

WHEN RECORDED MAIL TO:

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

Project: 11795 Carmine Street  
Riverside, CA 92505  
APN: 141-120-037

DOC # 2014-0181952  
05/19/2014 03:38P Fee:42.00  
Page 1 of 5

Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



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COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS

(SECOND DWELLING UNIT RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10<sup>th</sup> day of May, 2014, by Nora E. Caballero, a married woman, as her sole and separate property ("Declarant") with reference to the following facts.

A. Declarant is the record owner of the 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, known as 11795 Carmine Street, Riverside, California, is in the R-1-7000, Single Family Residential Zone.

C. Declarant has applied to the City of Riverside for a variance to legalize a garage conversion to an approximately 611 square foot second dwelling unit.

D. A second dwelling unit is permitted under Section 19.525 of the Riverside Municipal Code ("Zoning Code"), subject to the recording of a covenant restricting the use of the property and the second dwelling unit, to ensure the Property maintains its residential character.

E. Declarant desires to restrict the use of the Property to residential and to put future owners on notice of the prohibition on the second dwelling unit as set forth by Chapter 19.525 of the Riverside Municipal Code.

C/A-1265

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City for the granting of building permits, Declarant hereby covenants and agrees with the City that the following restrictions shall apply to the Property:

1. Either the single-family residence or the secondary dwelling unit shall be occupied by the record owner of the property at all times.

2. If the single-family residence or the second dwelling unit is not occupied by the record owner of the property for any period longer than thirty (30) days, one of the two dwelling units will be required to be converted to an accessory dwelling unit and the kitchen facilities shall be removed.

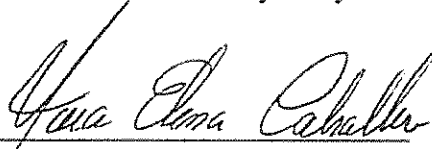
The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

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

[signatures on the following page]

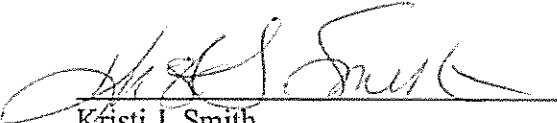



IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.

  
NORA E. CABALLERO

APPROVED AS TO FORM

APPROVED AS TO CONTENT

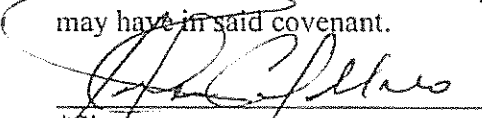
  
Kristi J. Smith  
Supervising Deputy City Attorney

  
Kyle Smith  
Planning Division

SPOUSAL COMMUNITY RIGHTS IN THE COVENANT AND AGREEMENT

Dated 5/6/2014

I am the spouse of NORA E. CABALLERO , and I hereby consent and join in the covenant hereinabove-described and I hereby release and quitclaim any community property interest that I may have in said covenant.

  
\*Signature  
RUBEN CABALLERO  
Printed Name

\*Signatures must be notarized.

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CA: 14-0649

ATTACHED TO Covenant + Agreement and  
Declarative of Restrictions (3 pgs.)

ACKNOWLEDGMENT

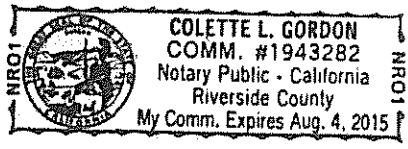
State of California  
County of Riverside

On MAY 6, 2014, before me, COLETTE L. GORDON, a

notary public, personally appeared MIGUEL CASALLERO AND MARIA E. CASALLERO, 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.



Colette L. Gordon (SEAL)  
Signature

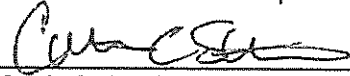

EXHIBIT "A"  
LEGAL DESCRIPTION

Address: 11795 Carmine Street  
A.P.N. 141-120-012

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

Parcel 2 of Certificate of Compliance for Lot Line Adjustment No. LL-012-989, issued by the City of Riverside and recorded December 11, 1998 as instrument No. 537726, Official 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.

 4/22/14 Prep.   
Curtis C. Stephens, L.S. 7519 Date

