

RECORDING REQUEST:

045844

WHEN RECORDED MAIL TO:

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

Project: Zoning Case C-19-889
2965 Central Avenue
Riverside, California

RECEIVED FOR RECORD
Min. Past 4 o'clock

FEB 5 1990
Recorded in Official Records
of Riverside County, California
William E. Stewart
RECORDER
Fee \$

COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 31st day of January, 1990, by DENNIS G. KENT and TRICIA A. KENT, husband and wife, with reference to the following facts:

A. The undersigned are the fee owners of the following described real property (the "Property") situated in the City of Riverside, County of Riverside, State of California:

That portion of Tract NO. 11 of PACHAPPA HILL GROVES, as shown by Record of Survey on file in Book 4, Page 46, more particularly described in Exhibit "A" attached hereto and made a part hereof.

B. The Property, which is located at 2965 Central Avenue, Riverside, California, is developed with a single-family house as the primary dwelling unit and a detached accessory building which was built approximately 30 years ago. The undersigned desire to legalize the accessory building as an auxiliary dwelling unit.

C. The City of Riverside (the "City") has required, as a condition of approval of Zoning Case C-19-889, that certain restrictions be placed upon the Property with regard to the use of the auxiliary dwelling unit so that it shall only be occupied in accordance with the provisions of Section 19.07.030(13) of the Riverside Municipal Code.

NOW, THEREFORE, the undersigned hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The auxiliary dwelling unit shall be occupied solely in accordance with Section 19.07.030(13) of the Riverside Municipal

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Code and the conditions of approval in Zoning Case C-19-889, including but not limited to the following provisions:

- a. The auxiliary dwelling unit shall have no separate address or house number.
- b. The auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit; separate utility meters and laterals shall not be installed.
- c. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).
- d. Each occupant of the auxiliary dwelling unit shall be 60 years of age or older.
- e. Either the primary dwelling unit or the auxiliary dwelling unit on the Property shall be occupied by the legal owner of the Property.
- f. The auxiliary dwelling unit shall be screened from adjacent property by opaque fencing or landscaping to the approval of the staff of the City's Planning Department.
- g. A covered parking space shall be provided for the auxiliary dwelling unit, which covered parking space shall be in addition to any parking requirement for the primary dwelling unit. The covered parking provided for the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit.

2. When the use as an auxiliary dwelling unit in accordance with Section 19.07.030(13) of the Riverside Municipal Code ends, the Property shall revert to single-family residential use and the auxiliary dwelling unit shall be removed from the Property.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

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 undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF the undersigned have caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

Dennis G. Kent
DENNIS G. KENT

Tricia A. Kent
TRICIA A. KENT

STATE OF CALIFORNIA)
COUNTY OF Riverside) ss.

On this 31st day of JANUARY, 1990, before me,
H. Chien, the undersigned Notary
Public, personally appeared Dennis G. Kent and
Tricia A. Kent

personally known to me

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.



H. Chien
Notary's Signature

BP/1869A/jm
4/11/89

[Signature]

EXHIBIT A

That portion of TRACT NO. 11 of PACHAPPA HILL GROVES, as shown by Record of Survey on file in Book 4 page 46, of Record of Surveys, Records of Riverside County, California, by metes and bounds.

BEGINNING on the Southerly line of said tract of a point 250 feet Westerly of the Southeast corner of said tract;
 THENCE Northerly parallel with the Easterly line of said tract, 430 feet;
 THENCE Westerly parallel with the Southerly line of said tract, 160.6 feet;
 THENCE Southerly parallel with the Easterly line of said tract, 430 feet to the Southerly line thereof;
 THENCE Easterly on said Southerly line, 160.6 feet to the Point of Beginning;

EXCEPTING therefrom that portion of said Tract No. 11, described as follows:

COMMENCING on the Southerly line of said Tract No. 11 at a point 250 feet Westerly of the Southeast corner of said tract;
 THENCE Northerly and parallel with the Easterly line of said Tract, a distance of 430 feet to the TRUE POINT OF BEGINNING;
 THENCE Westerly and parallel with the Southerly line of said Tract, a distance of 160.60 feet;
 THENCE Southerly and parallel with the Easterly line of said Tract, a distance of 22.50 feet;
 THENCE Easterly in a direct line to a point in a line parallel with the Easterly line of said Tract, distant thereon 22.50 feet Southerly from the TRUE POINT OF BEGINNING;
 THENCE Northerly along said parallel line, a distance of 22.50 feet to the TRUE POINT OF BEGINNING;

ALSO EXCEPT therefrom that portion conveyed to the City of Riverside by Instrument recorded August 24, 1953 in Book 1502, page 554, of Official Records of Riverside County, California.

Said property being a portion of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 35, Township 2 South, Range 5 West, San Bernardino Base and Meridian.

DESCRIPTION APPROVAL 5/18/57
George P. Hutchinson by F
 SURVEYOR, CITY OF RIVERSIDE