

439403  
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WHEN RECORDED MAIL TO:  
CITY CLERK  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

Project: Building Permit for  
15992 Summit Crest Drive  
Riverside, California

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

NOV - 3 1993

Recorded in Official Records  
of Riverside County, California  
Recorder  
Fees \$ 11

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 2<sup>nd</sup> day of Nov., 1993, by JAMES O. HEITING and CINDY E. HEITING, husband and wife, hereinafter collectively referred to as "Declarants", with reference to the following facts:

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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:

Parcel 2 of Parcel Map on file in Book 13, Page 37 of Parcel Maps, records of Riverside County, California;

EXCEPTING THEREFROM that portion of the southerly 60.00 feet of said Parcel 2, as described in deed to the Metropolitan Water District of Southern California by document recorded June 12, 1975, as Instrument No. 68636 of Official Records of said Riverside County.

B. The Property, known as 15992 Summit Crest Drive, Riverside, California, is developed with a single-family residence and attached garage. Declarants desire to obtain a building permit to build a detached two-story accessory building to be used as a garage on the first level and a recreation room on the second level and to convert the existing attached garage.

C. As a condition for the granting of the building permit for the two story accessory building, 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 second story of the accessory building 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

DESCRIPTION APPROVAL 11/2/93  
Walter R. [Signature] by [Signature]  
SURVEYOR, CITY OF RIVERSIDE  
for

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, 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 accessory building shall be used as one dwelling unit.

2. Neither the two-story accessory building nor the existing house shall be sold, rented or leased separately from the other.

3. No kitchen facilities shall be installed or maintained in the accessory building.

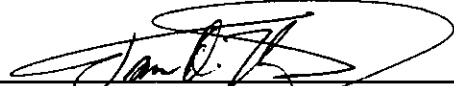
4. Except as otherwise permitted by Title 19 of the Riverside Municipal Code, no commercial or business activity shall be conducted on the Property.

5. The required on-site covered parking 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 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.

  
 \_\_\_\_\_  
 JAMES O. HEITING

  
 \_\_\_\_\_  
 CINDY E. HEITING

State of California )  
County of Riverside ) ss

On November 2, 1993, before me Susan O. Kalb, Notary Public  
(date) (name and title of the officer).  
personally appeared Cindy E. Heiting & James O. Heiting

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.

Susan O. Kalb  
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:

\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO CONTENT:

Michael K. Zimmerman  
Planning Department

APPROVED AS TO FORM:

Darlene Sussner  
Assistant City Attorney