

Recording Requested By:
Stewart Title of California

DOC # 2016-0289320

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Page 1 of 8

Recorded in Official Records

County of Riverside

Peter Aldana

Assessor-County Clerk-Recorder

WHEN RECORDED MAIL TO:

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

Project:
4586 Olivewood Avenue
Riverside, CA
APN: 219-043-022

**This document was electronically submitted
to the County of Riverside for recording**
Received by: TERESA #134

For Recorder's Office Use Only

**COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS
ON FUTURE USES OF THE PROPERTY**

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 5 day of July, 2016, by HANDSON EQUITIES, LLC ("Declarant") with reference to the following facts.

A. Declarant is the fee owner of the real property located at 4586 Olivewood Avenue, Riverside, California (the "Property") as legally described on Exhibit "A" which is attached hereto and incorporated herein by reference.

B. Property is located in the Downtown Specific Plan – Prospect Place Office District ("Prospect Place Office District").

C. Per the Purchase and Sale Agreement date: 4/18/2016, Declarant purchased the Property from the City of Riverside and as a condition of sale, City is requiring Declarant to execute and record a covenant restricting property uses to only those uses permitted by the Prospect Place Office District. Declarant acknowledges that the proposed use of the Property, Single Family Residential, is a legal non-conforming grandfathered use.

D. As a condition of the sale, Declarant is restricted from renting the Property as a Single Family or Multi Family Residence for a period of fifteen (15) years. Declarant may rent the Property during this time period, so long as the Property is being used in a "non-housing" manner permitted by the Prospect Place Office District.

E. Declarant offers and agrees to record such a covenant and agreement to put future owners, lessees, successors and assigns on notice of the waiver of all rights regarding any revocation.

NOW, THEREFORE, for the purpose of putting future owners, lessees, successors and assigns on notice, Declarant hereby covenants and agrees to the following covenants, conditions, and restrictions:

C/A-1253

1. The following uses are prohibited in the Prospect Place Office District:
 - a) Car wash;
 - b) Drive-thru establishments;
 - c) Hotels;
 - d) Motels;
 - e) Vehicle repair shops and parts stores;
 - f) Vehicle sales and rentals; and
 - g) Any other use not specifically authorized by the Prospect Place Office District.

2. Declarant shall not rent the Property as Single Family or Multi Family Residence for a period of fifteen (15) years. Declarant may rent the Property during this time period, so long as the Property is being used in a "non-housing" manner permitted by the Prospect Place Office District.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by City of Riverside, and its successors and assigns. Should the City of Riverside bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to court costs, including reasonable attorney's fees.

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4. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon the Declarant, its heirs, successors and assigns, and shall continue in effect until such time as released by the Community and Economic Development Department Director of the City of Riverside by a writing duly recorded.

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

DECLARANT:

HANDSON.EQUITIES, LLC

By:

Printed Name: Orlando Montero

Its: Managing Members

By: _____

Printed Name:

Its:

APPROVED AS TO FORM



Rina M. Gonzales
Deputy City Attorney

APPROVED AS TO CONTENT



Community & Economic Development
Department Deputy Director
Emilio Ramirez

ACKNOWLEDGEMENT

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 Riverside

On July 5 2016

before me,

A. W. ENSIGN Notary Public

(insert name and title of the officer)

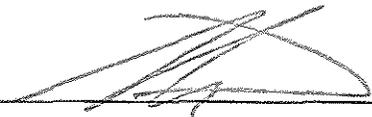
personally appeared Orlando Montano

who proved to me on the basis of satisfactory evidence to that person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature



(Seal)

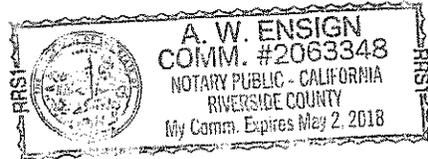


EXHIBIT "A"
LEGAL DESCRIPTION & PLAT MAP

EXHIBIT "A"

APN 219-043-022
Address: 4586 Olivewood Avenue
FEE SIMPLE INTEREST

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

Lots 6 and 7 of block 4 of D.C. Twogood's Orange Grove Tract, as shown by map on file in Book 7, Page 42 of Maps, Records of San Bernardino County, California;

EXCEPTING THEREFROM the northerly rectangular 10 feet of said Lots 6 and 7;

ALSO EXCEPTING THEREFROM that portion of Lot 6 lying West of the following described line:

COMMENCING at the intersection of the centerline of Prospect Avenue and Olivewood Avenue southerly; said intersection being distant 87.47 feet Southeasterly as measured along the centerline of Prospect Avenue from the intersection of the centerlines of Prospect Avenue and Olivewood Avenue northerly;

THENCE South $60^{\circ} 50' 41''$ East, along the centerline of Prospect Avenue, 9.20 feet;

THENCE North $29^{\circ} 09' 19''$ East, 21.50 feet to the beginning of a non-tangent curve, concave Northeasterly and having a radius of 28.50 feet; the initial radial line to said curve bears South $29^{\circ} 09' 19''$ West;

THENCE Northwesterly along said curve, through a central angle $48^{\circ} 04' 15''$, an arc distance of 23.19 feet to a point on the easterly line of that parcel of land conveyed to the City of Riverside by deed recorded March 10, 1969, as Instrument Number 23128 of Official Records of Riverside County, California, said point being **THE TRUE POINT OF BEGINNING** of the line to be described;

THENCE continuing along said easterly line and said curve, through a central angle of $18^{\circ} 29' 16''$, an arc distance of 9.20 feet to a point of compound curvature with a curve concave Southeasterly and having a radius of 453.50 feet; a radial line to said point of compound curvature bears North $84^{\circ} 17' 10''$ West;

THENCE Northeasterly along said easterly line said curve, through a central angle of $13^{\circ} 21' 45''$, an arc distance of 105.76 feet to the southwesterly line of the northeasterly 10.00 feet of said Lot 6 and the **END OF THIS LINE DESCRIPTION.**

RESERVING THEREFROM a permanent easement and right-of-way for Electric Energy Distribution and Telecommunications Facilities lying within the southwesterly 6.00 feet of the northeasterly 16.00 feet of the northwesterly 60.00 feet of said Lot 6.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyors Act.

Curtis C. Stephens 12/10/10 Prep. (C)
Curtis C. Stephens, L.S. 7519 Date



