

055333 *CWP*

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WHEN RECORDED MAIL TO:

FEB 15 1996

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

Recorded in Official Records  
of Riverside County, California  
Recorder *[Signature]*  
Fees \$ 12

Project: 10363 Bonita Avenue  
Riverside, California

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this *13<sup>th</sup>* day of *February*, 1996, by SALVADOR VALADEZ and GUADALUPE A. VALADEZ, husband and wife ("Declarants"), with reference to the following facts:

*12/2/96*

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 53 of Castle Homes, as shown by map on file in Book 36, pages 17 and 18 of Maps, records of Riverside County, California.

B. The Property, known as 10363 Bonita Avenue, Riverside, California, is in a single family residential zone and is developed with a single-family residence with an accessory building. Declarants propose to attach the accessory building to the single-family residence to make one single building by the construction of an atrium, and to use the new addition for accessory living quarters consisting of a living area, two bedrooms and one bathroom. Declarants also propose to construct a carport to replace a garage which has been demolished.

C. As the addition has a separate entrance and exit through the atrium without need to enter or exit the existing residence, the City of Riverside ("City") has conditioned the approval of the plans for the addition on Declarants recording a covenant and agreement restricting use of the addition to permitted accessory uses to the main residence, indicating that the structure shall not be used as a separate dwelling unit and that no second kitchen is permitted.

E. Declarants desire to record a covenant and agreement acceptable to the Planning Department of the City which restricts the use of the Property for single-family residential

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DESCRIPTION APPROVAL *[Signature]*  
*[Signature]*  
SURVEYOR, CITY OF RIVERSIDE *by [Signature]*

*C/A 492*

so that the Property will not mistakenly be used for two dwelling units, for one primary dwelling unit and one auxiliary dwelling unit, or for commercial or business activity.

NOW, THEREFORE, for the purpose of complying with a condition imposed by the City for the 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 addition shall be used as one dwelling unit.

2. Only one kitchen shall be permitted, maintained or installed in the single-family residence including the addition. No second kitchen shall be permitted on the Property.

3. Neither the existing main residence nor addition 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, by a writing duly recorded.

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

  
Salvador Valadez

  
Guadalupe A. Valadez

Approved as to Content:

*[Signature]*  
Planning Department

Approved as to Form:

*[Signature]*  
Assistant City Attorney

~~State of California )  
County of ) ss~~

~~On \_\_\_\_\_, 1996, before me, the undersigned,  
a notary public in and for said State personally appeared~~

~~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.

\_\_\_\_\_  
Signature

State of California )  
County of *Riverside* ) ss

On *Feb 13, 1996*, 1996, before me, the undersigned,  
a notary public in and for said State personally appeared,  
*SALVADOR VALADEZ AND GUADALUPE VALADEZ*

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.

*[Signature]*  
Signature

