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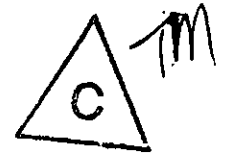
CITY CLERK
City of Riverside
3900 Main Street
Riverside, California 92522

MAY 21 1998

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

FOR RECORDER'S OFFICE USE ONLY

Project: Plan Check for
19625 Tangelo Drive
Riverside, California



COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS ("Covenant") is made and entered into this 20 day of MAY, 1998, by RANDY LEE WHALEY and DEBORAH E. WHALEY, husband and wife, 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 No. 56 of Tract 19958-1 as per Map recorded in Book 170, pages 67 through 71, inclusive of Maps, Records of Riverside County, California.

B. The Property, known as 19625 Tangelo Drive, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence. Declarants propose to construct an accessory building adjacent to the existing residence, which will include a bedroom, bathroom and walk-in closet, and may be used for accessory living quarters.

C. "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.

D. As a condition to the issuance of the building permits for the construction of the accessory building, 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 the accessory building will not mistakenly be

CITY CLERK'S OFFICE
5.20.98
SURVEYOR, CITY OF RIVERSIDE

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 purpose of complying with conditions imposed by the City of Riverside for the issuance of building permits for the further development of the Property, 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 being constructed shall be used as one dwelling unit.

2. No kitchen facilities shall be permitted, maintained or installed in any part of the accessory building.

3. Neither the accessory building 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 terms of this Covenant 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, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

6. This Covenant 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 to be duly executed the day and year first written above.


RANDY LEE WHALEY


DEBORAH E. WHALEY

Approved as to Content:

Approved as to Form:


Planning Department

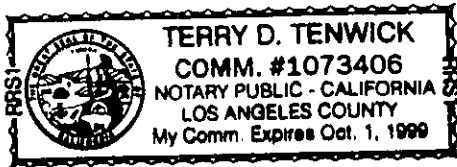

Assistant City Attorney

State of California)
County of Riverside) ss
)

On May 20, 1998, 1998, before me, the undersigned, a notary public in and for said State, personally appeared

Randy Lee Whaley and Deborah E. Whaley

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.

Terry D. Tenwick
Signature

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)
Title _____ Title _____
- () Individual(s)
- () Partner(s)
() General () Limited
- () Trustee(s)
- () Other _____

The party(ies) executing this document is/are representing: