

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: Building Permit for
1363 Matterhorn Drive
Riverside, California

RECEIVED FOR RECORD
Min. Past 4 o'clock P.M.

AUG 6 1990

Recorded in Official Records
of Riverside County, California

Walter R. Jones
Recorder
Fees \$ 9.00

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

This Covenant and Agreement and Declaration of Restrictions is made and entered into this 22nd day of June, 1990, by ROBERT R. McMATH and MELODY KIM McMATH, husband and wife, the owners of record of the following described real property, referred to herein as "the property," situated in the City of Riverside, County of Riverside, State of California:

Lots 16 and 23 of TRACT 8337, as shown by map on file in Book 119, pages 16 and 17 of Maps, Records of Riverside County, California;

EXCEPTING therefrom those portions of said lots 16 and 23, described as follows:

Beginning at the Northwest corner of said Lot 16; THENCE South 89° 48' 00" East along the North line of said lot 16, a distance of 54.85 feet to the beginning of a tangent curve concave to the South having a radius of 100.00 feet; THENCE continuing Easterly along said North line and along said curve through a central angle of 15° 00' 00" an arc length of 26.18 feet; THENCE South 74° 48' 00" East along said North line a distance of 49.67 feet to the beginning of a tangent curve concave to the North, having a radius of 51.00 feet; THENCE Easterly along said tangent curve through a central angle of 05° 37' 02" an arc length of 5.00 feet to the Northeast corner of said Lot 16; THENCE South 00° 12' 00" West along the East line of said lot 16 a distance of 91.28 feet to a point therein; THENCE South 45° 12' 00" West a distance of 140.14 feet to a line which is parallel with and distant 40.00 feet South as measured at right angles from the south line of said lot 16; THENCE North 89° 48'

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SURVEYOR, CITY OF RIVERSIDE
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00" West along said parallel line a distance of 34.50 feet to the South prolongation of the West line of said lot 16; THENCE North 00° 12' 00" East along said prolongation and along said West line a distance of 207.69 feet to the point of beginning.

WHEREAS the undersigned desire to develop the property with a single-family house and an accessory building containing a garage, a recreation room and a bathroom; and

WHEREAS the undersigned desire to restrict the use of the property to single-family residential so that it will not mistakenly be used as two dwelling units or as one primary dwelling unit and one auxiliary dwelling unit;

NOW THEREFORE, the undersigned hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the property:

The single-family house and the accessory building shall be used as one dwelling unit. Neither building nor any part of either building shall be used as a separate dwelling unit or separate living quarters from the other building or any part of either building. Kitchen facilities shall not be permitted, maintained or installed in the accessory building. No commercial or business activity shall be conducted on the property. Neither building nor any part of either building shall be sold, rented or leased separately from the other building or any part of either building.

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 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 reasonable attorney's fees and expert witnesses' fees and other reasonable costs of suit.

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

