

128423

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

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

Project: Building Permit for  
11535 Gramercy Place  
Riverside, California 92505

RECEIVED FOR RECORD  
AT 1:00 O'CLOCK

APR 6 1993

Recorded in Official Records  
of Riverside County, California

*W. J. Blundy*  
Recorder  
Fees \$ 14

14  
3  
8

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this *6th* day of *April*, 1993, by NORMAN POWELL and ROXIE POWELL, husband and wife as joint tenants, 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:

Parcel No. 3 of Records of Survey as recorded in Book 32, page 84 of Records of Survey, Records of Riverside County.

Excepting therefrom the Southeasterly 3 feet thereof.

B. The Property located at 11535 Gramercy Place, Riverside, California, is developed with a single-family house and an existing two-car garage.

C. The undersigned wish to construct a detached guest house consisting of one bedroom, a bath and a living/sitting room and wet bar adjacent to the existing two-car garage in the back yard of the existing single-family residence.

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

DESCRIPTION APPROVAL: *4, 6, 63*  
*George P. Hutchinson*  
SURVEYOR, CITY OF RIVERSIDE

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.

128423

*over*

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.

*Norman Powell*  
NORMAN POWELL

*Roxie Powell*  
ROXIE POWELL

APPROVED AS TO CONTENT:

*[Signature]*  
Planning Department

APPROVED AS TO FORM:

*Kathleen M. Gomez*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

128423

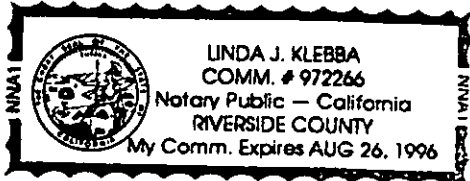
No. 5193

State of CALIFORNIA  
County of RIVERSIDE

On April 6, 1993 before me, Linda J. Klebba  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Norman Powell and Roxie Powell  
NAME(S) OF SIGNER(S)

personally known to me - OR -  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.



WITNESS my hand and official seal.

*Linda J. Klebba*  
SIGNATURE OF NOTARY

**OPTIONAL SECTION**

**CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)  
TITLE(S) \_\_\_\_\_
- PARTNER(S)  LIMITED  
 GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(IES)  
\_\_\_\_\_  
\_\_\_\_\_

**OPTIONAL SECTION**

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT: \_\_\_\_\_

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_