

RECORDING REQUESTED BY:

320509

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: Building Permit for
4056 Elmwood Court
Riverside, California

320509

RECEIVED FOR RECORD
AT 8:30 OCLOCK

SEP 16 1991

Recorded in Official Records
of Riverside County, California

Recorder,
Fees \$

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this *14th* day of *SEPTEMBER*, 1991, by LLOYD M. HEIM and CARMEN HEIM, husband and wife, with reference to the following facts:

A. The undersigned are the fee owners of the following described real property, referred to herein as "the Property", situated in the City of Riverside, County of Riverside, State of California:

Lot 21 of Battles Elmwood Tract, as shown by map on file in Book 10, page 88 of Maps, Records of Riverside County, California.

B. The Property located at 4056 Elmwood Court, Riverside, California, is zoned for single family residential use.

C. The undersigned wish to construct a new single family residence and convert the existing home into an accessory building to be used as a guest house.

D. A "guest house" is defined by Section 19.04.165 of the Riverside Municipal Code to mean living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, having no kitchen, 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 is requiring the undersigned to execute and record a Covenant and Agreement which places certain restrictions on the accessory building to insure the single-family residential use of the property.

F. The undersigned desire to restrict the use of the Property to single-family residential and to comply with the condition imposed by the City of Riverside.

NOW, THEREFORE, for the purposes of complying with a condition of approval for issuance of a building permit by the City of Riverside and restricting the use of the Property to single-family residential, the undersigned hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

The single-family house and the accessory building used as a guest house shall be used as one dwelling unit. Neither building nor any part of either building shall be used as a separate dwelling unit or separate living quarters from the other building or any part of either building. A kitchen shall not be permitted, maintained or installed in the accessory building. Neither building nor any part of either building shall be sold, rented or leased separately from the other building or any part of either building. The accessory building used as a guest house shall not be rented or otherwise used as a separate dwelling. The accessory building used as a guest house shall only be used by temporary guests of the occupants of the Property. No commercial or business activity shall be conducted on the Property. The required on-site covered parking shall be maintained at all times.

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

This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon the undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF the undersigned have caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

DESCRIPTION APPROVAL 2/13/21

Walter R. Sawyer by Kap
SURVEYOR, CITY OF RIVERSIDE

Lloyd M. Heim
LLOYD M. HEIM

Carmen Heim
CARMEN HEIM

KG/3346A/sb
9/10/91

APPROVED AS TO FORM

ASST. CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF Riverside) ss.

On this 14th day of Sept, 1991, before me,
CARYL M BRYANT, the undersigned Notary
Public, personally appeared LOYD M HEIM JR AND
CARMEN HEIM

/ / personally known to me

W proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) ARE subscribed to the
within instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.



Caryl M Bryant
Notary's Signature