

WHEN RECORDED MAIL TO:

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

Project: 5699 & 5701 Mitchell Avenue
Riverside, California 92505
APN: 150-150-007

DOC # 2014-0194303
05/28/2014 11:04A Fee:63.00
Page 1 of 12
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

8/15/14



(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 13th day of May, 2014, by ANTONIO G. MORALES and LOURDES S. MORALES, as Trustees of the MORALES FAMILY TRUST dated February 24, 1995 ("Declarant"), with reference to the following facts:

A. Declarant is the fee 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 5699 and 5701 Mitchell Avenue, Riverside, California, is in the Rural Residential ("RR") Zone and is developed with a single-family residence and an accessory dwelling unit.

C. Declarant proposes to construct a second accessory dwelling unit, approximately 750 square feet, consisting of two bedrooms, two bathrooms, a living room area and a wet bar.

D. "Accessory Dwelling Unit" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") Chapter 19.910 to mean living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

E. As a condition for the issuance of a building permit for the Property, the City of Riverside ("City") is requiring Declarant to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places certain restrictions on the accessory dwelling unit to ensure the single-family residential use of the property. Declarant desires to restrict the use of the Property to single-family residential and to put future owners on notice of the prohibition on the attached accessory dwelling unit from being rented or considered as a

C/A-1267

separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory dwelling unit, and prohibiting the use of the accessory dwelling unit for commercial or business activity not authorized by Title 19 of the Riverside Municipal Code.

NOW THEREFORE, for the purposes of complying with the conditions imposed by the City for the issuance of a building permit, and restricting the use of the Property to single-family residential, Declarant hereby covenants and agrees with the City that the following restrictions shall apply to the Property:

1. The single-family residence and the accessory dwelling unit shall be used as one dwelling unit.
2. Neither building shall be used as a separate dwelling unit or separate living quarters from the other.
3. No kitchen facilities shall be permitted, maintained, or installed in the accessory dwelling unit.
4. Neither the attached accessory dwelling unit nor the main residence shall be sold, rented, or leased separately from the other building.
5. Except as otherwise permitted by the provisions of Title 19 of the Riverside Municipal Code, no commercial or business activity shall be conducted on the Property.
6. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

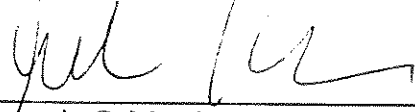
The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to reasonable attorney's fees, expert witness fees, and reasonable costs of suit.

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

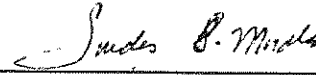


IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.

MORALES FAMILY TRUST
dated February 24, 1995

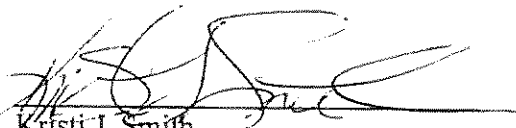


Antonio G. Morales
Trustee




Lourdes P. Morales
Trustee *5 fm*

APPROVED AS TO FORM:



Kristi J. Smith
Supervising Deputy City Attorney

APPROVED AS TO CONTENT:



Brian Norton
Planning Division

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CA: 14-0568



ACKNOWLEDGMENT

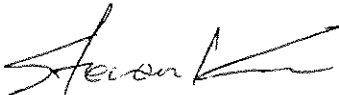
State of California
County of Los Angeles

On May 13, 2014, before me, Steven Kim, a

notary public, personally appeared Antonio G. Morales, 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.

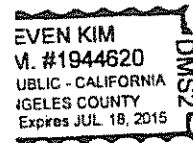
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



(SEAL)

Signature



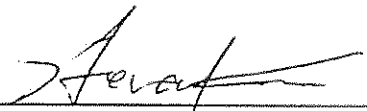
ACKNOWLEDGMENT

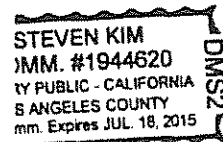
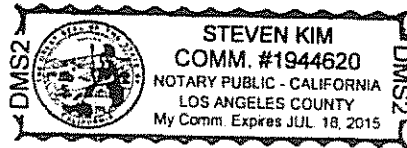
State of California
County of Los Angeles

On **May 13, 2014** before me, **Steven Kim**, Notary Public personally appeared, **LOURDES S. MORALES** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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.

Signature  (Seal)



DOC # 2013-0068331
 02/07/2013 02:21P Fee:34.00
 Page 1 of 4
 Recorded in Official Records
 County of Riverside
 Larry W. Ward
 Assessor, County Clerk & Recorder

Recording Requested by:
 Gateway Legal Group, P.C.
 When recorded mail to:
 Antonio G. Morales
 C/o Trustees of the Morales Family Trust
 18715 Turfway Park
 Yorba Linda CA 92886



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
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APN 150-150-007

TRUST TRANSFER DEED

3550 C
517

GRANT DEED (Excluded from Reappraisal Under Proposition 13, i.e., Calif. Const. Art 13A1 et seq)
 The undersigned Grantor(s) declare(s), under penalty of perjury, that the following is true and correct:
 THERE IS NO CONSIDERATION FOR THIS TRANSFER. RE-RECORD TO CORRECT LEGAL DESCRIPTION

Documentary Transfer Tax is: \$ ZERO

___ Computed on full value of property conveyed, or ___ computed on full value less value of liens and encumbrances remaining at time of sale or transfer.

There is no Documentary Transfer Tax due. (State reason and Code Sec. or Ordinance number) This conveyance transfers grantors interest to their revocable living trust, R & T 1190. Unincorporated area: ___ City of ___ and

This is a Trust Transfer under Sec. 62 of the Revenue and Taxation Code and Grantor(s) has (have) checked the applicable exclusion:

- Transfer to a revocable trust;
- ___ Transfer to a short-term trust not exceeding 12 years with trustor holding the reversion;
- ___ Transfer to a trust where the trustor or the Trustor's spouse is the sole beneficiary;
- ___ Change of Trustee holding title;
- ___ Transfer from trust to trustor or trustor's spouse where prior transfer to trust was excluded from reappraisal and for a valuable consideration, receipt of which is acknowledged.

Other: _____

GRANTOR(S): ANTONIO G. MORALES, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND MERWIN P. MORALES, A SINGLE MAN, hereby GRANT(S) TO: ANTONIO G. MORALES AND LOURDES P. MORALES, as Trustees of the Morales Family Trust, Dated February 24, 1995, the following described real property in the County of Riverside, State of California, City of Riverside:

Attached hereto as Exhibit "A" and made part hereof.

Dated: 1/31/13

ANTONIO G. MORALES

 MERWIN P. MORALES
 Grantor(s) - Transferor(s)

MAIL TAX STATEMENTS AS INDICATED ABOVE



2014-0194303
 05/28/2014 11 04A
 6 of 12

C/A-1267



All-purpose Acknowledgment California only

State of California

County of ORANGE

On 01/31/13 before me, O. MACIAS, NOTARY PUBLIC (here insert name and title of the officer),

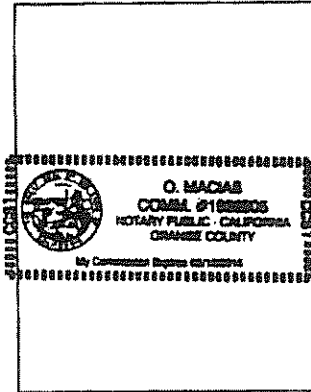
personally appeared ANTONIO G. MORALES

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.

Signature _____



Notary Seal

2813-0568331
06/07/2013 02:21F
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FO01-000DSG5350CA-01

Scanner Enabled Stores should scan this form
Mail Mail Submission Route to Deposit Operations
DSG5350 CA (12-07 10141)



2014-0194303
05/28/2014 11:04A
7 of 12

C/A-1267

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California }
 County of Riverside }
 On 2-1-13 before me, Wes Kiet Dinh Ngo, Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Merwin P. Morales
Name(s) of Signer(s)

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.

Signature: Wes Kiet Dinh Ngo
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Individual Partner — Limited General Individual Partner — Limited General

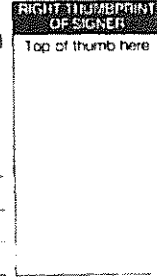
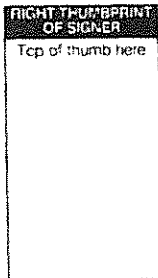
Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____



C/A-1267

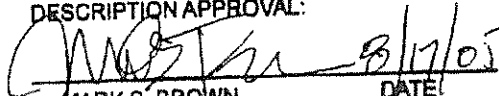
EXHIBIT "A"

A portion of Lot 4, in Block 7 of Chadbourne Heights, as shown by Map on file in Book 12, Page 11, 12 and 13 of Maps, Records of said County, described as follows:

Beginning at the most Southerly corner of said Lot 4; thence Northwesterly along the Easterly line of Mitchell Avenue, 150 feet; thence North 69° 30' 22" East, parallel with the Southeasterly line of said lot to the Westerly line of that certain parcel conveyed by William O'Brien and Alma R. O'Brien to Effie P. Gunderson by Deed recorded May 28, 1946, in Book 744, Page 597, of Official Record; thence Southeasterly along the Westerly line of said Parcel to the Southeasterly line of said Lot 4; thence Southwesterly along the Southeasterly line of Lot 4; to the point of beginning.

EXCEPTING therefrom the Southerly 75 feet thereof; said Southerly 75 feet being measured along the Easterly line of Mitchell Avenue and the Northwesterly line of said Southerly 75 feet being parallel with the Southeasterly line of said Lot.

DESCRIPTION APPROVAL:


MARK S. BROWN
CITY SURVEYOR

8/17/05
DATE



2005-0820745
10/04/2005 08:00A
7 of 7



2014-0134303
05/28/2014 11:04A
9 of 12

C/A-1267

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

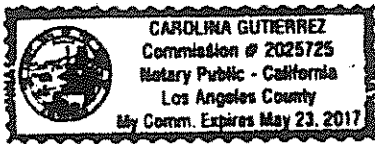
State of California

County of SAN BERNARDINO

On APRIL 14, 2014 before me, CAROLINA GUTIERREZ, NOTARY PUBLIC,
Date Here Insert Name and Title of the Officer

personally appeared ANTONIO G. MORALES
Name(s) of Signer(s)

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.

Signature: _____

Carolina Gutierrez
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: TRUST TRANSFER DEED

Document Date: 1/31/13 Number of Pages: 2

Signer(s) Other Than Named Above: HERWIN P. MORALES

Capacity(ies) Claimed by Signer(s)

Signer's Name: ANTONIO G. MORALES

Signer's Name: _____

Corporate Officer — Title(s): _____

Corporate Officer — Title(s): _____

Individual

Individual

Partner — Limited General

Partner — Limited General

Attorney in Fact

Attorney in Fact

Trustee

Trustee

Guardian or Conservator

Guardian or Conservator

Other: _____

Other: _____

Signer Is Representing: _____

Signer Is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

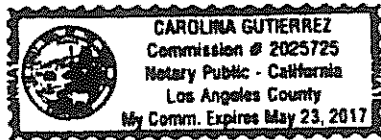
CIVIL CODE § 1189

State of California

County of SAN BERNARDINO

On APRIL 14, 2014 before me, CAROLINA GUTIERREZ, NOTARY PUBLIC

personally appeared MERWIN P. MORALES



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.

Signature: [Handwritten Signature]

Place Notary Seal Above

OPTIONAL

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Description of Attached Document

Title or Type of Document: TRUST TRANSFER DEED

Document Date: 1/31/13 Number of Pages: 2

Signer(s) Other Than Named Above: ANTONIO G. MORALES

Capacity(ies) Claimed by Signer(s)

Signer's Name: MERWIN P. MORALES

Corporate Officer — Title(s): _____

Individual

Partner — Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Individual

Partner — Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer is Representing: _____





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

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

O. MACIAS
Comm. # 1928906
Notary Public CALIFORNIA
ORANGE COUNTY
My Commission Expires 5/10/2015

my commission expires may 26, 2016

Date:

5/28/14

Signature:

[Handwritten Signature]

Print Name:

ANTONIO MORALES

