

WHEN RECORDED MAIL TO:

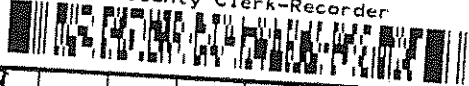
City Clerk  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

Project: 5175 Chapala Drive  
Riverside, CA 92507  
APN: 254-063-004

2016-0104668

03/17/2016 01:38 PM Fee: \$ 52.00  
Page 1 of 5

Recorded in Official Records  
County of Riverside  
Peter Aldana  
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  
(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10<sup>th</sup> day of March, 2016 by Hossein Zand, an unmarried person ("Declarant"), with reference to the following facts:

A. Declarant is the fee owners 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 5175 Chapala Drive, Riverside, California is in the Single Family Residential ("R-1-8500") Zone and is developed with a single-family residence.

C. Declarant proposes to construct an approximately 532 square foot accessory living quarters as a second story addition with separate entrance consisting of two offices, a coffee bar, a bathroom, and storage.

D. "Accessory Living Quarters" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") Section 19.04.020 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 living quarters 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 living quarters from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the

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accessory living quarters, and prohibiting the use of the accessory living quarters 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 living quarters 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 living quarters.
4. Neither the attached accessory living quarters 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, his heirs, successors and assigns, and shall continue in effect until such time as released by the Director of the Community & Economic Development Department of the City of Riverside, California, by a writing duly recorded.

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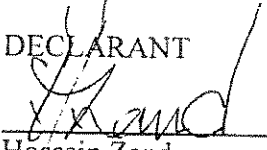
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(Signatures on following page)

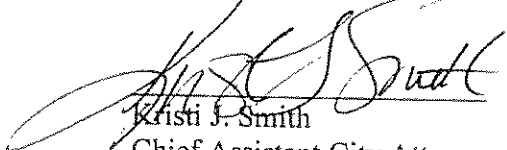
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IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.


DECLARANT

  
\_\_\_\_\_  
Hossein Zand

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kristi J. Smith  
Chief Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Suhaim Bawany  
Planning Division

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

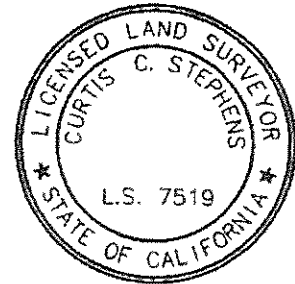
Address: 5175 Chapala Drive  
A.P.N. 254-063-004

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

Lot 4 of Tract No. 10249 as shown by map on file in Book 143, Pages 60 and 61 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 3/9/16 Prep. (Signature)  
Curtis C. Stephens, L.S. 7519 Date



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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.

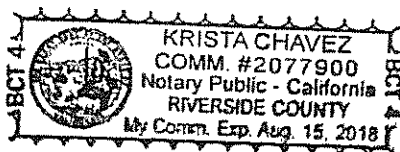
STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On March 10, 2016, before me, Krista Chavez, Notary Public personally appeared Hossein Zand who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/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.

Krista Chavez  
Notary Signature



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