

WHEN RECORDED MAIL TO:

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

Project: 1054 North Orange  
Riverside, CA 92504  
APN: 206-080-007  
P08-0201

DOC # 2008-0473249

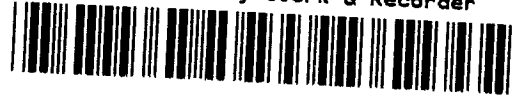
08/27/2008 08:00A Fee:NC

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Recorded in Official Records  
County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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For Recorder's Office Use Only

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

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS ON USES OF PROPERTY ("Covenant") is made and entered into this 27<sup>th</sup> day of June, 2008, by William B. Allen, Trustee of the William B. Allen Living Trust established November 9, 1991, ("Declarant") with reference to the following facts.

A. Declarant is the fee owner of that certain real property (the "Property") situated in the City of Riverside, County of Riverside, State of California, described as follows:

See Exhibit "A"

B. The Property will be developed with a 23-unit Senior Apartment Complex ("Project"), situated at 1054 North Orange Street, situated on the easterly side of North Orange Street, southerly of Nash Street.

C. As a condition of the approval by the City of Riverside ("City") of Planning Case Number P08-0201, the City is requiring the Declarant to execute and record a Covenant and Agreement setting forth that all housing buildings, and structures erected and maintained in the Project shall be occupied solely by a person or persons with a minimum age of 55 years.

D. Declarant desires to record a covenant and agreement, to put future owners on notice, that the minimum age of the tenants of the Project will be 55 years of age.

CLA 1054

NOW, THEREFORE, incorporating the above facts and for the purpose of complying with a condition imposed by the City under Planning Case Number P08-0201, Declarant hereby covenants and agrees with said City and acknowledges as follows:

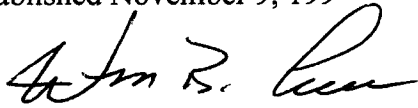
1. The minimum age of the occupants of the Project shall be 55 years of age.

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

This Covenant shall run with the land and each and all of its terms shall be binding upon Declarant, his/hers/its heirs, successors and assigns, and shall continue in effect until such time as released by the Director of the Planning Division of the City of Riverside, or his/her designee, 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.

WILLIAM B. ALLEN, Trustee of the  
William B. Allen Living Trust  
Established November 9, 1991



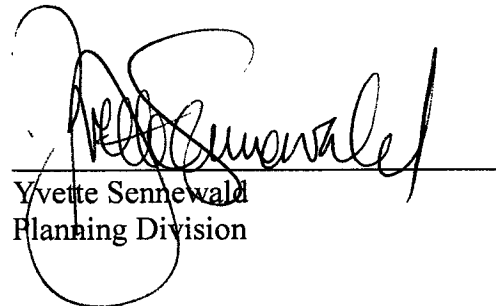
William B. Allen, Trustee

APPROVED AS TO FORM



Kristi J. Smith  
Supervising Deputy City Attorney

APPROVED AS TO CONTENT



Yvette Sennewald  
Planning Division

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CA. 08-1373  
06/09/08



**ACKNOWLEDGMENT**

State of California  
County of RIVERSIDE

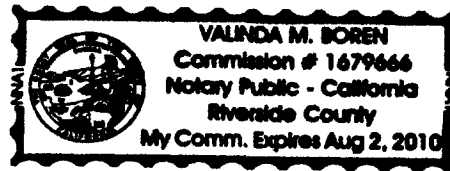
On JUNE 27, 2008, before me, Valinda M. Boren, a

notary public, personally appeared William B. Allen, 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.

Valinda M. Boren (SEAL)  
Signature



*Covenant and Agreement  
and Declaration of Restrictions  
on Uses of the Property.  
2 pages + Exhibit "A"*



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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**



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C/A 1054

**EXHIBIT A**

The land referred to is situated in the County of Riverside, City of Riverside, State of California, and is described as follows:

All that portion of Lot 94 of Lands of Southern California Colony Association, in the City of Riverside, County of Riverside, State of California, as shown by Map Recorded in Book 7, Page 3, of Maps, Records of San Bernardino County, California, more particularly described as follows:

Beginning at a point on the Northerly line of said Lot, 25 feet Easterly from the Northwest Corner thereof, said point being on the Easterly line of North Orange Street;

Thence Easterly along said Northerly line 263.3 feet;

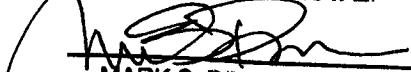
Thence Southerly and parallel with the Westerly line of said Lot, 392 feet;

Thence Westerly and parallel with the Northerly line of said Lot 263.3 feet to a point on the Easterly line of North Orange Street;

Thence Northerly along the Easterly line of North Orange Street, 392 feet to the point of beginning.

Excepting therefrom any portion included in Nash Subdivision, as shown by Map on File in Book 37, Page 89 of Maps, Records of Riverside County, California.

DESCRIPTION APPROVAL:

  
MARK S. BROWN  
CITY SURVEYOR

7/29/08  
DATE



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10-8

C/A 1054



LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P O Box 751  
Riverside, CA 92502-0751  
(951) 486-7000

www.riversideacr.com

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: VALINDA M. BOREN

Commission #: # 1679666

Place of Execution: Riverside, CALIFORNIA

Date Commission Expires: August 2, 2010

Date: 8/27/08

Signature: Sheely Worthen

Print Name: SHEELY WORTHEN



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