

f 567

219634

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK



JUN 23 1997

Recorded in Official Records  
of Riverside County, California  
Recorder

*[Signature]*

Fees \$ 15

WHEN RECORDED MAIL TO:

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

Project: Zoning Case CU-043-967  
1480 Bellefontaine Drive  
Riverside, California

FOR RECORDER'S OFFICE USE ONLY

*[Handwritten mark]*

COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS  
FOR AN AUXILIARY DWELLING UNIT

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 23 day of June, 1997, by **AUGUST ROY RONVEAUX, II** and **GAIL JOHNSTON RONVEAUX**, husband and wife (collectively, "Declarants"), with reference to the following facts:

A. Declarants are the fee owners of the real property (the "Property") situated in the City of Riverside, County of Riverside, State of California, described as follows:

Lot 19 of Tract No. 2776 as shown by map on file in Book 50 of Maps, at pages 66 through 68 thereof, records of Riverside County, California.

B. The Property, known as 1480 Bellefontaine Street, Riverside, California, is in the Single Family Residential ("R-1-80") Zone, and is currently developed with a single family residence and attached two-car garage. Declarants propose to construct an approximately 497 square-foot addition to the attached garage for use as an auxiliary dwelling unit. Declarant has filed an application with the City of Riverside ("City") for the issuance of a minor conditional use permit in Zoning Case CU-043-967 to establish such auxiliary dwelling unit.

C. "Auxiliary dwelling unit" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") to mean 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. Such a unit is to be established by a conditional use permit, and pursuant to specific criteria as set forth in said Zoning Code. Such

auxiliary dwelling unit may be established within a permanent structure, attached to or detached from the primary dwelling unit, a mobile home, a travel trailer or a motor home.

D. City has required, as a condition of the approval of the minor conditional use permit for the auxiliary dwelling unit in Zoning Case CU-043-967, 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 the Zoning 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, Declarant hereby covenants and agrees with City that the following restrictions shall apply to the Property:

1. The auxiliary dwelling unit shall be occupied solely in accordance with the Zoning Code and the conditions of approval in Zoning Case CU-043-967, 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 continuously 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.

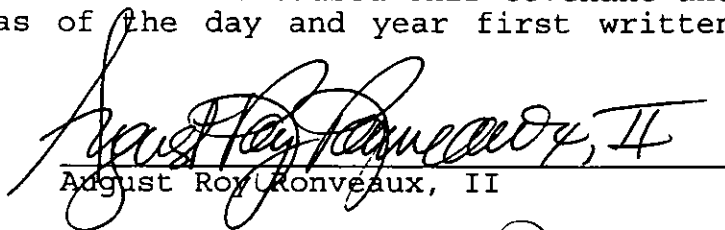
2. When the use as an auxiliary dwelling unit in accordance the applicable provisions of the Zoning Code and the conditional use permit issued in Zoning Case CU-043-967 ends, the Property shall revert to single-family residential use and the kitchen in the auxiliary dwelling unit shall be removed to the satisfaction of the Planning Director of the City of Riverside. The removal of the

Kitchen shall include but not necessarily be limited to the removal of any double sink; the removal of any standard refrigerator; the removal of any 220 electric lines; and the removal of any gas lines. The single-family house and accessory building previously used for the auxiliary dwelling unit shall then be used as one dwelling unit. Neither shall be used as a separate dwelling unit or separate living quarters from the other. Neither shall be sold, rented or leased separately from the other.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by City, its successors or assigns. Should City 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, by a writing duly recorded.

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

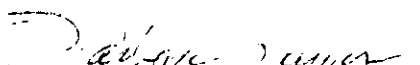
  
August Roy Ronveaux, II

  
Gail Johnston Ronveaux

APPROVED AS TO CONTENT:

  
Richard E. Heitman  
Planning Department

APPROVED AS TO CONTENT:

  
Assistant City Attorney

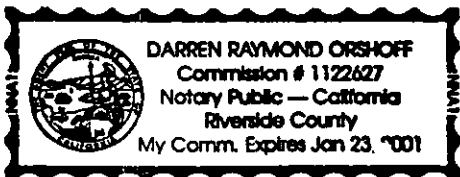
11/22/27  
Riverside County  
California  
11/22/27

State of CALIFORNIA )  
County of RIVERSIDE ) ss

On 23 JUNE \_\_\_\_\_, 1997, before me, the undersigned, a notary public in and for said State, personally appeared

GAIL JOHNSON BONVERUX AND AUGUST ROY BONVERUX \_\_\_\_\_

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.

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

On \_\_\_\_\_, 1997, 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