

036124

WHEN RECORDED MAIL TO:

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

Project: Building Permit for
4539 Sedgwick Avenue
Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

FEB - 3 1997

Recorded in Official Records
of Riverside County, California

Recorder *[Signature]*
Fees \$ *[Signature]*

For Recorder's Office Use Only

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 27th day of January, 1997, by VICENTE CORTES, a single man and VENANCIO CORTES, a single man as joint tenants, ("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 30 of Leeper's Tract as shown by map on file in Book 23 of Maps, at pages 79, 80 and 81 thereof, records of Riverside County, California.

B. The Property, known as 4539 Sedgwick Avenue, Riverside, California, is located in a Single Family Residential ("R-1-65") Zone and is developed with a single-family residence and detached garage.

C. Declarants have converted a portion to the existing double garage to living quarters and have made an addition to the side of the garage to include more living space. Declarants now desire to legalize the conversion and obtain a building permit. The living quarters converted from a portion of the garage and the addition contain a bedroom, a living area and a bathroom. Declarants will maintain a portion of the garage for parking area to meet the requirements of the Zoning Code of the City of Riverside for on-site covered parking.

D. "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.

E. As a condition to the issuance of the building permit for the conversion of a portion of the garage to accessory living

DESCRIPTION APPROVAL:
[Signature]
RIVERSIDE CITY CLERK

quarters and the construction of the addition thereto, the City of Riverside 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 that portion of the detached garage converted to accessory living quarters and the addition thereto 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 living quarters located in the accessory building shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in any part of the detached garage converted to accessory living quarters or the addition thereto.
3. Neither that portion of the detached garage converted to accessory living quarters, the addition thereto nor the existing house 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.

VICENTE CORTES M.
Vicente Cortes

VENANCIO CORTES M.
Venancio Cortes

Approved as to Content:

Richard E. Heitman
Planning Department

Approved as to Form:

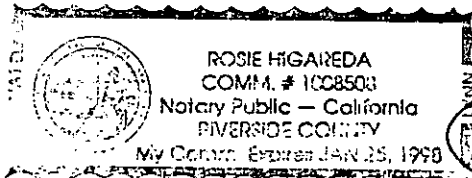
[Signature]
Assistant City Attorney

State of California)
County of Piurside) ss

On January 27, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared

Vicente Cortez and
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.



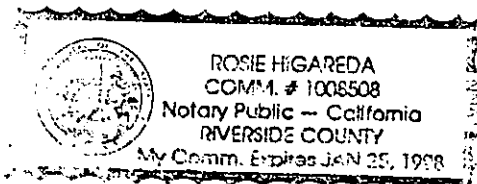
[Signature]
Signature

State of California)
County of Piurside) ss

On January 27, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared

Venencio Cortes
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