



WHEN RECORDED MAIL TO:

City Clerk
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: 2540 Horace Street
Riverside, California 92506

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COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

(SINGLE FAMILY DWELLING RESTRICTION)

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DESCRIPTION APPROVAL 4/17/00
Walter R. Orso
SURVEYOR, CITY OF RIVERSIDE

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 2 day of May, 2000, by **ALVA R. PEACH** and **JUDITH A. PEACH**, husband and wife, ("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 26 of Tract No. 27919, as shown by Map on file in Book 260 Page(s) 71 through 74 of Maps, Records of Riverside County, California.

B. The Property, known as 2540 Horace Street, Riverside, California, is in the Single Family Residential ("R-1-130") Zone and is developed with a single family residence.

C. Declarants have applied to the City of Riverside for a permit to construct a detached approximately 832 square foot accessory building containing a living area, a bathroom, a wet bar, and a wine cellar, for use as a pool house.

D. As a condition for issuance of building permits, the City of Riverside is requiring Declarants to execute and record a covenant assuring that the accessory building will not be used for nor rented as a second dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the detached accessory structure.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners on notice of the prohibition on the accessory structure from being rented or used as a second dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory building, and prohibiting the use of the accessory building for commercial or business activity not authorized by Title 19 of the Riverside Municipal Code.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of building permits, and restricting the use of the Property to that of a single-family house and an accessory building, Declarants hereby covenant and agree with the City of Riverside that the

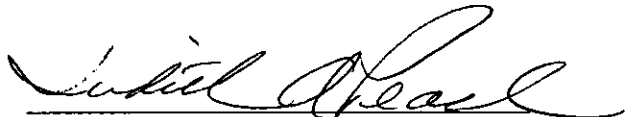
following restrictions shall apply to the Property:

1. The single-family house and the accessory building shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in 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 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 or assigns. Should the City of Riverside 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.
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.

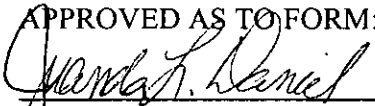
IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.



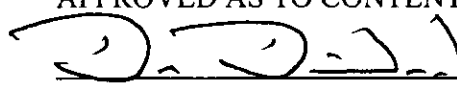
Alva R. Peach



Judith A. Peach

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


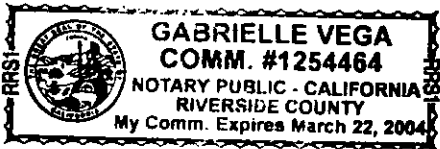
Planning Department



STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On May 2nd, 2000, before me, Gabrielle Vega, the undersigned, a notary public in and for said State, personally appeared Alva R. Peach personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

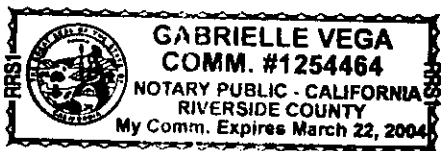


Gabrielle Vega
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On May 2nd, 2000, before me, Gabrielle Vega, the undersigned, a notary public in and for said State, personally appeared Judith A. Peach personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Gabrielle Vega
Notary Public

