

346061

WHEN RECORDED MAIL TO:

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

Project: Building Permit
7859 Willow Avenue
Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

SEP - 7 1994

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 26th day of August, 1994, by DAVID F. DIECKS, a single man ("Declarant") with reference to the following facts:

A. 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 45 of JEFFERSON SQUARE, as shown by map on file in Book 23, page 61 of Maps, records of Riverside County, California.

B. The Property, known as 7859 Willow Avenue, Riverside, California, is developed with a single-family residence with attached garage and an accessory building constructed as a detached garage. Declarant proposes to convert the detached garage into a work shop and storage building which will include a bathroom, closet, two connecting rooms to be used as a work shop with entrance by way of an existing conventional door, and a separate room with entry by way of the existing garage door and not otherwise connected to the other rooms in the accessory building to be used for the storage of yard tools.

C. Declarant has filed an application with the City of Riverside for a building permit to convert the accessory building into a workshop and storage area. As the accessory building includes a separate bathroom, the City of Riverside as a condition to the issuance of the building permit 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 the accessory building will not be used for anything but as a workshop and for storage purposes.

DESCRIPTION APPROVAL 8/17/94
Walter R. Day by
SURVEYOR, CITY OF RIVERSIDE

KCS

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for the issuance of a building permit to the conversion of the detached garage for workshop and storage purposes, 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, and neither the accessory building nor the existing house shall be sold, rented or leased separately from the other.

2. No kitchen shall be permitted, maintained or installed in the accessory building.

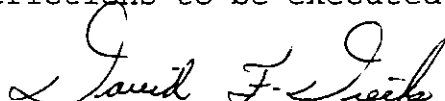
3. The accessory building shall only be used for a workshop and for storage purposes and not as accessory living quarters or as a guest house.

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 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.

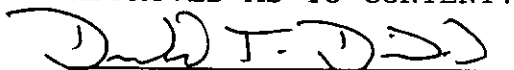
6. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, and his heirs, successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California.

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



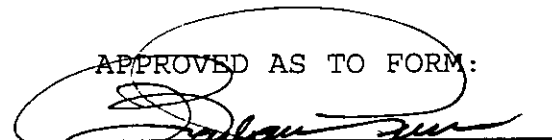
 David F. Diecks

APPROVED AS TO CONTENT:



 Planning Department

APPROVED AS TO FORM:



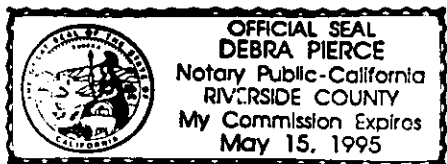
 Assistant City Attorney

State of California)
 County of Riverside) ss

On August 26, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared _____

David F. Diecks, only

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.

Debra Pierce
 Signature

CAPACITY CLAIMED BY SIGNER

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

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