

288079

WHEN RECORDED MAIL TO:

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

Project: Building Permit for
4159 Bandini Avenue
Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL 27 1993

Recorded in Official Records
of Riverside County, California

Walter R. Jones
Recorder
Fees \$ 14

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COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 26th day of July, 1993, by NORMA JEAN ROZEMA, a married woman, as her sole and separate property, hereinafter referred to as "Declarant", with reference to the following facts:

A. The Declarant is the fee owner of the following described real property ("the Property") situated in the City of Riverside, County of Riverside, State of California:

The Easterly rectangular one-half of Lot 10 of Brockton Place Subdivision as shown by map on file in Book 9, Page 79 of Maps, records of Riverside County, California.

B. The Property, known as 4159 Bandini Avenue, Riverside, California, is developed with a single-family residence and a detached garage. Declarant desires to obtain a building permit to add a second floor addition to the garage. The second floor addition will be reached by outside stairs and will be used as a guest house including a living room, bedroom, bathroom, and closet.

C. "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.

D. As a condition for the issuance of the building permit for the second floor addition to the garage, the City of Riverside is requiring the Declarant to record a covenant and agreement acceptable to the Planning and Legal Departments of the City which restricts the use of the Property for single-

DESCRIPTION APPROVAL 7/26/93
Walter R. Jones
SURVEYOR, CITY OF RIVERSIDE
See

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family residential and the use of the second floor addition to use as a guest house so that the Property will not mistakenly be used as two dwelling units, as one primary dwelling unit and one auxiliary dwelling unit or for commercial or business activity.

E. Declarant desires to restrict the use of the Property to single-family residential and to comply with a condition imposed by the City of Riverside for the issuance of the building permit.

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, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house and the second-floor addition to the garage containing the guest house shall be used as one dwelling unit.

2. Neither the single-family house nor the second-floor addition to the detached garage containing the guest house shall be used as a separate dwelling unit or separate living quarters from the other.

3. Neither the existing house nor the second-floor addition to the detached garage containing the guest house shall be sold, rented or leased separately from the other.

4. No kitchen shall be permitted, maintained or installed in the guest house.

5. Except as otherwise permitted by Title 19 of the Riverside Municipal Code, no commercial or business activity shall be conducted on the Property.

6. The required on-site covered parking shall be maintained at all times.

7. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside 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 court costs, including reasonable attorneys' fees.

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

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


NORMA JEAN ROZEMA

I, KEN MURAKAMI, the husband of NORMA JEAN ROZEMA, hereby join in and consent to the above Covenant and Agreement and Declaration of Restrictions.


KEN MURAKAMI

APPROVED AS TO CONTENT:


Planning Department

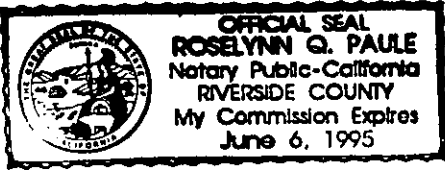
APPROVED AS TO FORM:


Assistant City Attorney

State of California)
County of Riverside) ss

On 7-26-93, before me Roselynn Q. Paule, Notary Public
(date) (name and title of the officer)
personally appeared Ken Murakami and Norma Jean
Kozema

~~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.
Roselynn Q. Paule
Signature

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)
Title _____ Title _____
- () Guardian /Conservator
- () Individual(s)
- () Partner(s)
() General () Limited
- () Trustee(s)
- () Other _____

The party(ies) executing this document is/are representing:

