

417716

WHEN RECORDED MAIL TO:

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

Project: Building Permit for
2409 Seventh Street
Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

OCT 25 1993

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$ 14

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 21ST day of OCTOBER, 1993, by OTIS STEPHEN BALLARD, a married man, as his 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:

Lot 1 of Block 14 in H. P. Kyes Tract as shown by map on file in Book 7, Page 27 of Maps, records of San Bernardino County, California,

Excepting therefrom the Northerly 55 feet thereof.

The Property is zoned for single-family residential use.

B. The Property, commonly known as 2409 Seventh Street, Riverside, California, is developed with a two-story house. Declarant desires to obtain a building permit to repair fire damage to the structure. The second story contains an entry-way, two bedrooms, closet, bathroom and covered porch. The second story can no longer be reached from the first floor by interior stairs, but can only be reached by way of outside stairs.

C. As a condition for the issuance of a building permit for the Property as the second story of the residence can only be reached by way of an outside stairway, the City of Riverside is requiring Declarant to execute and record a Covenant and Agreement which places certain restrictions on the Property to ensure the single-family residential use of the Property so that

DESCRIPTION APPROVAL
10/21/93
George P. Hatalian
CITY CLERK

it 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.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for issuance of a building permit for the repair of the fire damage, 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 including its second story reached by the outside stairway shall be used as one dwelling unit. No part of the house shall be used as a separate dwelling unit or separate living quarters from the rest of the house.

2. Only one kitchen shall be permitted, maintained or installed in the two-story house.

3. Neither floor of the two-story house shall be sold, rented or leased separately from the other.

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

5. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

6. 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.

7. 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, his 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.


Otis Stephen Ballard

I, the undersigned, as the wife of Otis Stephen Ballard, hereby consent to and join in the execution of the above Covenant and Agreement and Declaration of Restrictions.

Nikki Jeanne Ballard
NIKKI JEANNE BALLARD
(Print Name)

APPROVED AS TO CONTENT:

[Signature]
Planning Department

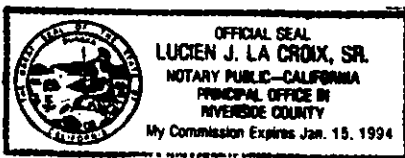
APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

State of California)
County of RIVERSIDE) ss

On OCTOBER 21, 1993, before me LUCIEN J. LA CROIX, SR., NOTARY PUBLIC
(date) (name and title of the officer)
personally appeared OTIS STEPHEN BALLARD AND NUKKI JEANNE BALLARD

~~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.

Lucien J. La Croix, Sr.
Signature

CAPACITY CLAIMED BY SIGNER LS

- () 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:

