

WHEN RECORDED MAIL TO:

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

Project: Case V-80-912

171269

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RECEIVED FOR RECORD
AT 1:00 O'CLOCK

MAY 12 1992

Recorded in Official Records
of Riverside County, California

Wm. E. [Signature]
Recorder
Fees \$ *11*

DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, hereinafter "Declaration", is made and entered into this 8th day of May, 1992, by Janet H. Hubbard, an unmarried woman, as her sole and separate property, the owner of record of the following described real property situated in the City of Riverside, County of Riverside, State of California, hereinafter referred to by lot number or collectively as "the Property":

Lots 1, 2 and 12 of Tract 21875 as shown by map on file in Book 233 of Maps at pages 14 and 15 thereof, Records of Riverside County, California.

WHEREAS the undersigned desires to construct a combination block and wrought iron fence within the front yard setbacks for Lots 1, 2 and 12; and

WHEREAS the Riverside City Council has approved a variance for the proposed fence, Case V-80-912, to allow a maximum six-foot-high combination block and wrought iron fence within the front yard setbacks subject to certain conditions; and

WHEREAS a condition of approval of Case V-80-912 requires the owners of Lots 1, 2 and 12 in Tract 21875 to provide for the maintenance of the wall and its related landscaping, both on site and in City right-of-way, through the establishment of covenants, conditions and restrictions to be recorded against the Property; and

WHEREAS the undersigned desires to establish the following covenants, conditions and restrictions for the Property;

NOW, THEREFORE, the undersigned hereby covenants and agrees with the City of Riverside that the following covenants, conditions and restrictions shall apply to the property:

1. The wall and its related landscaping, both on site and in City right-of-way, shall be established and maintained on the Property as approved and conditioned by the City Council in Case V-80-912.

2. The owner of each lot is required to maintain the portion of the wall and related landscaping on that owner's lot and adjacent City right-of-way. The wall and related landscaping shall be maintained in an attractive and healthy condition according to recognized maintenance and horticultural standards and to the satisfaction of the City of Riverside.

3. In the event a homeowners' association is established for the governing and maintenance of real property which includes the Property, the covenants, conditions and restrictions contained in paragraphs 1 and 2 may be made an obligation of the homeowners' association.

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

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

IN WITNESS WHEREOF the undersigned has caused this Declaration to be executed the day and year first written above.




 JANET H. HUBBARD

APPROVED AS TO FORM:



 Assistant City Attorney

DESCRIPTION APPROVAL: 2, 4, 92


 SURVEYOR, CITY OF RIVERSIDE

CT/3491A/sb