

278245

WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL 25 1996

Project: Zoning Case CU-018-945
6510 Jones Avenue
Riverside, California

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$ 15



15/3/96

COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10th day of August 1995, by DALE R. BUCKLEY and VICKI ANN BUCKLEY, husband and wife as joint tenants (collectively the "Declarants") with reference to the following facts:

A. Declarants are the fee owners of the real property (the "Property") commonly known as 6510 Jones Avenue, Riverside, California, consisting of approximately 0.77 acres situated in the City of Riverside, County of Riverside, State of California, and generally described as follows:

That portion of Lot 9, Block 23 of LA GRANADA TRACT, as shown by map on file in Book 12 of Maps, pages 42 to 51, inclusive, records of Riverside County, California, described as follows:

Commencing at the Northeast corner of said Lot;

Thence South 39° 30' 07" East, 60 feet on the Northeast line of said Lot to the Point of Beginning;

Thence continuing South 39° 30' 07" East, 94 feet on said Northeast line;

Thence South 66° 22' 30" West, to a point on the Southwest line of said Lot;

Thence North 26° 21' West, on said Southwest line to a point that bears South 66° 22' 30" West from the Point of Beginning;

Thence North 66° 22' 30" East, to the Point of Beginning.

DESCRIPTION APPROVAL 8/8/95
by Walter R. [Signature]
SURVEYOR, CITY OF RIVERSIDE

49-3
C/A-512

B. The Property is zoned for single family residential use (R-1-65). The Property is now developed with a single-family house. Declarants desire to install an approximately 983 square-foot mobile home as an auxiliary dwelling unit, commonly known a "granny flat", for occupancy of a person 60 years of age or older to the rear of the existing residence. The mobile home to be used as an auxiliary dwelling unit contains two bedrooms, two bathrooms, a kitchen, a living room and a dining room.

C. "Auxiliary dwelling unit" as defined by Section 19.04.037 of the Riverside Municipal Code means a dwelling unit located on a property zoned for single family residential use which is a subsidiary to the primary dwelling unit situated on that property and which is established by conditional use permit pursuant to Section 19.64.030 of said Code and pursuant to the criteria set forth in paragraph (13) of Section 19.07.030 of said Code.

D. The City of Riverside has required, as a condition of approval of a conditional use permit for the auxiliary dwelling unit in Zoning Case CU-018-945, that certain restrictions be placed upon the Property with regard to the use of the auxiliary dwelling unit so that it shall only be occupied in accordance with the provisions of Section 19.07.030(13) of the Riverside Municipal Code and certain other conditions of approval for said conditional use permit.

NOW, THEREFORE, for the purpose of complying with certain conditions imposed by the City of Riverside for the issuance of a Conditional Use Permit in Zoning Case CU-018-945, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The auxiliary dwelling unit shall be occupied solely in accordance with Section 19.07.030(13) of the Riverside Municipal Code and the conditions of approval in Zoning Case CU-018-945, including but not limited to the following provisions:

a. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).

b. Each occupant of the auxiliary dwelling unit shall be 60 years of age or older.

c. Either the primary dwelling unit or the auxiliary dwelling unit on the Property shall be occupied by the legal owner of the Property.

d. The auxiliary dwelling unit shall have no separate address or house number.

e. The auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit; separate utility meters and laterals shall not be installed.

f. A minimum of one covered parking space shall be provided for the auxiliary dwelling unit in addition to any parking requirement for the primary dwelling unit. All covered parking spaces shall be served by a common driveway system.

2. When the use as an auxiliary dwelling unit in accordance with Section 19.07.030(13) of the Riverside Municipal Code ends, the Property shall revert to single-family residential use and the mobile home shall be removed from the Property, provided, however, the mobile home may be temporarily placed, maintained, occupied and used for dwelling, residential and sleeping purposes for a period not to exceed fifteen total days in any one calendar year in accordance with the provisions of Section 19.68.050 of the Riverside Municipal Code.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

4. 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.


DALE R. BUCKLEY


VICKI ANN BUCKLEY

Approved as to Content:



Planning Department

Approved as to Form:

Assistant City Attorney

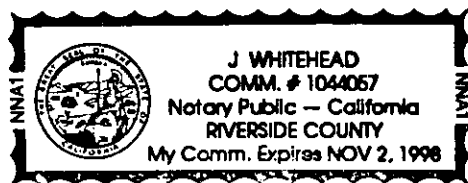
State of California)
County of Riverside) ss

On August 10, 1995, J Whitehead, before me,
a Notary Public in and for said State, personally appeared

vicki Ann Buckley

~~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.



J Whitehead
Signature

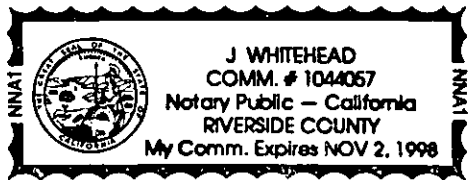
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Dale R. Buckley

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