

6338

WHEN RECORDED MAIL TO:

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

Project: Building Permit  
4962 Sierra Vista Avenue  
Riverside, California

RECEIVED FOR RECORD  
AT 8:00 OCLOCK

JAN - 9 1995

Recorded in Official Records  
of Riverside County, California

Recorder

Fees \$ 15

15/3  
9

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 9<sup>th</sup> day of January, 1995, by ALFONSO GONZALEZ, an unmarried man, and MARIA GONZALEZ, a widow, son and mother (collectively, "Declarants") with reference to the following facts:

A. 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 51 and a portion of Lot 52 of La Sierra Casa Tract as shown by map recorded in Book 12, pages 58 and 59 of Maps, in the office of the County Recorder of Riverside County, California, described as follows:

Beginning at the northeast corner of said Lot 52;

Thence South 24° 30' 15" East on the west side of Sierra Vista Street, a distance of 10 feet;

Thence westerly and parallel with the northerly line of said Lot 52 to the westerly line thereof;

Thence northerly on the westerly line of said lot to the northwest corner thereof;

Thence easterly on the northerly line of said lot to the Point of Beginning.

B. The Property, known as 4962 Sierra Vista Avenue, Riverside, California, is developed with a single-family residence and an accessory building used as a garage. Declarants have applied to the City of Riverside for a

DESCRIPTION APPROVED  
12-13-94  
[Signature]  
SURVEYOR CITY OF RIVERSIDE

12470

building permit to construct an addition to the detached garage, and convert the garage and addition to accessory living quarters containing a living area, a bedroom and a bathroom. Declarants are also seeking a building permit to construct a new carport.

C. "Accessory living quarters" is defined by Section 19.04.020 of the Riverside Municipal Code to mean living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

D. The City of Riverside as a condition to the issuance of the building permit is requiring Declarants 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 single-family residence and accessory building 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, 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 accessory building shall be used as one dwelling unit.

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

3. Neither the single-family house nor the accessory building 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.

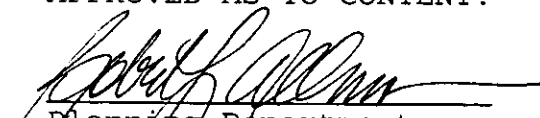
7. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California.

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

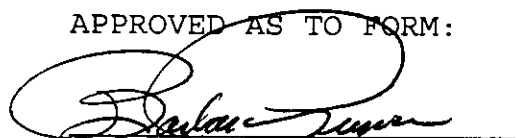
  
\_\_\_\_\_  
Alfonso Gonzalez

  
\_\_\_\_\_  
Maria Gonzalez

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Planning Department

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant City Attorney