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268188

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL 30 1997

WHEN RECORDED MAIL TO:

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

Project: Case VR-075-967
3350 Popular Street
Riverside, California

← incorrect of spelling of street.
"POPULAR"

Recorded in Official Records
Riverside County, California
Recorder
Fees \$ 0

OFFICIAL RECORDS SECTION USE ONLY

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS
FOR ACCESSORY LIVING QUARTERS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 28th day of July, 1997, by IGNACIO G. RUIZ and LUZ ELENA O. RUIZ ("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:

The Westerly 49 feet of Lots 22, 23 and 24 of MC MULLENS SUBDIVISION as shown by map on file in Book 7, page 11 of Maps, records of Riverside County, California.

EXCEPTING THEREFROM the Northerly 30 feet of Lot 24 conveyed to the City of Riverside for street purposes.

B. The Property, known as 3350 Popular Street, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence and an accessory building originally used as a garage. Declarants propose to add an addition to the accessory building which was converted to accessory living quarters and to construct a carport attached to the main residence. The converted garage and its addition will include a recreation room, bathroom and bedroom.

C. The carport will encroach one foot into the five foot side yard setback and the addition to the accessory structure will encroach one foot into the required five foot setback for accessory structures, which setbacks are required by Title 19 of the Riverside Municipal Code ("Riverside Zoning Code"). As a condition to the granting of variances by the City of Riverside

DESCRIPTION APPROVAL
7/28/97
SURVEYOR, CITY OF RIVERSIDE

(the "City") in Variance Case VR-075-967 for the encroachments into the required setbacks, the City has imposed a condition that the Declarants record a covenant to the satisfaction of the Planning and Legal Departments of the City that the converted garage structure will not be utilized, rented or otherwise occupied as a second dwelling unit and a condition that no kitchen facilities will be permitted within the converted garage structure or any addition to it.

D. Declarants desire to record a covenant and agreement acceptable to the Planning and Legal Department of the City which meets the conditions imposed in by the City in Variance Case VR-075-967 and restricts the use of the Property to single-family residential so that the Property will not be used for either two dwelling units, for one primary dwelling unit and one auxiliary dwelling unit, or for commercial or business activity.

E. "Accessory living quarters" is defined by the Riverside Zoning 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.

NOW, THEREFORE, for the purpose of complying with conditions imposed by the City of Riverside for the granting of variances in Variance Case VR-075-967, 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 accessory building consisting of the converted garage and the addition to the garage 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 any addition to it.

3. Neither the accessory building consisting of the garage converted to accessory living quarters and the addition thereto nor the main residence 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.

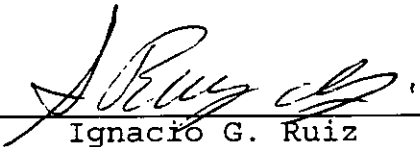
5. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

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.



 Ignacio G. Ruiz



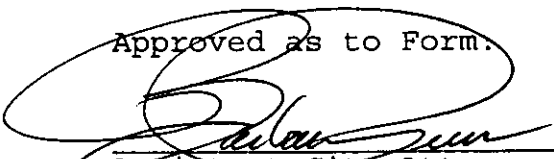
 Luz Elena O. Ruiz

Approved as to Content:



 Planning Department

Approved as to Form.



 Assistant City Attorney

State of California)
County of Riverside) ss
)

On July 28, 1997, 1997, before me, the undersigned, a notary public in and for said State, personally appeared

Ignacio Ruiz and Luz Elena Ruiz-----
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.



Rosa I. Robles
Signature

State of California)
County of Riverside) ss
)

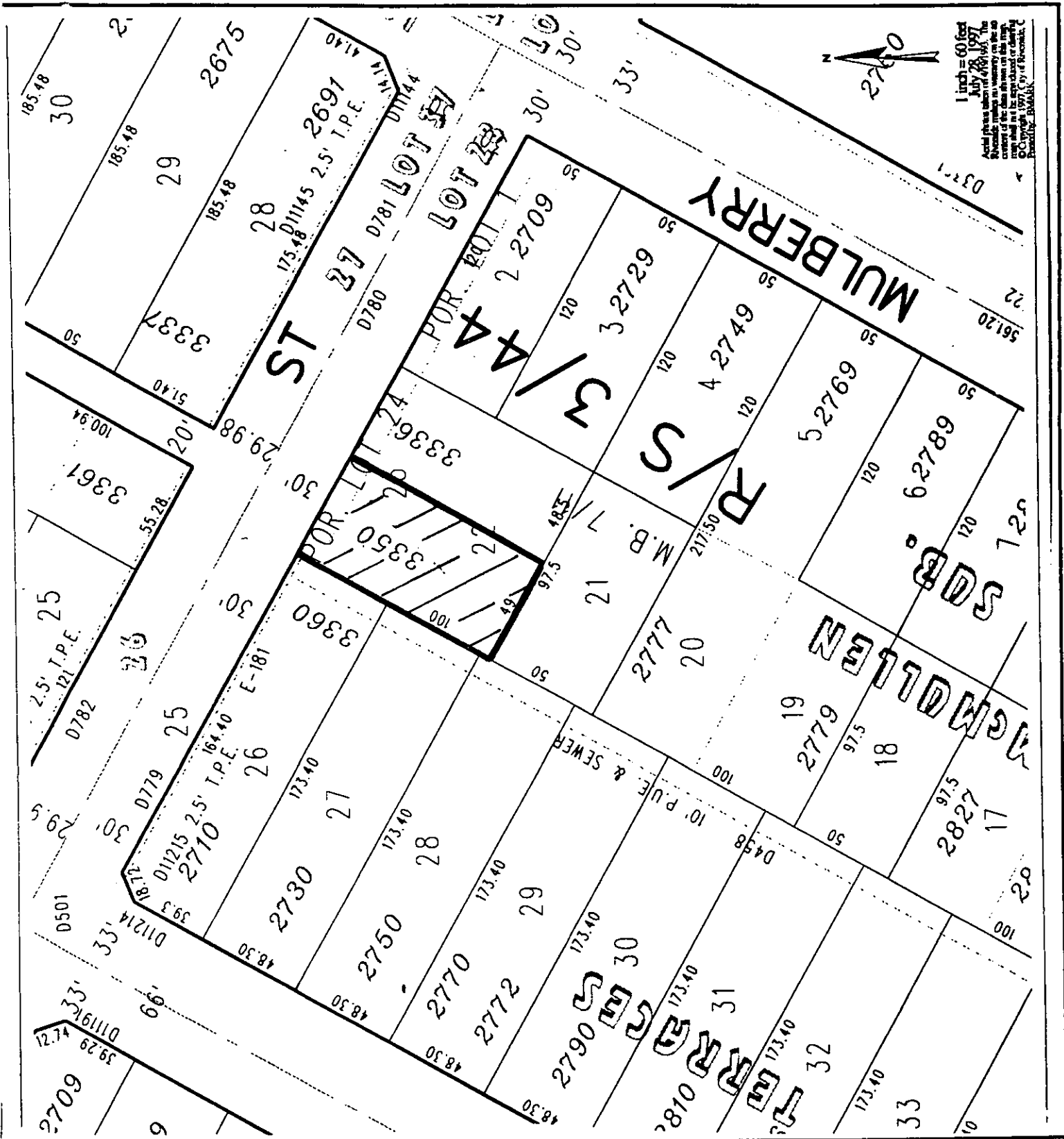
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Rosa I. Robles
Signature



• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1" = 60'

DRAWN BY MCB DATE 7/28/97

SUBJECT CON & AGREEMENT