

WHEN RECORDED MAIL TO:
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City of Riverside
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Riverside, California 92522

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JUL 29 1997

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$ 18

Project: Plan Check for
1640 Monroe Street
Riverside, California

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 25th day of July, 1997, by STEVEN THOMAS AND SUSAN THOMAS, AS TRUSTEES OF THE FAMILY TRUST DATED FEBRUARY 28, 1995, (collectively, "Declarants"), with reference to the following facts:

DESCRIPTION APPROVAL
JAMES S. BROWN
SUPERVISOR CITY OF RIVERSIDE

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:

Parcel 1 of the Parcel Map 28370 on file in Book 188 of Parcel Maps at Pages 58 through 59, records of Riverside County, California.

B. The Property, known as 1640 Monroe Street, Riverside, California, is in a single family residential zone and is to be developed with a single-family residence. Declarants propose to build an accessory building on the Property which will include a two-car garage and a guest house consisting of a living room, two bedrooms, a deck and one bathroom.

C. "Guest house" is defined by Section 19.04.165 of the Riverside Municipal Code to mean living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, having no kitchen, and not rented or otherwise used as a separate dwelling.

D. As a condition to the approval by the Planning Department of the City of Riverside of the plans for the accessory building, Declarants are required to record a covenant and agreement stating that the accessory building

will not contain a kitchen nor be used as a separate residence.

F. Declarants desire to record a covenant and agreement acceptable to the Planning Department of the City of Riverside which meets the above-referenced conditions and restricts the use of the Property for single-family residential 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 of approval for the issuance of a building permit for the accessory building imposed by the Planning Department of the City of Riverside 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 main residence and the accessory building which includes the guest house shall be used as one dwelling unit.

2. Neither the main residence nor the accessory building which includes the guest house shall be used as a separate dwelling unit or separate living quarters from the other.

3. Neither the main residence nor the accessory building which includes the guest house shall be sold, rented or leased separately from the other.

4. No kitchen shall be permitted, maintained or installed in the accessory building to be used as a guest house.

5. 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.

6. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

7. 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.

8. 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.



STEVEN THOMAS, AS TRUSTEE OF THE THOMAS FAMILY TRUST DATED FEBRUARY 28, 1995



SUSAN THOMAS, AS TRUSTEE OF THE THOMAS FAMILY TRUST DATED FEBRUARY 28, 1995

Approved as to Content:

Approved as to Form:



Planning Department

Assistant City Attorney

State of California)
County of RIVERSIDE) ss

On 7/25, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared

STEVEN THOMAS AND SUSAN THOMAS
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.

SEE ATTACHED ACKNOWLEDGEMENT

Signature

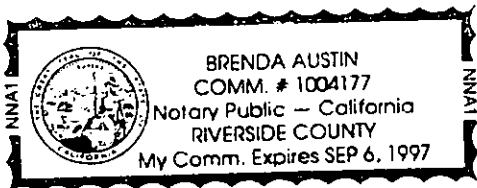
State of CALIFORNIA

County of RIVERSIDE

On 7/25/97 before me, BRENDA AUSTIN, NOTARY PUBLIC

personally appeared STEVEN THOMAS AND SIZAN THOMAS

personally known to me - OR - X 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 of Brenda Austin]

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTION

Document Date: 2/28/1995 Number of Pages: 4

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: STEVEN THOMAS

- Individual (checked)
Corporate Officer
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer Is Representing:



Signer's Name: SIZAN THOMAS

- Individual (checked)
Corporate Officer
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer Is Representing:

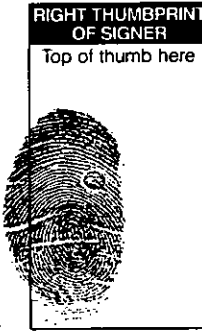


EXHIBIT A

PARCEL 1 OF PARCEL MAP 28370 ON FILE IN BOOK 188 OF PARCEL MAPS AT PAGES 58 THROUGH 59, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL

7.23.97

Paul S. Burr
SURVEYOR CITY OF RIVERSIDE