

2016-0293900

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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, California 92522

Project: 6820 Airport Drive
Riverside, California 92504
APN: 189-270-021
P16-0081

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FOR RECORDER'S OFFICE USE ONLY

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS
LIMITING THE OCCUPANCY
AT ANY ONE TIME

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS ("Covenant") is made and entered into this 24th day of June, 2016, by EDY P. ADKISON and JUDITH ELIZABETH ADKISON, Trustees of the ADKISON FAMILY REVOCABLE LIVING TRUST (created under Declaration of Trust dated September 22, 1993, wherein EDY P. ADKISON and JUDITH ELIZABETH ADKISON are Settlers) ("Declarants") with reference to the following facts:

A. Declarants are the fee owners of the real property ("Property") situated in the City of Riverside, County of Riverside, State of California, described as follows:

See Exhibit "A"

B. The Property, commonly known as 6820 Airport, Riverside, California, is situated in the AIR Airport ("AIR") Zone and is located within Zones B2 and D of the Riverside County Airport Land Use Compatibility Plan ("ALUCP").

C. Declarants have applied for a minor conditional use permit to allow the establishment of a recreational facility in a 2,500 square foot commercial building located on the Property.

D. The parking lot area and a small portion of the Property is located within Zone B2 while the remaining area is located within Zone D. Zone B2 includes approximately 0.26 acres and permits a maximum intensity of 26 people whereas Zone D includes approximately 0.13 acres and permits a maximum intensity of 39 people.

C/A-1254

E. Section 3.3.5 of the ALUCP states that for parcels lying within two or more compatibility zones, they shall be considered as if it were multiple parcels divided at the compatibility zone boundary line and that the density or intensity of development allowed within the more restricted portion of the parcel can be transferred to the less restricted portion.

F. It is the desire of Declarants to acknowledge that no more than 39 people shall occupy the Property at any one time.

NOW, THEREFORE, incorporating the above facts for the purpose of complying with a condition imposed by the City in P16-0081, Declarants hereby covenant and agree with the City and acknowledge as follows:

1. No more than 39 people shall occupy the Property at any one time pursuant to Section 3.3.5 of the Riverside County ALUCP.

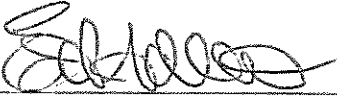
The terms of this Covenant may be enforced by the City, and its successors and assigns. If the City brings an action to enforce any of the terms of this Covenant, the prevailing party shall be entitled to court costs, including reasonable attorney's fees.

This Covenant shall run with the land and each and all of its terms shall be binding upon Declarants, its heirs, successors and assigns, and shall continue in effect until such time as released by the City of Riverside Community & Economic Development Director, or his/her designee, by a writing duly recorded.


[signatures on the following page]

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

EDY P. ADKISON AND JUDITH ELIZABETH
ADKISON, Trustees of the Adkison Family Revocable
Living Trust (created under Declaration of Trust
Dated September 22, 1993, wherein Edy P. Adkison
And Judith Elizabeth Adkison are Settlers)


By: 

Edy P. Adkison
Trustee

By: 

Judith Elizabeth Adkison
Trustee

APPROVED AS TO FORM:



Kristi J. Smith
Chief Assistant City Attorney

APPROVED AS TO CONTENT:



Suhaim Bawany
Planning Division

EXHIBIT "A"
LEGAL DESCRIPTION

Project: P16-0081
Address: 6820 Airport Drive
A.P.N. 189-270-021

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

Lot 8 of Tract No. 4187 as shown by map on file in Book 69, Pages 83 and 84 of Maps, records of Riverside County, California.

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

Curtis C. Stephens 4/20/16 Prep. *(Signature)*
Curtis C. Stephens, L.S. 7519 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

ACKNOWLEDGMENT

State of California

County of Riverside

On June 24, 2010, before me, Melissa Lazio, Notary Public, personally appeared Edy P. Advison, Trustee, 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.

Melissa Lazio
Signature

(SEAL)



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

ACKNOWLEDGMENT

State of California
County of Riverside

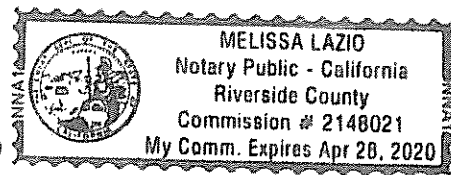
On June 24, 2010, before me, Melissa Lazio, Notary Public, personally appeared Judith Elizabeth Avison, Trustee, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same 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.

Melissa Lazio
Signature

(SEAL)



C/A-254