

325378

WHEN RECORDED MAIL TO:

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

Project: Building Permit for  
6098 St. Augustine Drive  
Riverside, California

RECEIVED FOR RECORD  
AT 12:00 O'CLOCK

AUG 19 1993

Recorded in Official Records  
of Riverside County, California

Recorder  
Fees \$

*ME*  
*[Signature]*

*9*

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this *18th* day of *August*, 1993, by RODERICK M. STUART and GLORIA S. STUART, husband and wife, hereinafter collectively referred to as "Declarants", with reference to the following facts:

A. The Declarants are the fee owners of the following described real property ("the Property") situated in the City of Riverside, County of Riverside, State of California:

Lot 4 of Tract No. 7218, as shown by map on file in Book 92, Pages 82 through 85, inclusive, of Maps, records of Riverside County, California.

B. The Property, known as 6098 St. Augustine Drive, Riverside, California, is developed with a single-family residence and attached garage. Declarants desire to obtain a building permit to build a two-story addition adjacent to the existing garage with a separate entrance apart from the main dwelling. The addition will include a sitting room and wet bar on the first floor and a bedroom, bathroom and closet on the second floor.

C. As a condition for the granting of the building permit for the two story room addition, the City of Riverside is requiring the Declarants to record a covenant and agreement acceptable to the Planning and Legal Departments of the City prohibiting the use of the addition as a separate dwelling unit or rental unit.

D. Declarants desire 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 granting of the building permit.

DESCRIPTION APPROVAL: 7/20/93

*Burke P. Hudelem*  
SURVEYOR, 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, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house and the two-story room addition with its separate entrance shall be used as one dwelling unit.

2. Neither the addition nor the existing house shall be sold, rented or leased separately from the other.

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

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

5. 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.

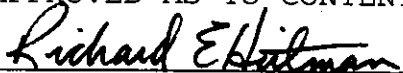
6. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

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

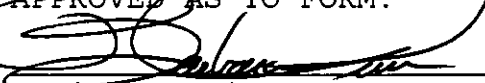
  
RODERICK M. STUART

  
GLORIA S. STUART

APPROVED AS TO CONTENT:

  
Planning Department

APPROVED AS TO FORM:

  
Assistant City Attorney

State of California )  
 )ss  
County of Riverside )

On Aug. 18, 1993, before me Catalina Mendez, Notary Public  
(date) (name and title of the officer)  
personally appeared Roderick M. Stuart and  
Colonia S. Stuart

~~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.

Catalina Mendez  
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:

