

470664

WHEN RECORDED MAIL TO:

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

Project: Building Permit for
2154 Oakcrest Drive
Riverside, California

RECEIVED FOR RECORD
AT 1:00 O'CLOCK

NOV 24 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 24th day of November, 1993, by PHILIP L. VELIE, hereinafter referred to as "Declarant" with reference to the following facts:

A. Declarant is the fee owner of the real property ("the Property") situated in the City of Riverside, County of Riverside, State of California described in Exhibit "A", attached hereto and incorporated herein by this reference. Said Property was conveyed to Declarant, a married man, as his separate property.

B. The Property, known as 2154 Oakcrest Drive, Riverside, California, is developed with a single-family residence, an accessory building used as a detached garage, and a swimming pool. Declarant desires to obtain a building permit to convert a portion of the garage into a room to be used as a cabana in connection with the swimming pool. The room to be used as a cabana will include a bathroom and kitchen facilities.

C. As a condition for the issuance of a building permit for the Property, the City of Riverside is requiring Declarant to execute and record a Covenant and Agreement which places certain restrictions on the cabana to ensure that it will not be used as accessory living quarters and to provide that the single-family residential use of the Property will be maintained.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for issuance of a building permit for the conversion of a portion of the accessory building to a cabana to be used in conjunction with the swimming pool, 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 accessory building shall be used as one dwelling unit.

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

3. The cabana to be constructed in the accessory building shall not be used as accessory living quarters or as a guest house.

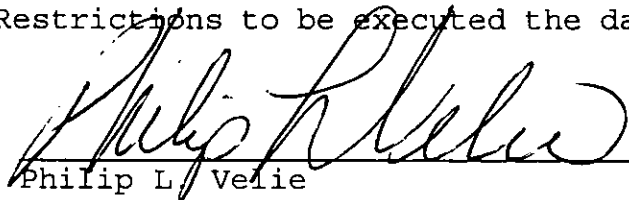
4. Except as otherwise permitted by the provisions of Title 19 of the Riverside Municipal Code, no commercial or business activity shall be conducted on the Property.

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.


Philip L. Velie

~~I, the undersigned, as the wife of Philip L. Velie, hereby consent to and join in the execution of the above Covenant and Agreement and Declaration of Restrictions.~~

(Print Name)

APPROVED AS TO CONTENT:



Planning Department

APPROVED AS TO FORM:

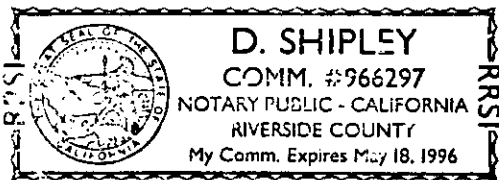


Assistant City Attorney

State of California)
County of RIVERSIDE) ss

On Nov 24, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared _____
Philip L. UELIE

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.

D. Shipley
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:

EXHIBIT "A"

DESCRIPTION

The land referred to in this report is situated in the County of Riverside, State of California, and is described as follows:

That portion of the South half of Section 36, Township 2 South, Range 5 West, San Bernardino Meridian, in the City of Riverside, County of Riverside, State of California, described as follows:

Beginning at the South quarter corner of said Section 36, said point being also the Southeast corner of that parcel of land described by deed to V. M. Stone and Elizabeth Jane Stone recorded December 3, 1953 as Instrument No. 57728 of Official Records of Riverside County, California;

thence North $14^{\circ}56'50''$ East, on the Easterly line of said parcel described by deed to V. M. Stone and Elizabeth Jane Stone, 165.92 feet, to the Southerly line of that parcel of land described by deed to the City of Riverside recorded June 24, 1955 as Instrument No. 41496 of Official Records of Riverside County, California;

thence North $69^{\circ}22'00''$ East, on the Southerly line of said parcel described by deed to the City of Riverside, 14.33 feet;

thence South $79^{\circ}13'00''$ East, on the said Southerly line of that parcel described to the City of Riverside, 113.32 feet to the true point of beginning;

thence South $79^{\circ}13'00''$ East, on the said Southerly line, 18.59 feet;

thence continuing on the South line of said parcel described by deed to the City of Riverside on a curve concave to the North, through an angle of $29^{\circ}46'30''$ East, 82.11 feet, to the Westerly line of Parcel 4 as shown by Record of Survey on file in Book 21, Page 91 of Records of Survey, Records of Riverside County, California;

thence South $18^{\circ}59'30''$ East, on the Westerly line of said Parcel 4, 150.55 feet to the South line of said Section 36;

thence South $89^{\circ}15'00''$ West, on the South line of said Section 36, 175.79 feet, to a point that bears South $10^{\circ}57'00''$ West from the true point of beginning;

thence North $10^{\circ}57'00''$ East, to the true point of beginning.

Said property is a portion of Parcel 2 as shown on a map filed in Book 20, Page 47 of Records of Survey, and is shown as Parcel 2 on a map filed in Book 28, Page 26 of Records of Survey, in the Office of the County Recorder of said County.

DESCRIPTION APPROVAL 11/24/93
K. L. Strout
 SURVEYOR, CITY OF RIVERSIDE by _____