\$1), under HUD's Rental  
15 Assistance Demonstration program.

- 16 3. That the Board of Commissioners hereby authorize the Housing  
17 Authority to enter into the RAD Documents.
- 18 4. That the Board of Commissioners hereby authorize and direct the  
19 Housing Authority Executive Director, or designee, acting on behalf of  
20 the Authority, to negotiate, finalize and execute, with the approval of  
21 County Counsel and special counsel to the Authority, as applicable, any  
22 and all necessary documents, agreements and certificates, including but  
23 not limited to, the Acquisition Documents, the RAD Documents, and any  
24 and all other documents necessary to have the Authority convey the fee  
25 interest in the Properties to the Corporation, and convert the Properties  
26 under the RAD Program, and is further authorized to take any and all  
27 other actions contemplated by this Resolution or necessary to complete  
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FORM APPROVED COUNTY COUNSEL  
BY: *Shirley R. Brown* DATE: 5-17-16  
MAIL R. BROWN

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the RAD conversion of the Properties and the transactions described herein.

BE IT FURTHER RESOLVED: That to the extent that any actions authorized herein have already been performed, such actions are ratified and approved.

ROLL CALL:

Ayes: Jeffries, Washington and Benoit  
Nays: None  
Absent: Tavaglione and Ashley

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By

*Kecia Harper-Ihem*  
Deputy



**Exhibit A**  
Legal Descriptions  
(Behind this page)

**LEGAL DESCRIPTION**  
**Rubidoux Village Townhomes**

All that certain real property situated in the County of Riverside, State of California, described as follows:

**Parcel 1:**

That portion of Lot 2 of the Arthur Parks Tract, in the City of Jurupa Valley, County of Riverside, State of California, as shown by Map on file in Book 1, Page 21 of Maps, Records of said County, described as follows:

Beginning at the Southwesterly corner of said Lot 2;  
Thence North 38° 00' East, along the line of said Lot 2, 624 feet to a point;  
Thence South 59° 16' East, 502 feet to a point in the Easterly line of said Lot 2;  
Thence South 53° 39' West, 130.5 feet to a point;  
Thence South 65° 56' West, 592.1 feet to the most Southeasterly corner of said Lot 2, the last two courses following the line of said Lot 2;  
Thence North 63° 47' West, 189.78 feet along the Southerly line of said Lot 2 and to the point of beginning.

Excepting therefrom the Northeasterly 200 feet thereof.

Also excepting therefrom the Northwesterly 40 feet thereof, as conveyed to the County of Riverside by deed filed for record September 25, 1946 as Instrument No. 4612 and refiled for record October 23, 1946 as Instrument No. 3582 both of Official Records of Riverside County, California.

Also excepting therefrom the potion included in Wilson Street.

Excepting therefrom that portion conveyed to the County of Riverside by deed recorded June 9, 1964 as Instrument No. 70294 of Official Records of Riverside County, California.

**Parcel 2:**

That portion of Lot 9 of the Arthur Parks Tract, in the City of Jurupa Valley, County of Riverside, State of California, as shown by map on file in Book 1, Page 21 of Maps, Records of said County, described as follows:

Beginning at the center of Wilson Street, South 64° 28' East, 189.78 feet from the intersection of the center line of "B" Street with the center line of Wilson Street;  
Thence North 65° 15' East, on the Northerly line of said Lot 9, 592.1 feet to the most Northerly corner of said lot;  
Thence South 59° 45' East, 131 feet to a point on the Northerly line of that certain parcel conveyed to Bryce R. Bailey, et ux, by deed recorded May 31, 1962 as Instrument No. 50627 of Official Records of Riverside County, California;  
Thence along said Northerly line the following distances and bearings:

Thence South 86° 53' West, 87.1 feet;  
Thence South 31° 16' West, 38 feet;  
Thence South 18° 32' West, 49 feet;  
Thence South 33° 44' West, 48 feet;  
Thence South 46° 24' West, 45 feet;  
Thence leaving said boundary of parcel conveyed South 62° 1' West, 44.5 feet;

Thence South 82° 32' West, 81.2 feet;  
Thence South 79° 27' West, 275 feet to the center line of Wilson Street;  
Thence North 55° 38' West, 95.8 feet to the point of beginning.

Excepting therefrom that portion thereof lying Northeasterly of the Southeasterly extension of the Northeasterly line of Parcel 1 hereinabove described.

Also excepting therefrom that portion included in Wilson Street.

Also excepting therefrom an undivided one-half interest in a well and windmill, located on said land.

Assessor's Parcel Number: **179-140-011; 179-140-013; 179-140-015; 179-140-017**

## LEGAL DESCRIPTION

### El Dorado Gardens

All that certain real property situated in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of Lot 13 in Block 3 of Riverside Land and Irrigating Company, in the City of Riverside, County of Riverside, State of California, as shown by Map on file in Book 1, Page 70 of Maps, Records of San Bernardino County, California, described as follows:

Commencing at the most Easterly corner of said Lot 13;

Thence Southwesterly along the Southeasterly line of said Lot 13, 307 feet to the most Easterly corner of that certain parcel of land conveyed to the General Home Missions Committee of the Christian Reformed Church by deed recorded August 1, 1961 in Book 2954, Page 598 of Official Records of Riverside County, California;

Thence Northwesterly along the Northeasterly line of said Parcel, 384 feet to the most Northerly corner of said parcel and the true point of beginning;

Thence Southwesterly along the Northwesterly line of said parcel, 350 feet to the Northeasterly line of that certain parcel of land conveyed to the City of Riverside by deed recorded August 4, 1961 in Book 2957, Page 427 of Official Records of Riverside County, California;

Thence Northwesterly along said Northeasterly line, 277 feet to a point in the Northwesterly line of Lot 13, distant thereon Northeasterly, 4 feet from the most Westerly corner of said Lot 13;

Thence Northeasterly along the Northwesterly line of said Lot 13, a distance of 657 feet to the most Northerly corner of Lot 13;

Thence Southeasterly along the Northeasterly line of said Lot, a distance of 227 feet, more or less, to the most Northerly corner of that certain parcel of land conveyed to Karl John Kandel, et al, by deed recorded January 6, 1967 as Instrument No. 1143 of Official Records of Riverside County, California;

Thence Southwesterly along the Northwesterly line of said land conveyed to Kandel, et al, 307 feet, more or less, to the true point of beginning.

Said land is also shown as a portion of Parcel 2 of Record of Survey on file in Book 34, Page 69 of Records of Survey, Records of Riverside County, California.

Assessor's Parcel Number: **191-110-003-8**

**LEGAL DESCRIPTION**  
**Gloria Crossing Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

The South ½ of Lot 4, Block 101, Map 1 of Bear Valley and Alessandro Development Co., recorded in Book 11, Page 10 of Maps, Office of the County Recorder of San Bernardino County, now shown as:

Parcels 1 and 2 of Parcel Map No. 18580, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 112, Pages 77 and 78 of Parcel Maps, Records of said County.

Assessor's Parcel Number: **479-210-008-5 & 479-210-009-6**

**LEGAL DESCRIPTION**

**Dracaea Townhomes**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1:

Those portions of Lots 195 and 196 of Edgemont Gardens, as per map recorded in book 15, page 90 of Maps, in the Office of the County recorder of Riverside County, lying Northerly of that property conveyed to Riverside County Flood Control and Water Conservation District in Deed recorded June 16, 1967 as Instrument No. 52203, Official Records.

Except therefrom that portion of said land conveyed to the County of Riverside, as set forth and described in that certain document recorded September 6, 1983 as Instrument No. 181650 of Official Records.

Parcel 2:

Lot 197 of Edgemont Garden, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 15, Page 90 of Maps, in the office of the County Recorder of said County.

Except therefrom that portion of said land conveyed to the County of Riverside, as set forth and described in that certain document recorded September 6, 1983 as Instrument No. 181650 of Official Records.

Assessor's Parcel Number: **482-080-033 and 482-080-034**

## LEGAL DESCRIPTION

### Sherman Apartments

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1: (APN: 291-192-010)

The West 30.00 feet of the North 163.69 feet as measured from the centerline of Sherman Avenue of the East one-half of Lot 38, Edgemont No. 3, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 15, Page 50 of Maps, in the office of the County Recorder of said County.

Except the North 30.00 feet.

Parcel 2: (APN: 291-192-011)

The North 163.69 feet as measured from the centerline of Sherman Avenue of the East one-half of Lot 38, Edgemont No. 3, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 15, Page 50 of Maps, in the office of the County of said County.

Except the North and West 30.00 feet.

Parcel 3: (APN: 291-192-012)

The South 133.70 feet of the North 297.39 as measured from the centerline of Sherman Avenue of the East one-half of Lot 38, Edgemont No. 3, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 15, Page 50 of Maps, in the office of the County Recorder of said County.

Parcel 4: (APN: 291-192-013)

The South 133.70 feet of the North 431.09 feet as measured from the centerline of Sherman Avenue of the East one-half of Lot 38, Edgemont No. 3, in the City of Moreno Valley, County of Riverside, State of California, as per Map recorded in Book 15, Page 50 of Maps, in the office of the County Recorder of said County.

Assessor's Parcel Number: **291-192-010-9, 011-0, 012-1, 013-2**

**LEGAL DESCRIPTION**  
**Fort Drive Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1:

All that portion of Lot 37 of E.N. Smith's Garden Tract, in the County of Riverside, State of California, as per Map recorded in Book 10, Page 11 of Maps, in the office of the County Recorder of said County.

Beginning at a point in the Northerly line of said Lot 37, distant 255.80 feet Easterly from the Northwest corner of said lot;

Thence South 33° 03' 30" West, 50.00 feet to the true point of beginning;

Thence Easterly, parallel with the Northerly line of said Lot 37, 215.00 feet to a point;

Thence Southerly 50.00 feet, more or less, to a point that is distant 220.00 feet Westerly from the Easterly line of said Lot 37 and distant 100.00 feet Southerly from the Northerly line thereof;

Thence Westerly and parallel with the Northerly line of said Tract, 215.00 feet to a point that is distant 100.00 feet Southerly from the Northerly line of said lot and 252.80 feet Easterly from the Westerly line of said lot;

Thence Northerly, in a straight line, 50.00 feet to the point of beginning.

Said property is also shown as Lot 17 of Assessor's Map No. 11 on file in Book 1, Page 11 of Assessors Maps, Records, Riverside County, California.

Parcel 2:

That portion of Lot 37 of E.N. Smith's Garden Tract, in the County of Riverside, State of California, as per Map recorded in Book 10, Page 11 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at a point which bears South 57° 05' 30" East, 230.80 feet and South 33° 03' 30" West, 100.00 feet from the Northwest corner of said Lot 37;

Thence South 57° 05' 30" East, 240.00 feet;

Thence South 33° 03' 30" West, 50.00 feet;

Thence North 57° 05' 30" West, 240.00 feet;

Thence North 33° 03' 30" East, 50.00 feet to the true point of beginning.

Said property is also being described as Lot 18 of Assessor's Map No. 11 as shown by Map on file in Book 1, Page 11 of Maps, Records of Riverside County, California.

Parcel 3:

That portion of Lot 37 of E.N. Smith's Garden Tract, in the County of Riverside, State of California, as per Map recorded in Book 10, Page 11 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at a point South, 57° 05' 30" East, 230.80 feet and South 33° 03' 30" West, 150.00 feet from the Northwest corner of said Lot 37;

Thence South 57° 05' 30" East, 240.00 feet;

Thence South 33° 03' 30" West, 50.00 feet;

Thence North 57° 05' 30" West, 240.00 feet;



Thence North 33° 03' 30" East, 50.00 feet to the true point of beginning.

Said parcel is also described as Lot 19 of Assessor's Map No. 11 as shown on file in the Assessor's Office of Riverside County, California.

Assessor's Parcel Number: **181-081-009-2; 010-2; 011-3**

**LEGAL DESCRIPTION**  
**Highland Park Place Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1: (APN: 247-111-022-6)

That portion of Block 16, as shown by Map of East Riverside, in the County of Riverside, State of California, as per map recorded in Book 7, Page 33 of Maps, San Bernardino County Records, described as follows:

Beginning at the Southwesterly corner of said block, being the Easterly line of Highland Avenue;  
Thence Northerly on the Westerly line of said Block 51.00 feet to the true point of beginning;  
Thence Easterly parallel with the Southerly line of said Block 127.27 feet to the East line of that certain parcel conveyed to O. L. Moorman, by deed recorded September 27, 1909 in Book 287, Page 393 of Deeds, Riverside County Records;  
Thence Northerly on said East line 81.00 feet, more or less, to a point 240.00 feet South of the North line of said block;  
Thence Westerly parallel with the Southerly line of said Block 127.27 feet to the Westerly line of said block;  
Thence Southerly on the Westerly line of said block 81.00 feet, more or less, to the point of beginning.

Parcel 2: (APN: 247-111-021-5)

The South 14.00 feet of that portion of Block 16, as shown by Map of East Riverside, in the County of Riverside, State of California, as per Map recorded in Book 7, Page 33 of Maps, San Bernardino County Records, described as follows:

Beginning on the Westerly line of said block, being the Easterly line of Highland Avenue 37.00 feet Northerly of the Southwest corner of said block;  
Thence East, parallel with the South line of said block, 127.27 feet to the East line of that certain parcel conveyed to O. L. Moorman by deed recorded September 27, 1909 in Book 287, Page 393 of Deeds, Riverside County Records;  
Thence Northerly on said East line 95.00 feet more or less, to a point 240.00 feet South of the North line of said block;  
Thence Westerly, parallel with the Southerly line of said block, 127.27 feet to the Westerly line of said block;  
Thence Southerly on said Westerly line, 95.00 feet, more or less, to the point of beginning.

Parcel 3: (APN: 247-111-018-3)

That portion of Block 16 and Fountain Street, vacated by Order of the Board of Supervisors on November 5, 1913, as shown by map of East Riverside, in the County of Riverside, State of California, as per map recorded in Book 7, Page 33 of Maps, San Bernardino County Records, described as follows:

Beginning on the Westerly line of said Block 16, being the Easterly line of Highland Avenue, 37.00 feet Northerly of the Southwesterly corner of said block;

Thence Easterly parallel with the Southerly line of said block 127.27 feet, to the Easterly line of that certain parcel of land conveyed to O. L. Moorman by deed recorded September 27, 1909 in Book 287, Page 393 of Deeds, Riverside County Records;

Thence Southerly, on said Easterly line and the Southerly extension thereof 67.00 feet;

Thence Westerly, parallel with the Southerly line of said Block 126.12 feet, to the Southerly extension of the Westerly line of said block;

Thence Northerly along the Southerly extension of the Westerly line of said block and the Westerly line of said Block 67.00 feet to the point of beginning.

Assessor's Parcel Number: **247-111-018-3; 021-5; 022-6**

**LEGAL DESCRIPTION**  
**Broadway Manor Townhomes**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcels 1, 2, 3 and 4 of Parcel Map No. 10212, in the City of Lake Elsinore, County of Riverside, State of California, as per Map recorded in Book 51, Page 4 of Parcel Maps, in the office of the County Recorder of said County.

Assessor's Parcel Number: **379-250-037-4; 038-5; 039-6; 040-6**

**LEGAL DESCRIPTION**  
**Fairview Lake Townhomes**

All that certain real property situated in the County of Riverside, State of California, described as follows:

The Southwest 25 feet of Lot 17 and all of Lots 20, 21, 24, 25, 28 and 29 of El Contento by the Lake, in the County of Riverside, State of California, as shown by Map on file in Book 11, Page 84 of Maps, Records of said County, California.

Assessor's Parcel Number: **387-092-027-6; 028-7; 029-8; 030-8; 031-9; 032-0; 033-1**

**LEGAL DESCRIPTION**  
**Midway Capri Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Lots 27 to 36, all of Hartz Subdivision No. 2, Unit No. 2, in the City of Perris, County of Riverside, State of California, as shown by Map on file in Book 34, Page 31 of Maps, Records of said County, California.

Except the Southerly 10.00 feet as conveyed to the City of Perris by deed recorded February 2, 1959 as Instrument No. 8893 of Official Records of Riverside County, California.

Assessor's Parcel Number: **313-283-027; 313-283-028; 313-283-029; 313-283-030; 313-283-031; 313-283-032; 313-283-033; 313-283-034; 313-283-035; 313-283-036**

**LEGAL DESCRIPTION**

**Idyllwild Place**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcels 1, 2 and 3 inclusive of Parcel Map No. 14525, in the City of San Jacinto, County of Riverside, State of California, as per Map recorded in Book 99, Page 89 of Parcel Maps, in the office of the County Recorder of said County.

Assessor's Parcel Number: **434-314-001-2; 002-3; 003-4**

**LEGAL DESCRIPTION**  
**Beaumont Grove Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

**Parcel 1:**

Lot 3 in Block 118 as shown by Amended Map of The Town of Beaumont, in the City of Beaumont, County of Riverside, State of California, as per Map recorded in Book 6, Page 16 and 17 of Maps, records of San Bernardino County.

Excepting therefrom that portion conveyed to the State of California by Quitclaim Deed recorded February 10, 1960 as Instrument No. 11407 of Official Records.

Together with the East half of Palm Avenue abutting said land, as vacated by resolution, recorded September 12, 1960 as Instrument No. 79271 of Official Records, which would pass by operation of law.

Also together with the east half of the alley abutting said land on the west, as vacated by Resolution recorded May 5, 1993 as Instrument No. 168050 of Official Records, which would pass by operation of law.

**Parcel 2:**

Lot 1 in Block 118 as shown by Amended Map of The Town of Beaumont, in the City of Beaumont, County of Riverside, State of California, as per Map recorded in Book 6, Page 16 and 17 of Maps, records of San Bernardino County.

Together with the East half of Palm Avenue abutting said land, as vacated by resolution, recorded September 12, 1960 as Instrument No. 79271 of Official Records, which would pass by operation of law.

Also together with the east half of the alley abutting said land on the west, as vacated by Resolution recorded May 5, 1993 as Instrument No. 168050 of Official Records, which would pass by operation of law.

**Parcel 3:**

Lots 2 and 4 in Block 118 as shown by Amended Map of The Town of Beaumont, in the City of Beaumont, County of Riverside, State of California, as per Map recorded in Book 6, Page 16 and 17 of Maps, records of San Bernardino County.

Together with the East half of Maple Avenue abutting said land, as vacated by Resolution recorded January 21, 1987 as Instrument No. 16276 of Official Records, which would pass by operation of law.

Also together with the West half of the alley abutting said land on the East, as vacated by Resolution recorded May 5, 1993 as Instrument No. 168050 of Official Records, which would pass by operation of law.

Assessor's Parcel Number: **418-150-011; 418-150-012; 418-150-014**



**LEGAL DESCRIPTION**

**Banning Townhomes**

All that certain real property situated in the County of Riverside, State of California, described as follows:

All that portion of Block 164 of Banning Colony Lands, in the City of Banning, County of Riverside, State of California, as shown by Map on file in Book 5, Page 186 of Maps, Records of said County, California, more particularly described as follows:

Beginning at the intersection of the Westerly line of Phillips Avenue and the Northerly line of Williams Street;

Thence Westerly along said Northerly line of Williams Street, a distance of 100 feet, to the true point of beginning;

Thence Northerly and parallel with the Westerly line of said Phillips Avenue, a distance of 116 feet;

Thence Easterly and parallel with the Northerly line of Williams Street, a distance of 100 feet;

Thence Northerly along the Westerly line of Phillips Avenue, a distance of 101.45 feet;

Thence Westerly and parallel with the Northerly line of Williams Street, a distance of 301 feet;

Thence Southerly and parallel with the Westerly line of Phillips Avenue, a distance of 213.96 feet;

Thence Easterly along the Northerly line of Williams Street, a distance of 200.96 feet to the true point of beginning.

Assessor's Parcel Number: **541-121-042-6**

**LEGAL DESCRIPTION**  
**Quinto Del Sol Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

A portion of Parcel 3 of Parcel Map 14295, as per map recorded in Book 78, Pages 88 and 89 of Parcel Maps, in the Office of the County Recorder of said county, described as follows:

Parcel 1 of Parcel Map No. 19,530 in the City of Desert Hot Springs, County of Riverside, State of California, as per map recorded in Book 125, Pages 18 and 19 of Parcel Maps, in the office of the County Recorder of said County.

Except therefrom one-half of all oil, gas and minerals as reserved in deed from George A. Hickey and Julia H. Hickey, husband and wife, recorded April 9, 1954 in Book 1574, Page 98 of Official Records.

Assessor's Parcel Number: **644-230-005**

**LEGAL DESCRIPTION**

**Corregidor Manor**

All that certain real property situated in the County of Riverside, State of California, described as follows:

The Northerly 220 feet of all that portion of Lot 25 of Plumley and Son Subdivision, in the City of Cathedral City, County of Riverside, State of California, as shown by Map on file in Book 10, Page 94 of Maps, Records of Riverside County, California, which lies Easterly of a line extending from a point in the Northerly line of said line of said lot, distant Westerly 333.6 feet from the Northeasterly corner of said lot, to a point in the Southerly line of said lot, distant Westerly 332.85 feet from the Southeasterly corner of said lot.

Assessor's Parcel Number: **673-140-007-8**

**LEGAL DESCRIPTION**

**Aladdin Villas**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 2 of Parcel Map No. 26401, in the City of Indio, County of Riverside, State of California, as shown by Map on file in Book 184, Pages 81 and 82 of Parcel Maps, Records of Riverside County, California.

Assessor's Parcel Number: **608-230-032-2**

**LEGAL DESCRIPTION**  
**Thermal I Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel 1: (757-061-031)

Owner "A" Parcel 2 of that certain Lot Line Adjustment No. 3459, in the County of Riverside, State of California, recorded February 7, 1992 as Instrument No. 92-044473 of Official Records, more particularly described as follows:

In map of Gilberta Acres, as recorded in Map Book 9, Page 21 of the Records of Riverside County, California, Lot 23 and all that portion of Lot 24 further described as follows:

Beginning at the Northwest corner of Lot 24;  
Thence North 89° 36' 45" East a distance of 139.92 feet to the Southeast corner of Lot 23;  
Thence South 0° 06' 39" West a distance of 251.14 feet;  
Thence South 89° 36' 46" West a distance of 139.38 feet;  
Thence North 0° 07' 40" East along the Easterly right-of-way of Polk Street a distance of 251.14 feet to the point of beginning.

Parcel 2: (757-061-032)

Owner "A" Parcel 3 of that certain Lot Line Adjustment No. 3459, in the County of Riverside, State of California, recorded February 7, 1992 as Instrument No. 92-044473 of Official Records, more particularly described as follows:

In map of Gilberta Acres, as recorded in Map Book 9, Page 21 of Records of Riverside County, California, Lot 22 and all that portion of Lot 24 further described as follows:

Beginning at the Southwest corner of Lot 22;  
Thence North 89°36'45" East a distance of 139.92 feet, to the southeast corner of Lot 22;  
Thence South 0°05'41 West a distance of 251.14 feet;  
Thence South 89°36'46" West a distance of 139.98 feet;  
Thence North 0°06'39" East a distance of 251.14 feet to the point of beginning.

Assessor's Parcel Number: **757-061-031; 032**

**LEGAL DESCRIPTION**  
**Thermal II Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Owner "A" Parcel 1 of that certain Lot Line Adjustment No. 3459, in the County of Riverside, State of California, recorded February 7, 1992 as Instrument No. 92-044473 of Official Records, more particularly described as follows:

In Map of Gilberta Acres, as recorded in Map Book 9, Page 21 of the Records of Riverside County, California, all that property in Lots 24, 25 and 26 that lies Northerly and Westerly of the following described line.

Excepting the Northerly 251.14 feet of Lot 24. Commencing at the Southeast corner of Lot 22 of said map;

Thence South 0° 05' 41" West a distance of 749.34 feet;

Thence South 89° 37' 32" West a distance of 280.27 feet to a point 30.00 feet East of the centerline of Polk Street, said point lies in the West line of Lot 26.

Assessor's Parcel Number: **757-061-033-0**

**LEGAL DESCRIPTION**  
**Dr. Clair S. Johnson Apartments**

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel A:

Lots 2 through 4 inclusive, together with the North half of Lot 1, all in Block 25, as shown by Amended Map of Mecca Townsite, in the County of Riverside, State of California, on file in Book 9, Page 93 of Maps, Records of Riverside County, California.

Said parcel is also described as:

Beginning at the Southeast corner of said Lot 2, Block 25;  
Thence Westerly along the South line of said Block 25, a distance of 300.09 feet to the Southwest corner of said Lot 4;  
Thence Northerly along the West line of said Lot 4, a distance of 448.57 feet to the Northwest corner thereof, said corner being on the North line of said Block 25;  
Thence Easterly along said North line a distance of 435.51 to the Northeast corner of said Lot 1, Block 25;  
Thence Southerly along the East line of said Lot 1, Block 25 a distance of 223.75 to the Southeast corner of the North half of said Lot 1, Block 25;  
Thence Westerly along the South line of said North half a distance of 133.96 feet to the East line of said Lot 2, Block 25;  
Thence Southerly along said East line a distance of 223.91 feet to the point of beginning.

Said description is made pursuant to that certain Certificate of Parcel Merger No. 717, recorded September 5, 1990 as Instrument No. 330233 of Official Records.

Parcel B:

The South half of Lot 1 of Block 25, as shown by Amended Map of Mecca Townsite, in the County of Riverside, State of California, on file in Book 9, Page 93 of Maps, Records of Riverside County.

Said description is made pursuant to that certain Certificate of Compliance No. 3512, recorded September 7, 1990 as Instrument No. 333310 of Official Records.

Assessor's Parcel Number: **727-130-017-0**

**ATTACHMENT A**  
**Properties Overview**



## RAD Properties Overview

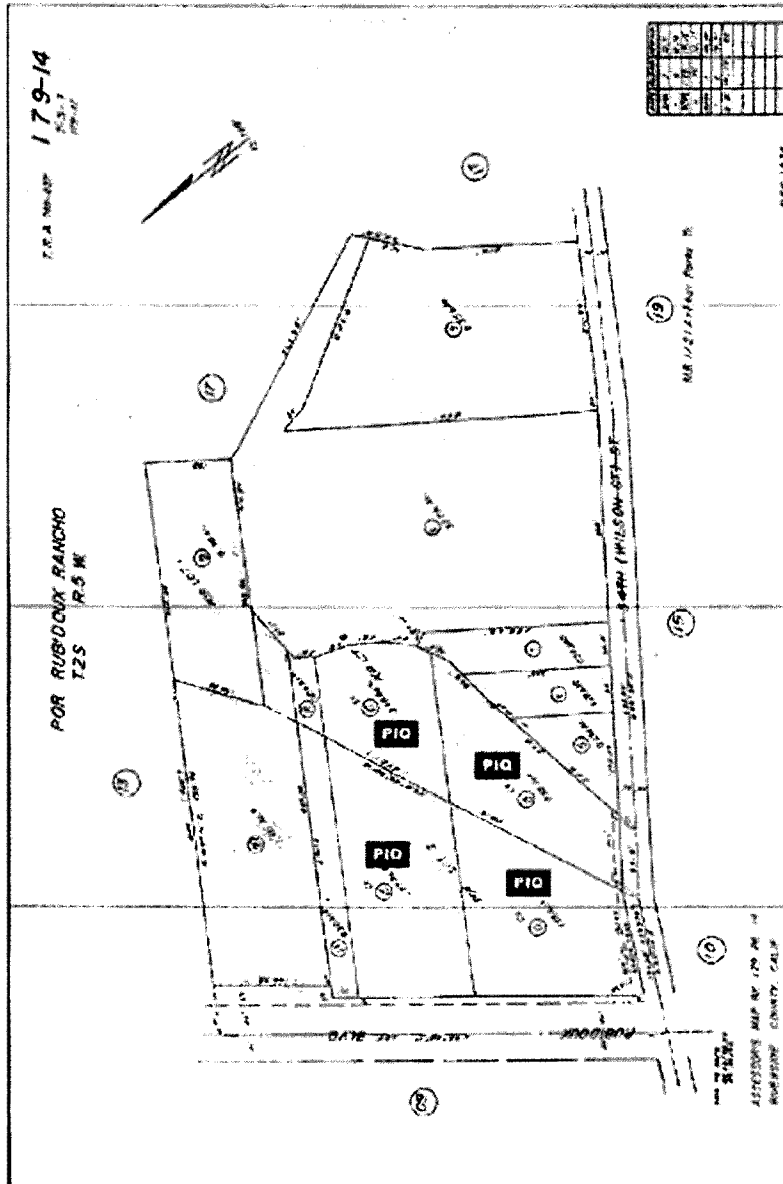
Name	APN	Address	Number of Units
Rubidoux Village Townhomes	179-140-011	5571, 5577, 5581, 5587, 5591, 5595, and 5597 34th Street Riverside, CA 92509	29
	179-140-013		
	179-140-015		
	179-140-017		
El Dorado Gardens	191-110-003	4675 Jackson St. Riverside, CA 92503	68
Gloria Crossing Apartments	479-210-008	25011, 25025, 25033, 25035, 25037, 25039, 25045, 25051, 25078, 25080, 25103, 25104, 25105, 25106, 25110, 25116, 25117, 25118, 25125, 25126, 25127, 25128 and 25225 Gloria Street Moreno Valley, CA 92553	14
	479-210-009	13816 and 13836 Perris Blvd. Moreno Valley, CA 92553	20
Dracaea Townhomes	482-080-033	24340, 24346, 24356, 24360, and 24366 Dracaea Ave. Moreno Valley, CA 92553	28
	482-080-034		
Sherman Apartments	291-192-010	22211, 22215, 22239, and 22245 Sherman Avenue Moreno Valley, CA 92553	4
	291-192-011		
	291-192-012		
	291-192-013		
Fort Drive Apartments	181-081-009	3974, 3986, 3990, 3992, 3996, and 3998 Fort Drive Jurupa Valley, CA 92509	9
	181-081-010		
	181-081-011		
Highland Park Place Apartments	247-111-018	372 Highland Avenue Riverside, CA 92507	4
	247-111-021		
	247-111-022		
Broadway Manor Townhomes	379-250-037	16366, 16376, 16388, 16390, 16400, 16412, 16422, 16436, and 16448 Broadway Street Lake Elsinore, CA 92530	28
	379-250-038		
	379-250-039		
	379-250-040		
Fairview Lake Townhomes	387-092-027	33051 and 33091 Fairview St. Lake Elsinore, CA 92530	16
	387-092-028		
	387-092-029		
	387-092-030		
	387-092-031		
	387-092-032		
387-092-033			
Midway Capri Apartments	313-283-027	102, 104, 108, 112, 116, 120, 124, 130, 136, and 142 Midway Street Perris, CA 92570	40
	313-283-028		
	313-283-029		
	313-283-030		
	313-283-031		
	313-283-032		
	313-283-033		
	313-283-034		
	313-283-035		
313-283-036			
Idyllwild Place	434-314-001	475 and 479 Idyllwild Dr. San Jacinto, CA 92583	14
	434-314-002		
	434-314-003		
Beaumont Grove Apartments	418-150-011	717, 733, 749, 765, 769, 771, 781, 789, 815, and 837 E. 5 <sup>th</sup> St Beaumont, CA 92223	10
	418-150-012		
	418-150-014		
Banning Townhomes	541-121-042	975 E. Williams St. Banning, CA 92220	14
Quinto Del Sol Apartments	644-230-005	13580, 13582, 13584, 13586, 13588, 13590, 13600, 13602, and 13604 Don English Way Desert Hot Springs, CA 92240	42
Corregidor Manor	673-140-007	34-355 Corregidor Dr. Cathedral City, CA 92234	14
Aladdin Villas	608-230-032	45-909 Aladdin St. Indio, CA 92201	20
Thermal I Apartments	757-061-032	87-015, 87-025, and 87-045 Church St. Thermal, CA 92274	14
	757-061-031	56-640, 56-660, and 56-680 Polk St., Thermal, CA 92274	14
Thermal II Apartments	757-061-033	56-690, 56-700, 56-710, and 56-720 Polk St. Thermal, CA 92274	25
Dr. Clair S. Johnson Apartments	727-130-017	91-400 Seventh St. Mecca, CA 92254	40

54 APNs

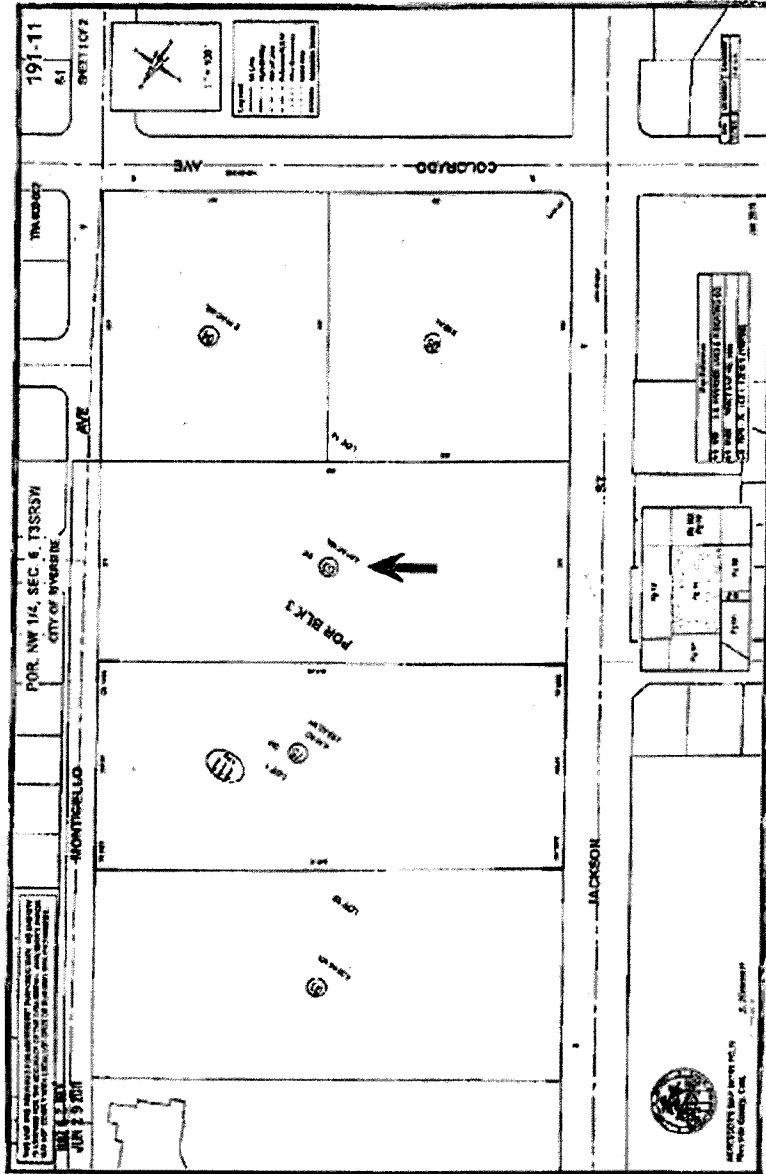
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Total

### Rubidoux Village Townhomes



### El Dorado Gardens



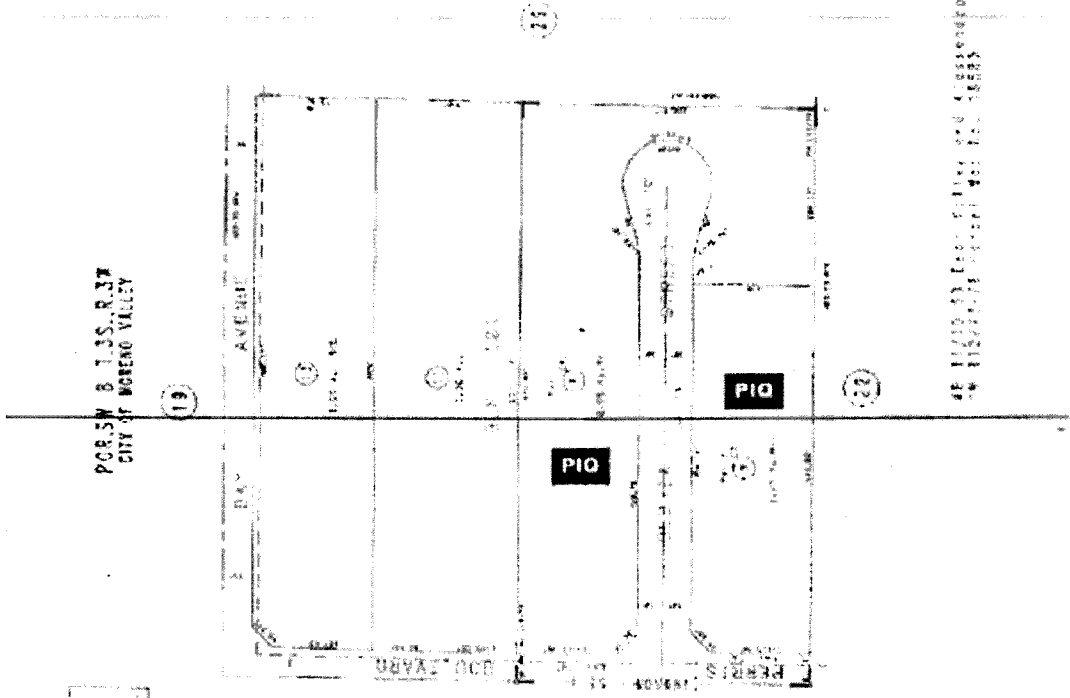
Gloria Crossing Apartments

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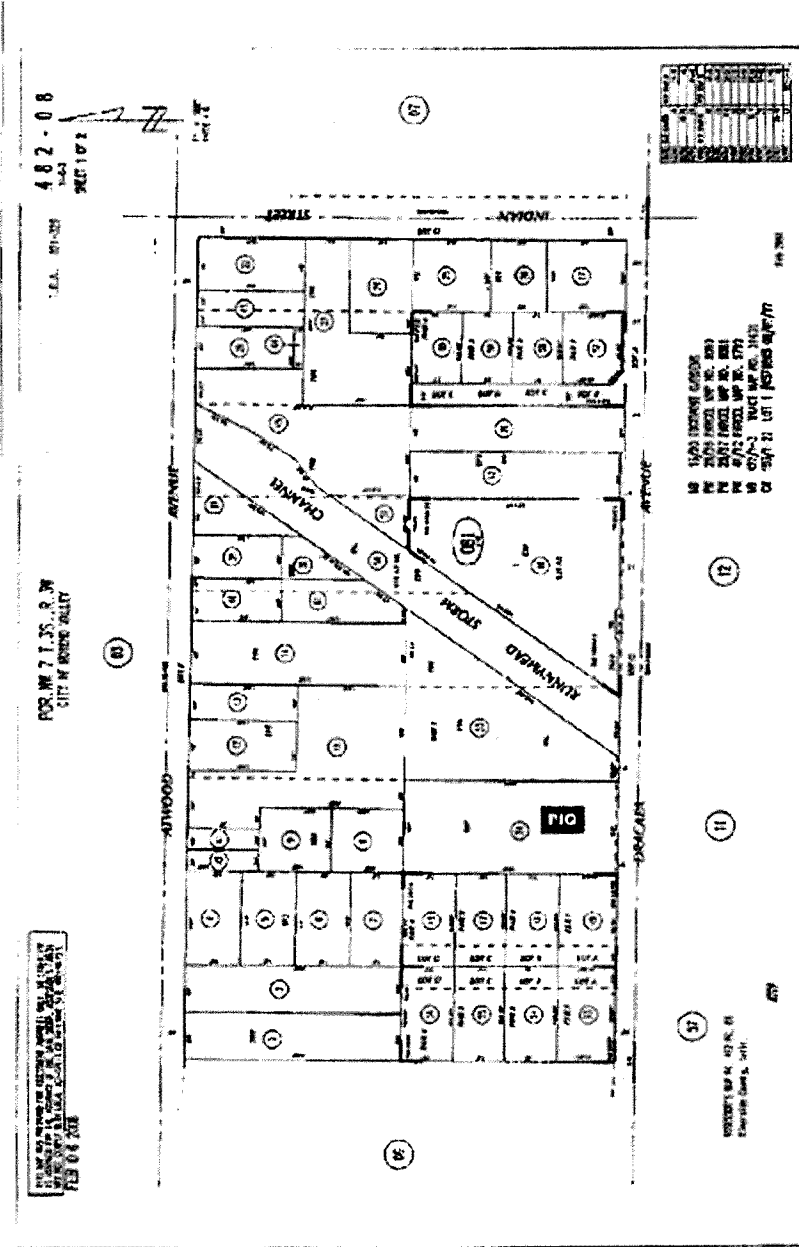
PORTLAND T.O.S.R. R.I.P.  
CITY OF MORENO VALLEY

479-21  
479-21

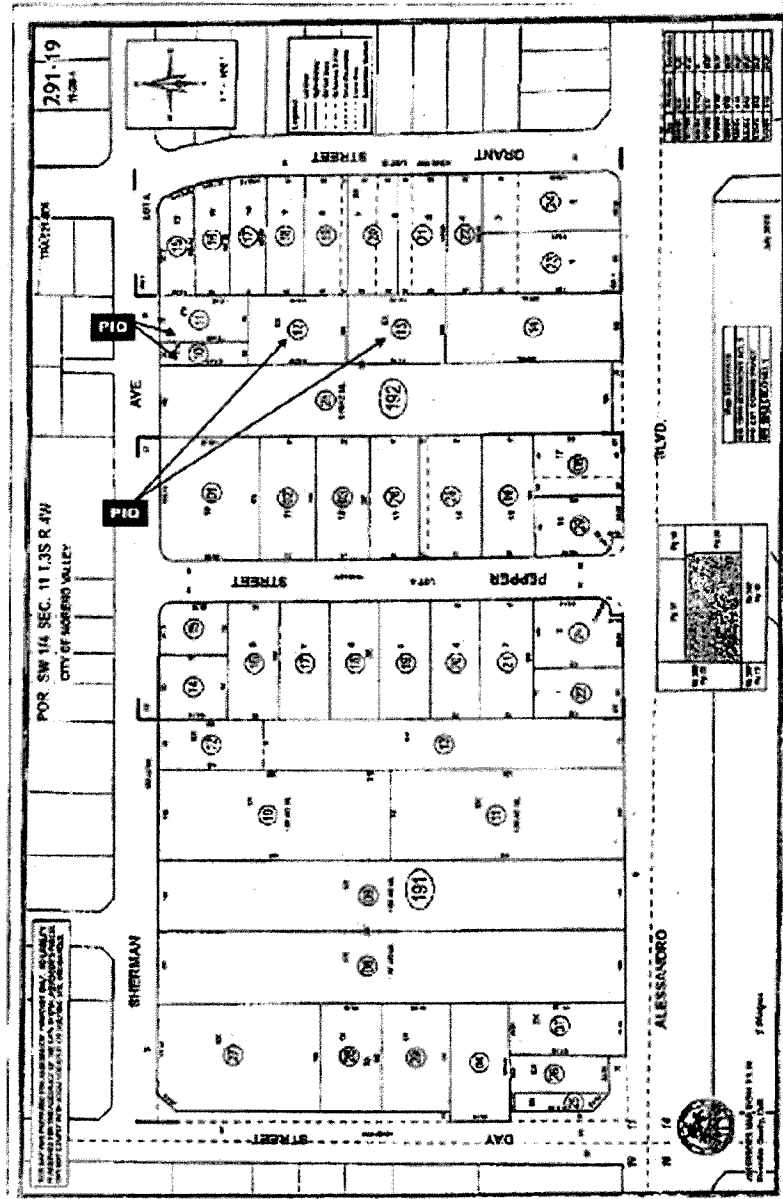
THIS MAP MAY BE USED FOR ANY PURPOSE  
WITHOUT CHARGE BY ANY PERSON OR  
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WITHOUT THE WRITTEN PERMISSION OF  
THE CITY ENGINEER.

ASSESSOR'S MAP NO. 24, 2011, PG. 28  
RECORDING COUNTY, CALIF.

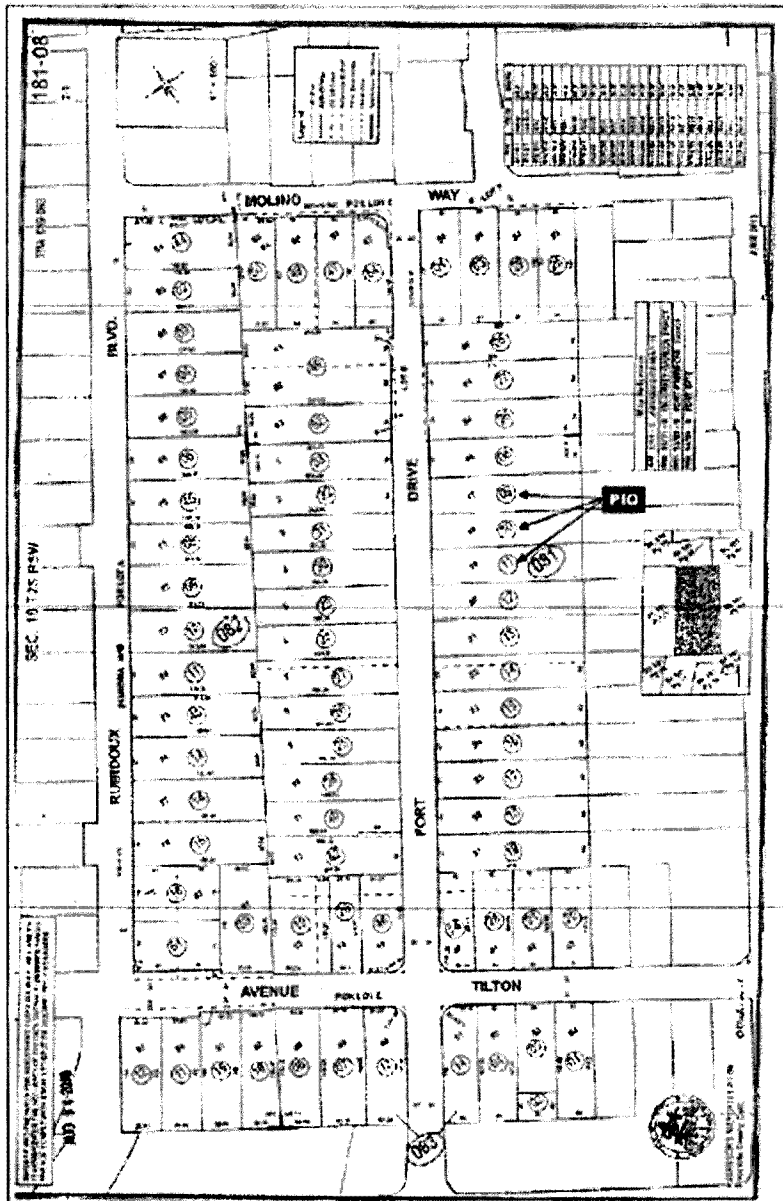
### Dracaea Townhomes



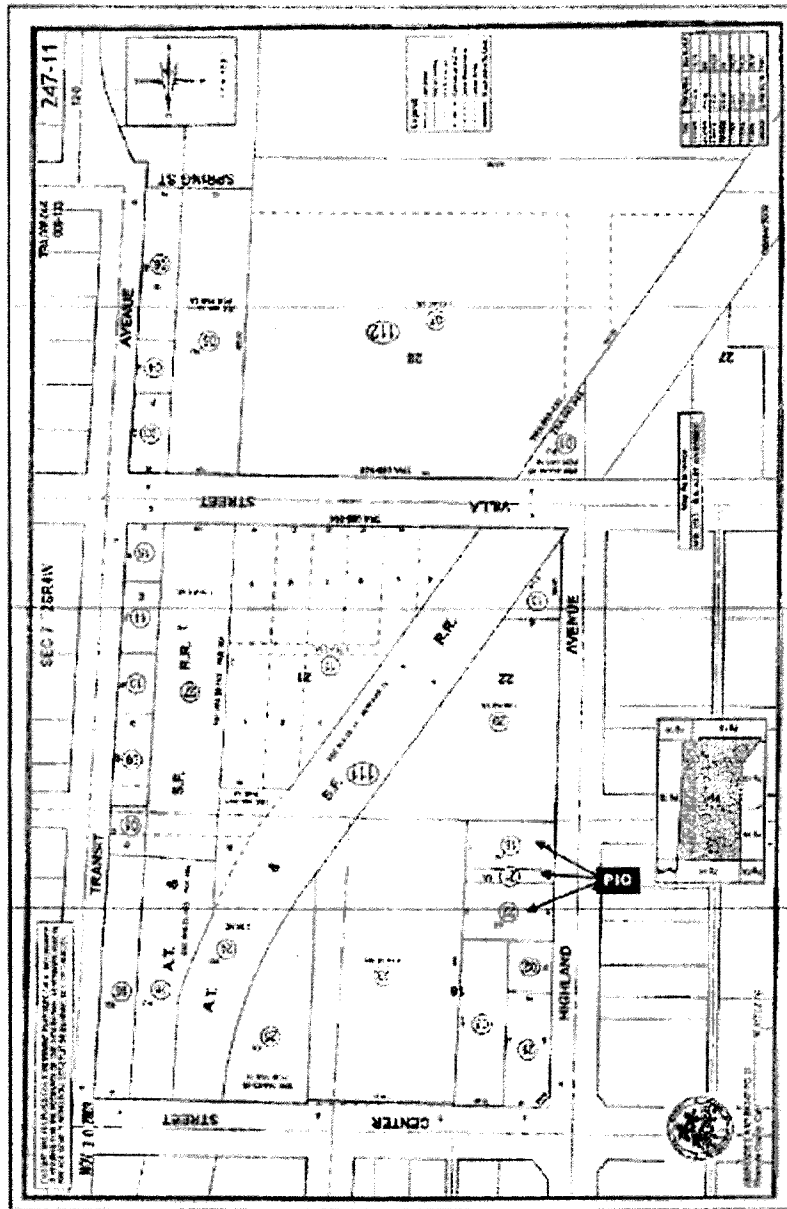
### Sherman Apartments



### Fort Drive Apartments

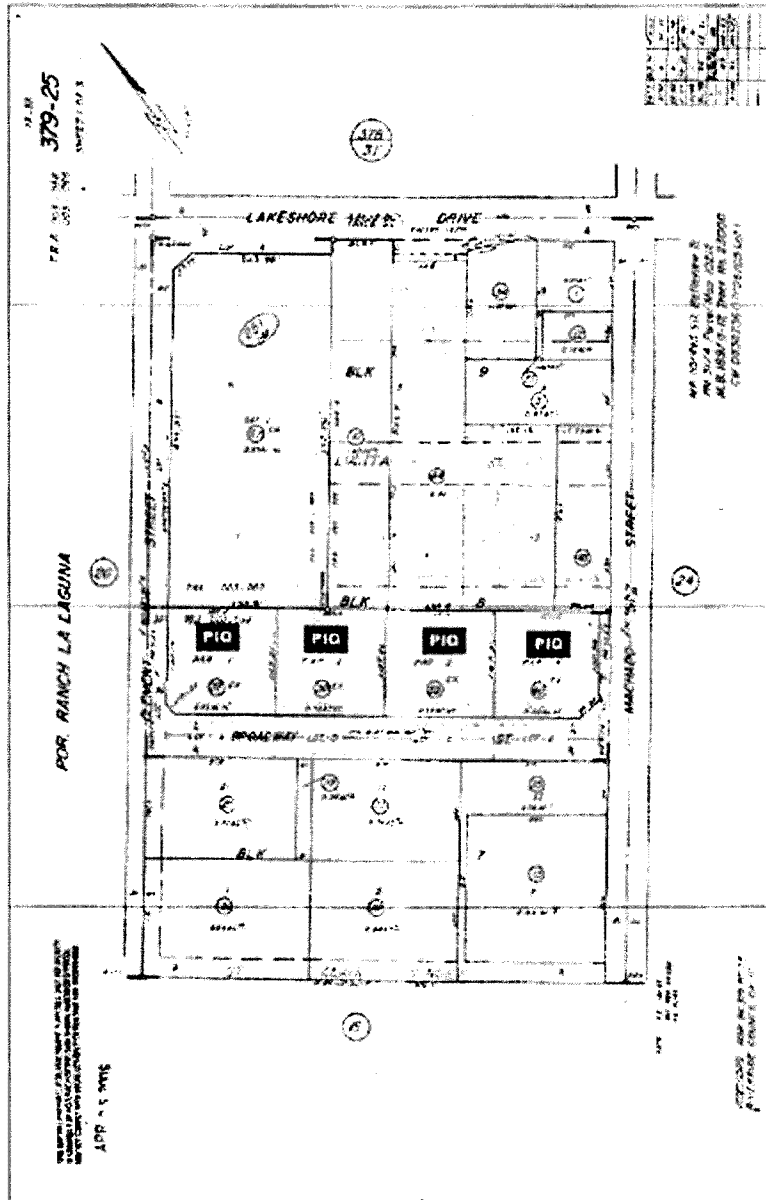


### Highland Park Place Apartments

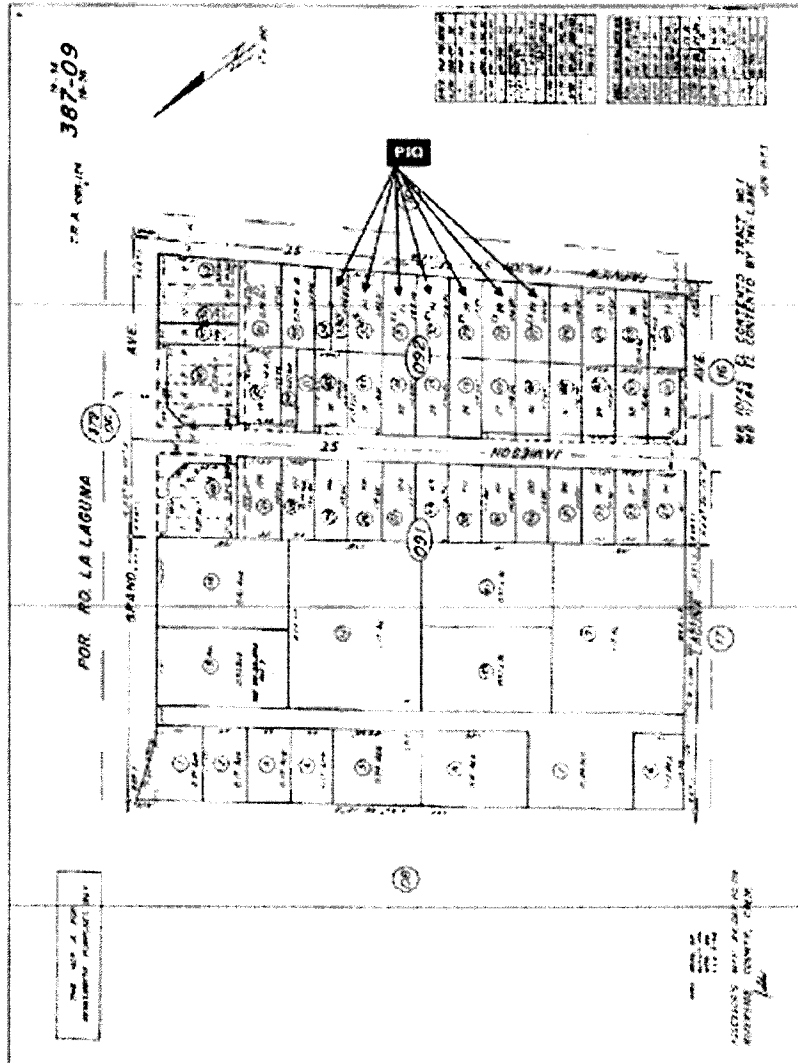




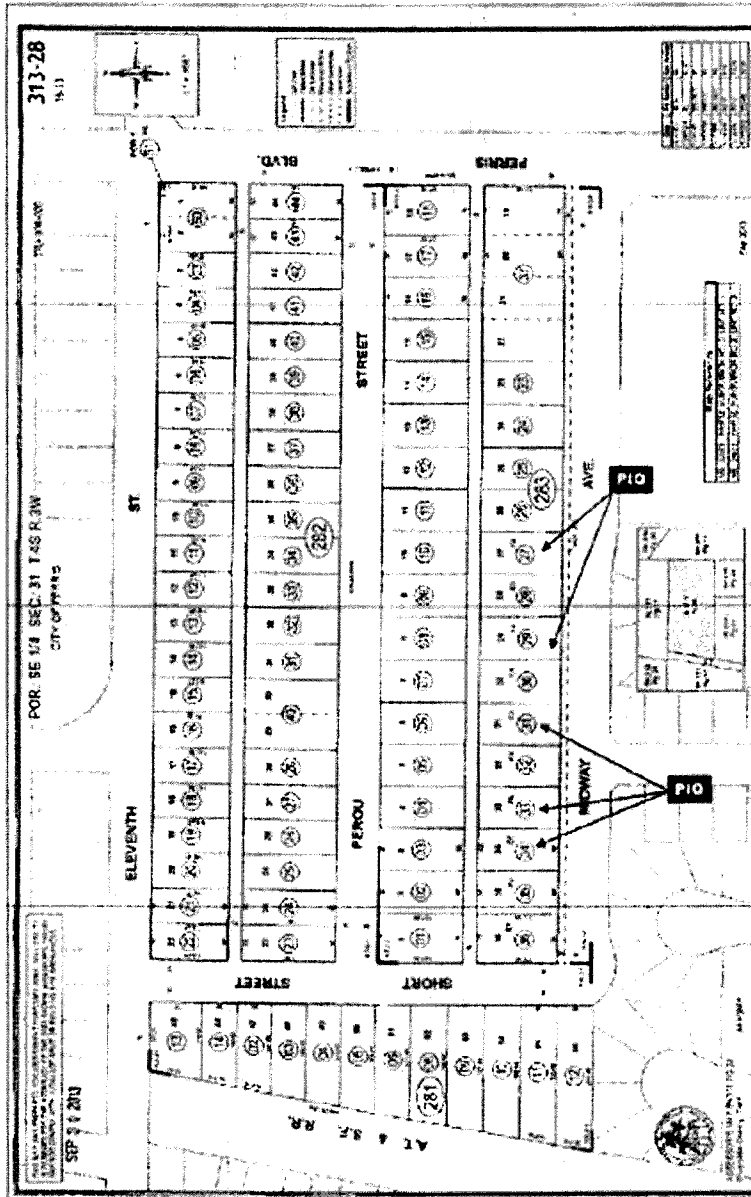
### Broadway Manor Townhomes



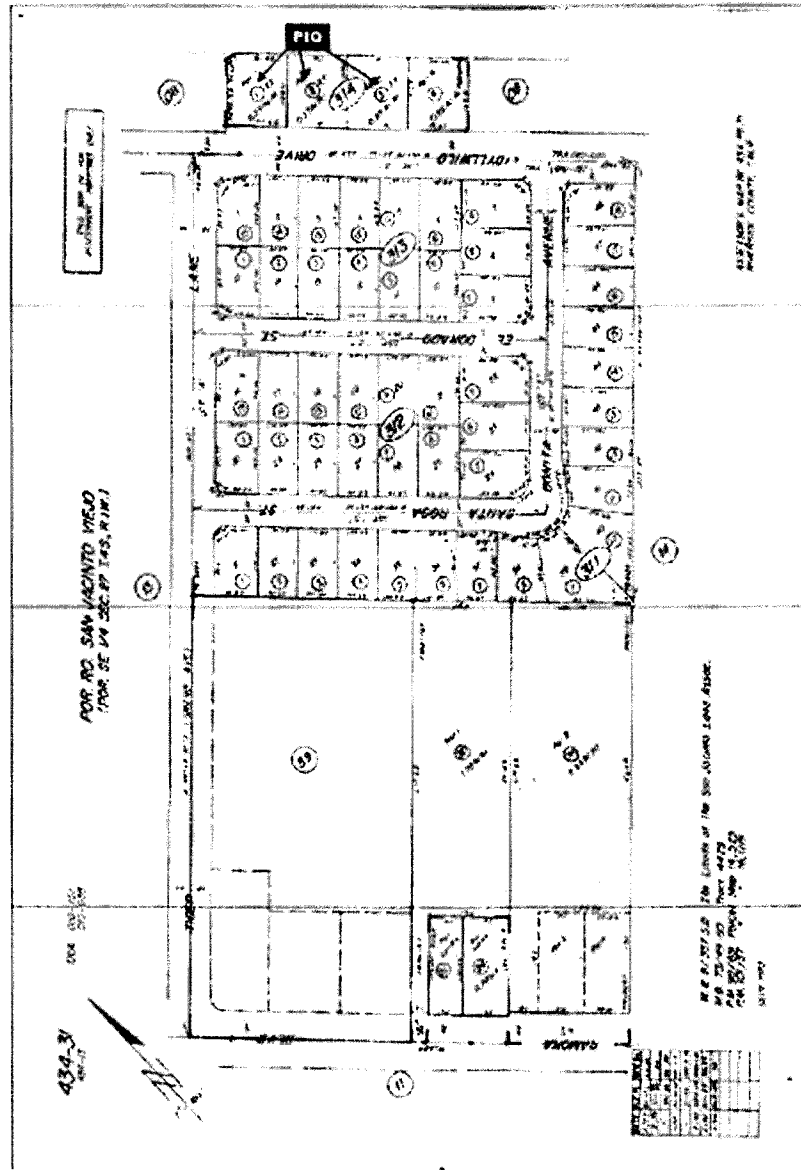
Fairview Lake Townhomes



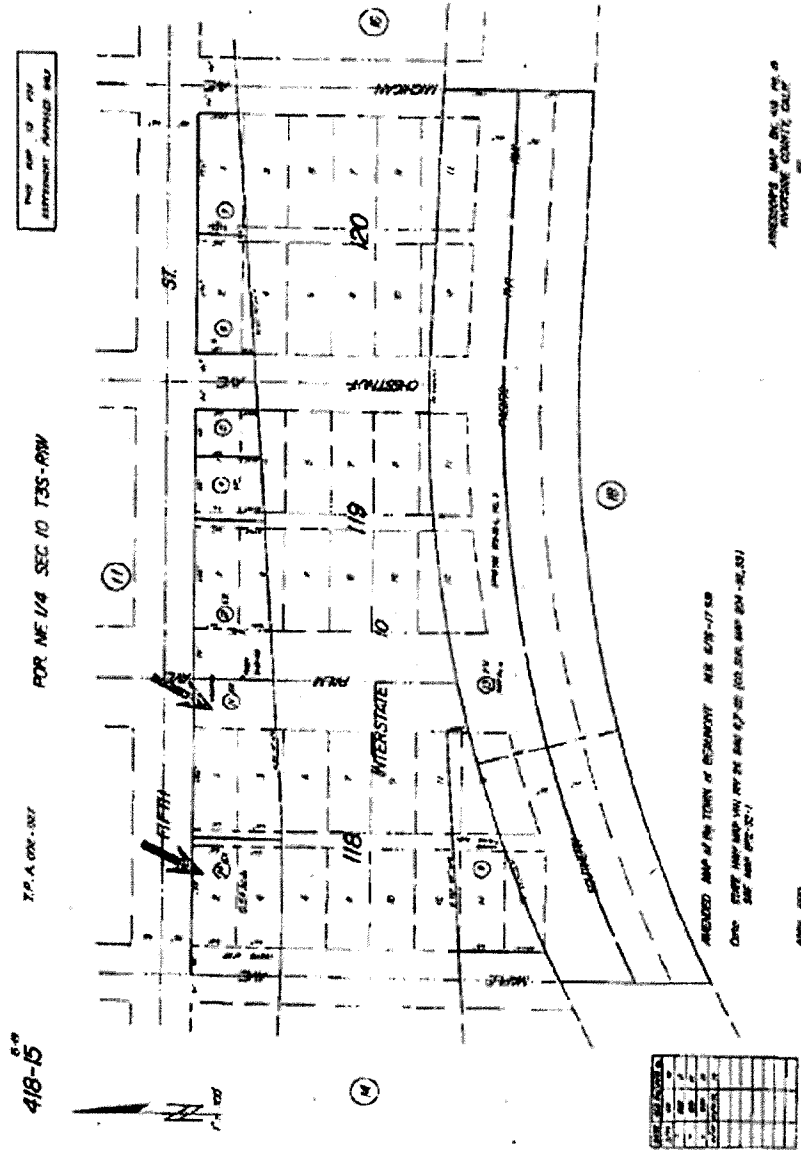
### Midway Capri Apartments



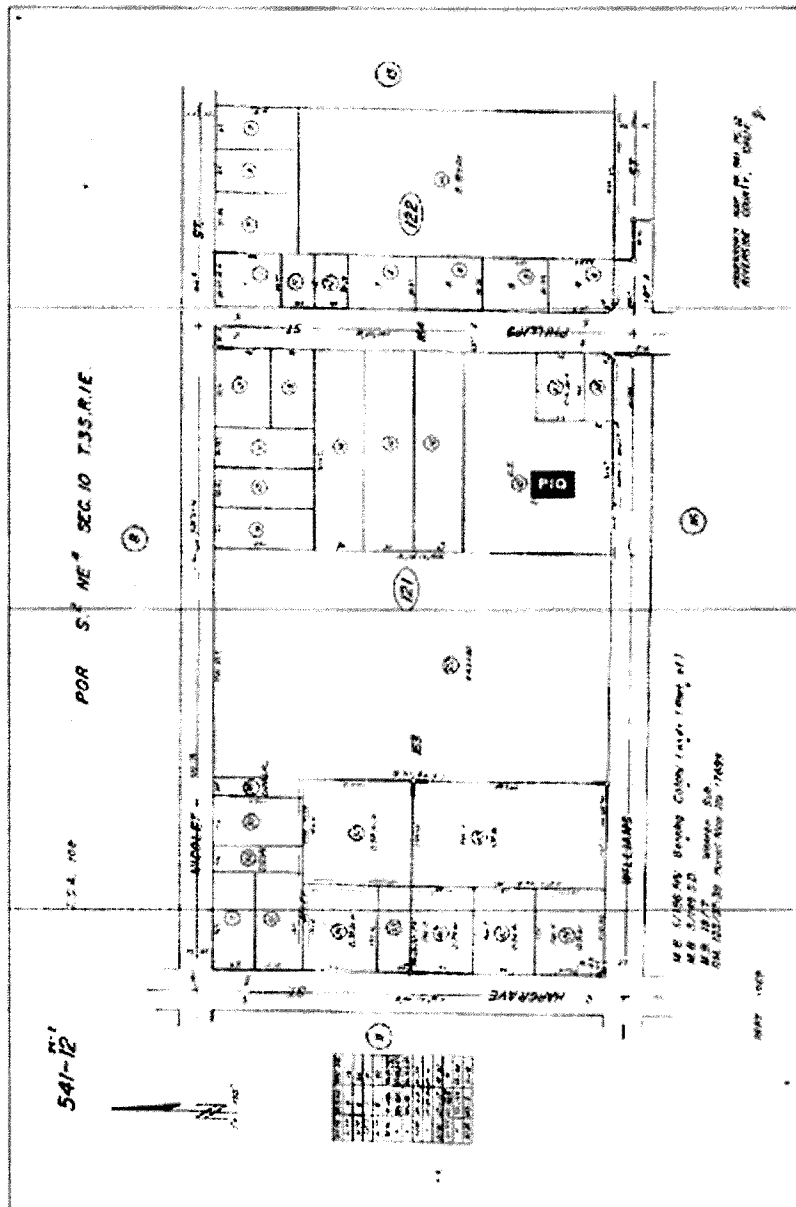
Idyllwild Place



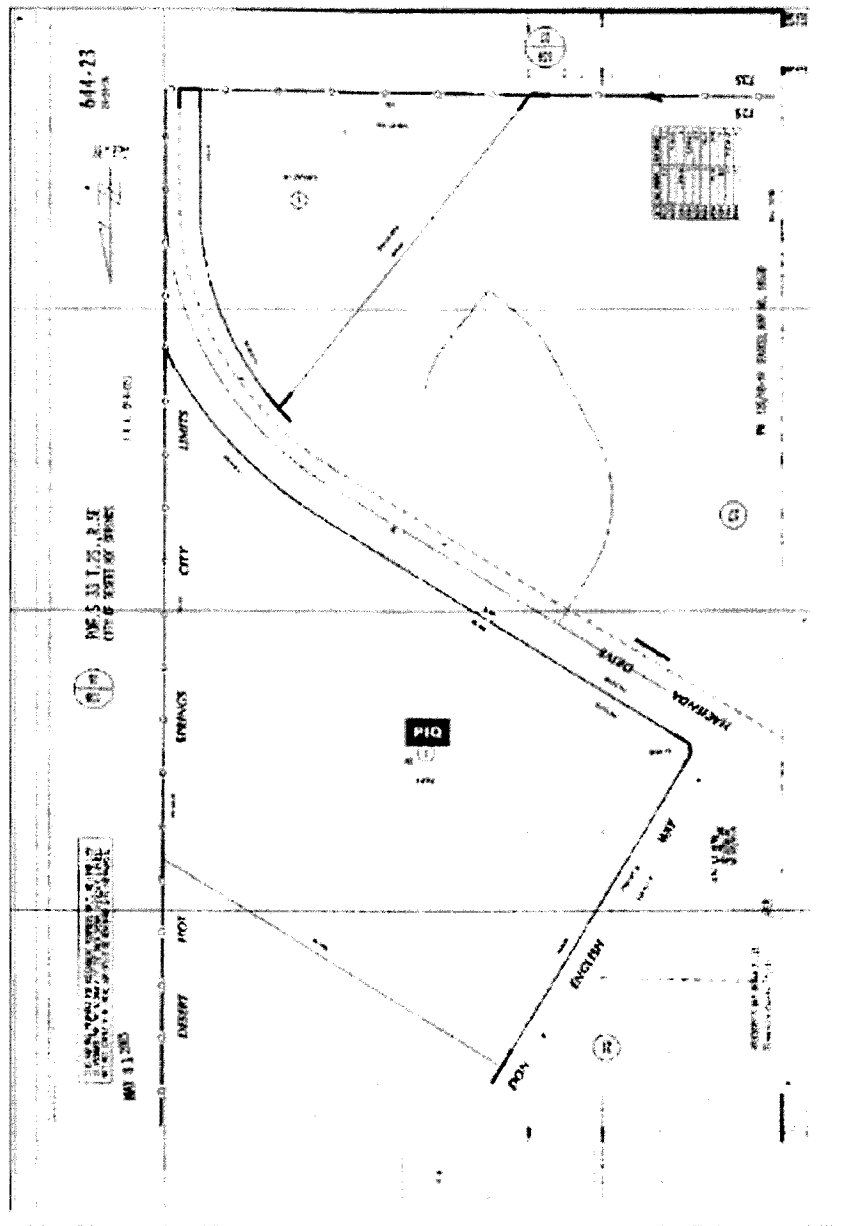
Beaumont Grove Apartments



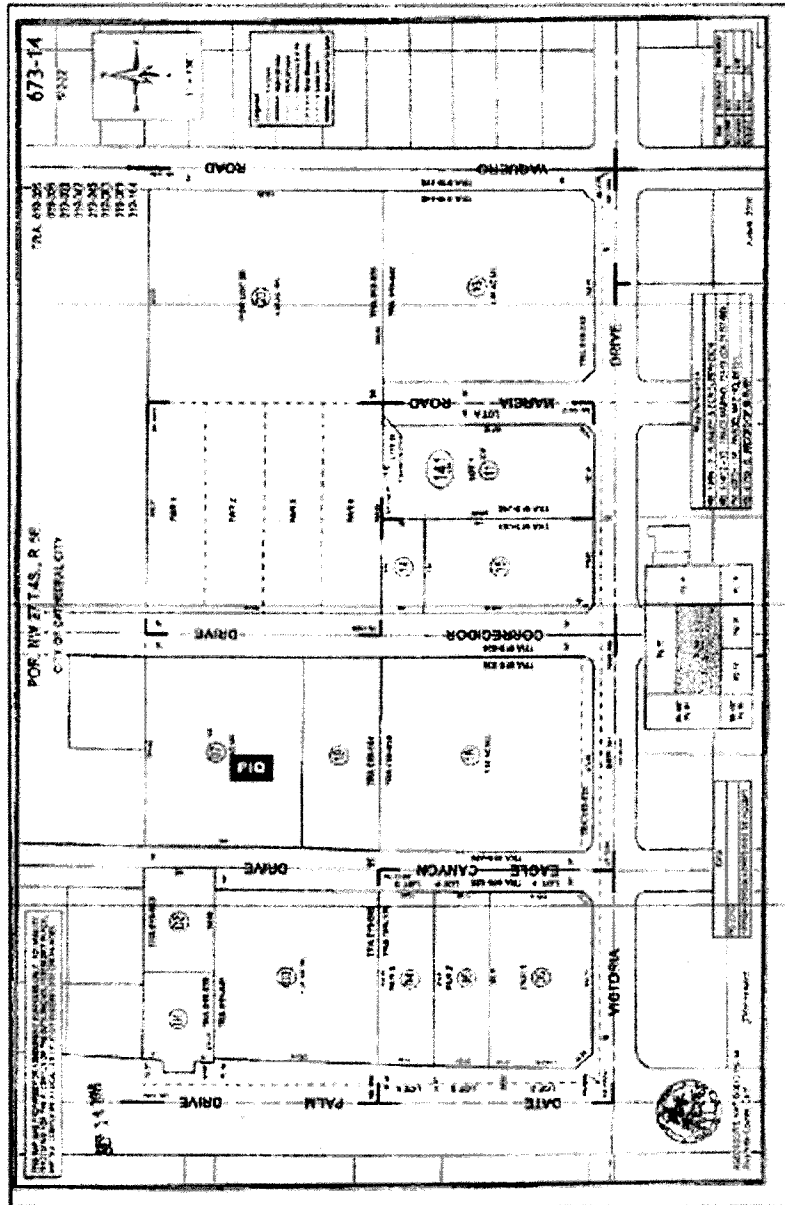
### Banning Townhomes



### Quinto Del Sol Apartments



### Corregidor Manor



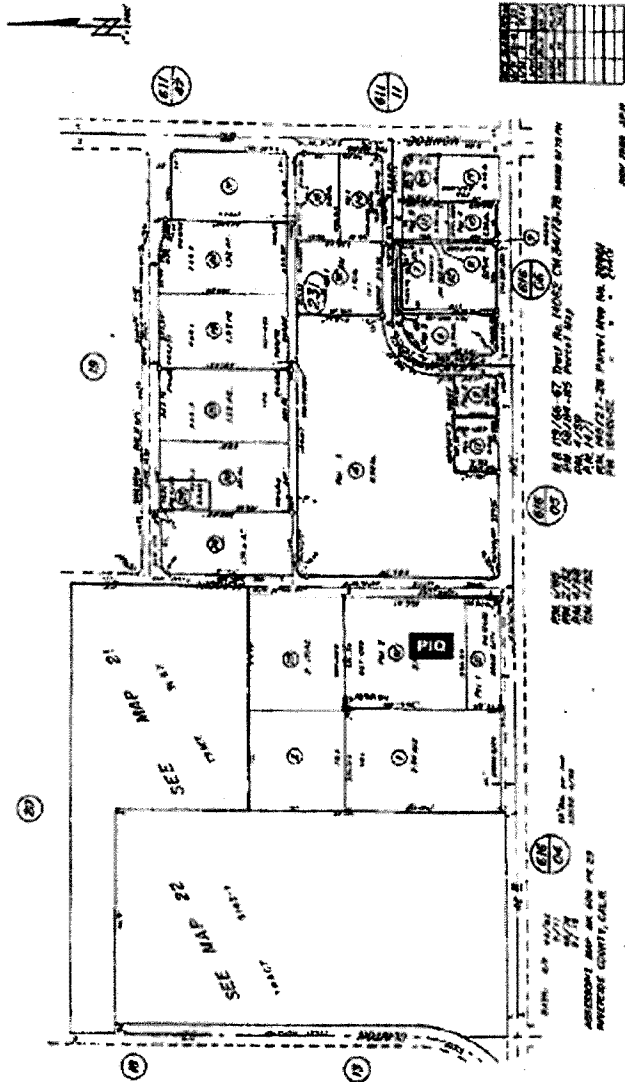


Aladdin Villas

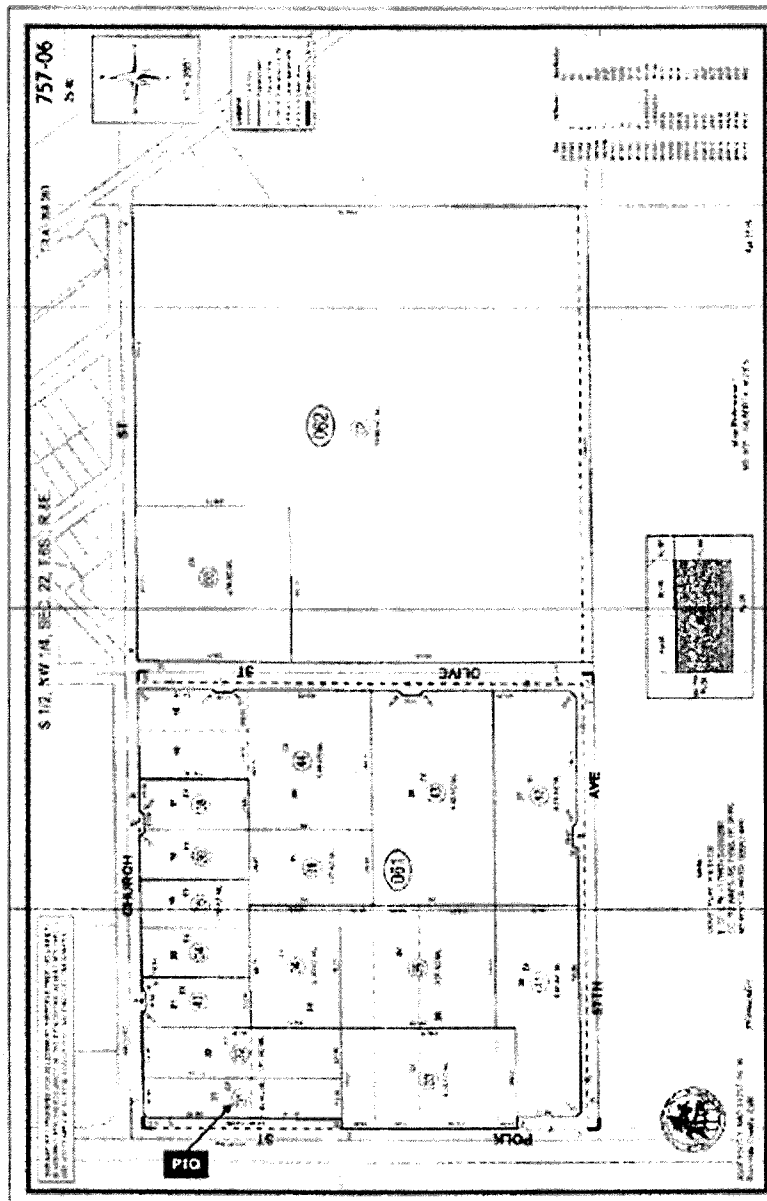
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Sheet 1 of 2

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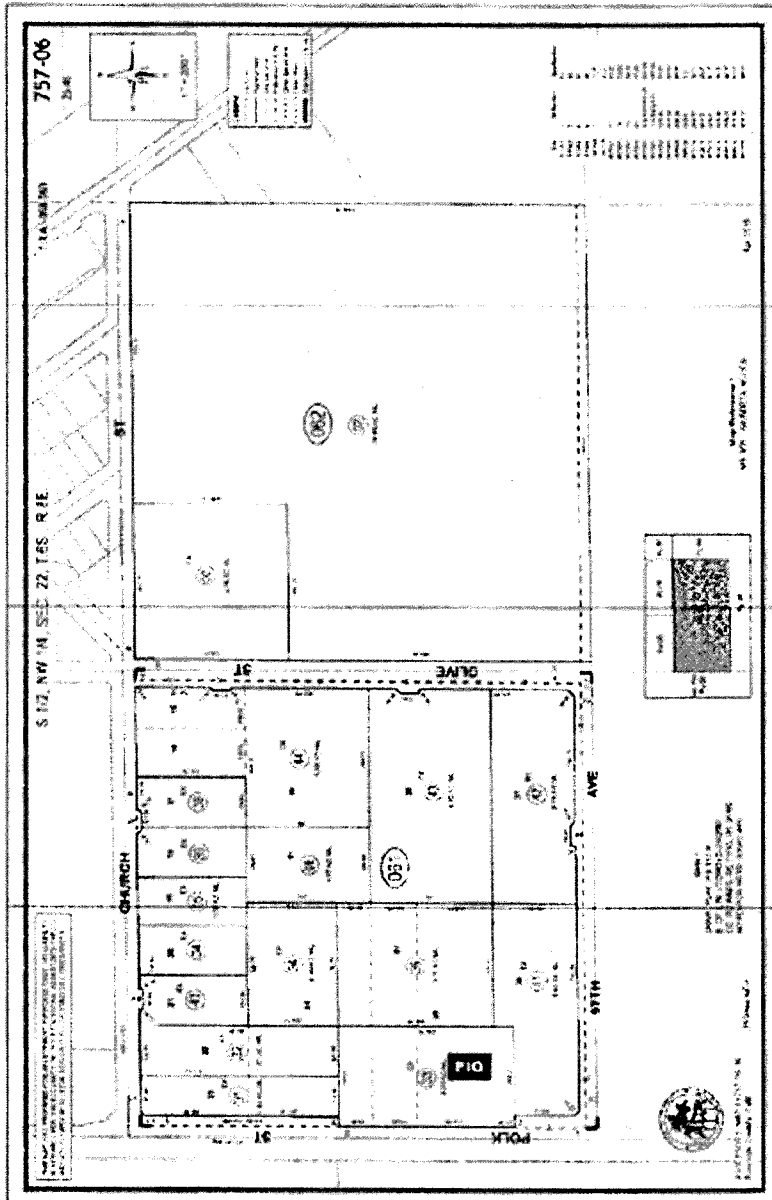
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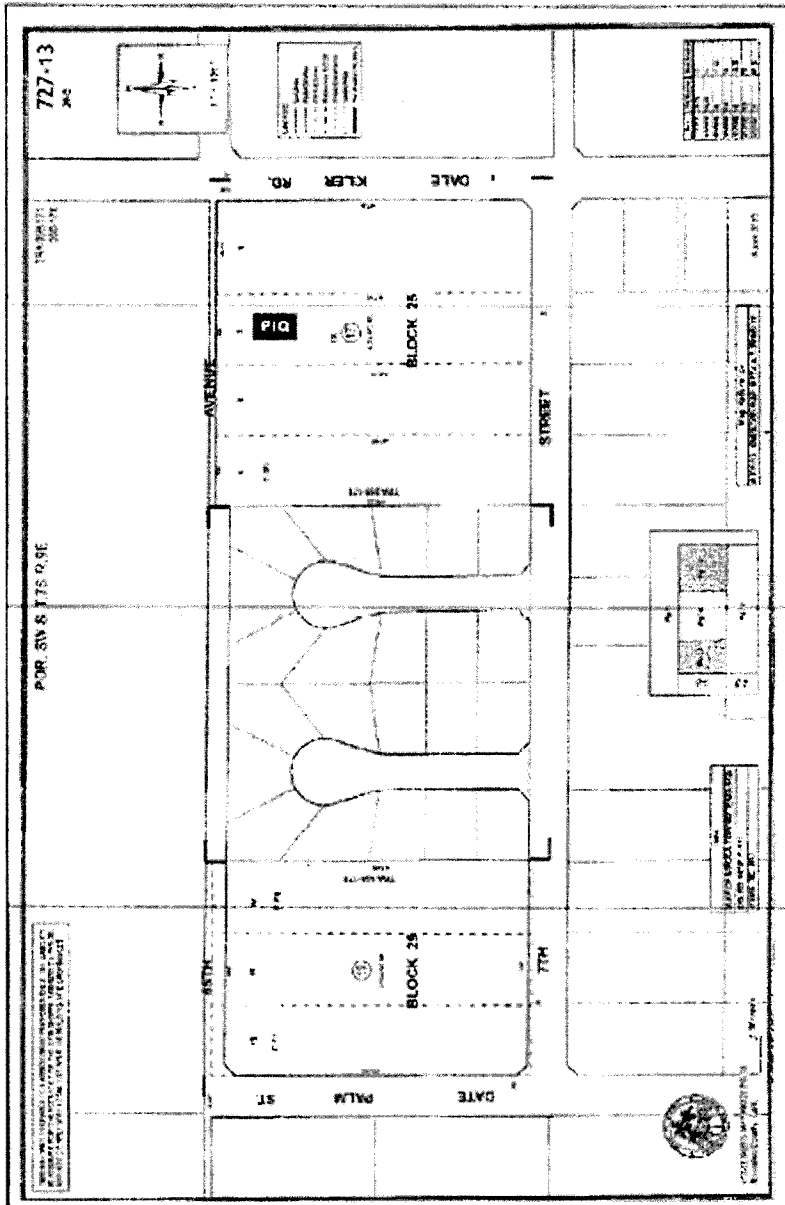
### Thermal I Apartments



Thermal II Apartments



Dr. Clair S. Johnson Apartments



**ATTACHMENT C**  
**Form of Use Agreement**

Recording Requested By  
and When Recorded Mail To:

Housing Authority of the County of Riverside  
5555 Arlington Avenue  
Riverside, CA 92504  
Attn: Executive Director

No fee for recording pursuant to  
Government Code Section 27383

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

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**Rental Assistance Demonstration**  
**Use Agreement**  
**(Project Name)**  
Project Address

**Rental Assistance Demonstration  
Use Agreement**

**U.S. Department of Housing  
and Urban Development**  
Office of Housing  
Office of Public and Indian Housing

OMB Approval No. 2577-0276 (Exp. 02/29/16)

**Public reporting burden** for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2577-0276), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

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**This Rental Assistance Demonstration Use Agreement** (hereinafter called the "Agreement") made the \_\_\_\_\_ day of July, 2016, by and between the United States of America, Secretary of Housing and Urban Development (hereinafter called "HUD") and the Housing Authority of the County of Riverside, Owner, (hereinafter called the "Owner"), provides as follows:

**Whereas**, Rental Assistance Demonstration (hereinafter called "RAD") provides the opportunity to test the conversion of public housing and other HUD-assisted properties to long-term, project-based Section 8 rental assistance to achieve certain goals, including the preservation and improvement of these properties through access by Owners to private debt and equity to address immediate and long-term capital needs.

**Whereas**, Projects funded under the public housing programs may under RAD convert their assistance to long-term, project-based Section 8 rental assistance contracts. Under this component of RAD, Owners may choose between two forms of Section 8 Housing Assistance Payment (HAP) contracts: project-based vouchers (PBVs) or project-based rental assistance (PBRA). No incremental funds are authorized for this component. Owners will convert their assistance at current subsidy levels.

**Whereas**, Projects shall have a RAD Use Agreement that will be recorded superior to other liens on the property, run for the same term as the initial term of the HAP contract, automatically renew upon each extension or renewal of the HAP contract for a term that runs with each renewal term of the HAP contract, and remain in effect even in the case of abatement or termination of the HAP contract (for the term the HAP contract would have run, absent the abatement or termination).

**Whereas**, HUD has approved the conversion of the "Project" identified as Project Name, Project No. ###, and covering real property as described in Exhibit "A" attached hereto; and that this approval is evidenced by and through the terms of the RAD Conversion Commitment as described in Exhibit "B" attached hereto; and that was previously subject to:

- a. a public housing Declaration of Trust dated date here and recorded on date here in the Recorder's Office of Riverside County as document number document #; and such public housing Declaration of Trust was fully released on July \_\_, 2016 and recorded on July \_\_, 2016 in the Recorder's Office of Riverside County as document number \_\_\_\_\_; and
- b. a public housing Declaration of Trust dated date here and recorded on date here in the Recorder's Office of Riverside County as document number document #; and such public housing Declaration of Trust was fully released on July \_\_, 2016 and recorded on July \_\_, 2016 in the Recorder's Office of Riverside County as document number \_\_\_\_\_.

**Whereas**, pursuant to the Consolidated and Further Continuing Appropriations Act of 2012 (Public Law 112-55, approved November 18, 2011) and the corresponding PIH Notice 2012-32 published on July 26, 2012 (hereinafter called the "RAD Notice"), which this Use Agreement incorporates, in exchange for HUD's agreement to permit this conversion to PBVs or PBRA, the Owner has agreed to continue to operate the assisted PBV or PBRA units only as rental housing for the initial term, and each renewal term of the HAP Contract, unless otherwise approved by HUD;

**Now Therefore**, in consideration of the mutual promises set forth herein and of other valuable consideration, the parties hereby agree as follows:

1. **Definitions.** All terms used in this Agreement have the same meaning as set forth in the definitions in RAD Notice.
2. **Term.** The initial term shall be twenty (20) years. Unless otherwise approved by HUD, this Agreement shall remain in effect through the initial term, and for an additional period to coincide with any renewal term of the HAP Contract. This Agreement will survive HAP abatement or termination of the HAP Contract unless otherwise approved by HUD.
3. **Use Restriction and Tenant Incomes.** The HAP-assisted units within this Project shall be used solely as rental housing for tenants meeting the eligibility and income-targeting

requirements under the HAP Contract. In the case that the HAP Contract is terminated (due to, e.g.: breach, or non-compliance), new tenants must have incomes at or below 80 percent of the average median income (AMI) at the time of admission for the remainder of the term of the Agreement, applicable to all units previously covered under the HAP contract. Additionally, rents must not exceed 30% of 80% of median income for an appropriate sized unit. Notwithstanding the foregoing, in the event the Owner is able to demonstrate to HUD's satisfaction that despite the Owner's good faith and diligent efforts to do so, the Owner is unable either (1) to rent a sufficient percentage of Units to Low

Income Tenants or Very Low Income Tenants in order to satisfy the restrictions in this paragraph, or (2) to otherwise provide for the financial viability of the Project, HUD may, in its sole discretion, agree to reduce the percentage of units subject to the restriction under this paragraph or otherwise modify this restriction in a manner acceptable to the Owner and HUD. Any such modification of the restrictions listed in this paragraph shall be evidenced by a written amendment to this Agreement executed by each of the parties hereto.

4. **Subordination.** Any mortgage liens will be subject to this Agreement. This Agreement will survive foreclosure and bankruptcy.
5. **Fair Housing and Civil Rights Requirements.** Compliance with all applicable fair housing and civil rights requirements including the obligation to affirmatively further fair housing and the site selection and neighborhood standards requirements set forth in 24 CFR §§ 1.4(b)(3) and 941.202, as applicable, is required.
6. **Federal Accessibility Requirements.** Compliance with all applicable federal accessibility requirements under the Fair Housing Act and implementing regulations at 24 CFR Part 100, Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR Part 8, and Titles II and III of the Americans with Disabilities Act and implementing regulations at 28 CFR Parts 35 and 36, respectively, is required.
7. **Transfer of the Agreement.** HUD has been granted and is possessed of an interest in the above described Project such that the Owner shall remain seized of the title to said Project and refrain from transferring, conveying, encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said Project or any part thereof without the release of said covenants by HUD. The Owner has constituted HUD as its attorney-in-fact to transfer PBV or PBRA assistance to another entity in the event of default under the HAP Contract. With HUD approval, after 10 years from the effective date of the initial term of the HAP Contract, if the Project is economically non-viable or physically obsolete, assistance may be transferred subject to this Agreement. Any such new Owner shall assume the obligations under this Agreement as a condition of any transfer. This Agreement shall be binding upon the Owners and all future successors and assigns until released by HUD.
8. **Release.** The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the Owner of any

real or personal property which is determined to be excess to the needs of the Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public rights-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying an interest therein, or (4) upon any instrument of release made by the Owner of the assisted PBV or PBRA units shall be effective to release such property from the restrictive covenants hereby created.

9. **Enforcement.** In the event of a breach or threatened breach of any of the provisions of this Agreement, any eligible tenant or applicant for occupancy within the Project, or the Secretary or his or her successors or delegates, may institute proper legal action to enforce performance of such provisions, to enjoy any acts in violation of such provisions, to recover whatever damages can be proven, and/or to obtain whatever other relief may be appropriate.
10. **Severability.** The invalidity, in whole or in part, of any of the provisions set forth in this Agreement shall not affect or invalidate any remaining provisions.
11. **Impairment of HAP Contract.** The terms and provisions of this Agreement shall continue in full force and effect except as expressly modified herein. Any conflicts between this Agreement and the HAP Contract shall be conclusively resolved by the Secretary.
12. **Execution of Other Agreements.** The Owner agrees that it has not and will not execute any other agreement with provisions contradictory of, or in opposition to, the provisions of this Agreement, and that in any event, the provisions of this Agreement are paramount and controlling as to the rights and obligations set forth and supersede any other conflicting requirements.
13. **Subsequent Statutory Amendments.** If revisions to the provisions of this Agreement are necessitated by subsequent statutory amendments, the Owner agrees to execute modifications to this Agreement that are needed to conform to the statutory amendments. In the alternative, at HUD's option, HUD may implement any such statutory amendment through rulemaking.
14. **No Negotiation.** This Agreement is not subject to negotiation by the Owner or any lender.



In Witness Whereof, HUD and the Owner thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

HUD Attest:

U.S. Department of Housing and Urban Development

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_)
District of Columbia \_\_\_\_\_) ss:
\_\_\_\_\_)

Before me, \_\_\_\_\_, a Notary Public in said jurisdiction, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, personally appeared \_\_\_\_\_, who is personally well known to me to be the \_\_\_\_\_ of the Office of Recapitalization, of the United States Department of Housing and Urban Development, and the person who executed the foregoing instrument by virtue of the authority vested in her by, and I having first made known to her the contents thereof, she did acknowledge the signing thereof to be a free and voluntary act and done on behalf of the Secretary of the United States Department of Housing and Urban Development for the uses, purposes and considerations therein set forth.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**Owner Attest:**

Housing Authority of the County of Riverside

By: \_\_\_\_\_

Name: Robert Field

Title: Executive Director

Date: \_\_\_\_\_

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.

STATE OF CALIFORNIA )

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared Robert Field, 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.

\_\_\_\_\_  
Name:

Notary Public

**EXHIBIT A**  
**Property Subject to this RAD Use Agreement**

Insert legal description here.

Assessor's Parcel Number: ###-###-###