

FA

WHEN RECORDED MAIL TO:

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



Project: Tract 28828-2

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COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS

(13)



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 17TH day of NOVEMBER, 2000, by SHEFFIELD-TRAUTWEIN LLC, a California limited liability company, ("Declarant") with reference to the following facts:

A. Declarant is the fee owner of the following described real property ("the Property") situated in the City of Riverside, County of Riverside, State of California:

Lots 1 through 58 of Tract 28828-2 as shown by map on file in Book 301 of Maps, at pages 16 through 19 thereof, Records of Riverside County, California.

B. Declarant desires to develop the Property as a residential subdivision. Therefore, Declarant has filed with the City of Riverside ("City") an application to divide the Property into approximately fifty-eight (58) lots by Tract Map 28828-2.

C. The Property consists of approximately 20.158 vacant acres situated on the west side of Trautwein Road, south of Alessandro Boulevard, within the City of Riverside. The Property is in the Single Family Residential Zone (R-1-80 and R 1-130).

D. As a condition of approval of Tract Map 28828-2, Declarant is required to execute and record a Covenant and Agreement and Declaration of Restrictions, to the specifications of the specifications of the Planning and Legal Departments of the City of Riverside, restricting the Property as follows:

- a. A 30 foot building setback from the 14 foot landscape and wall easement adjacent to Trautwein Road for those lots backing up to Trautwein Road.

Declarant is required to record such Covenant and Agreement and Declaration of Restrictions in the office of the County Recorder of Riverside County, California concurrent with the recording of the final map for Tract 28828-2.

E. It is the desire of Declarant to comply with the above noted condition by this document.

DESCRIPTION: APPROVAL 1/16/01
by Walter R. Sinc
SURVEYOR, CITY OF RIVERSIDE

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for the approval of Tract Map 28828-2, Declarant hereby covenants and agrees with the City of Riverside as follows:

A 30 foot rear yard building setback shall be provided for future dwellings on residential lots 5 through 7 and 29 through 34 of said Tract 28828-2, adjacent to the common property line of the 14 foot landscape and wall easement along Trautwein Road.

Declarant further covenants and agrees that 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.


Declarant further agrees that the Property and each lot thereof shall be held, conveyed, encumbered, leased, rented, used, occupied and improved subject to this Covenant and Agreement and Declaration of Restrictions. The terms of this Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, its 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 Declarant has caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

SHEFFIELD-TRAUTWEIN LLC, a California limited liability company

By: Sheffield Homes LLC, its managing member

By: John K. Abel, member




Title: Member

APPROVED AS TO CONTENT:



Planning Department

APPROVED AS TO FORM:



Assistant City Attorney
Daniel

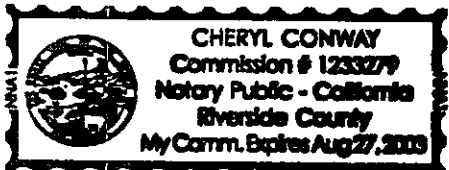


State of California
County of Riverside

On 11-17-00 before me, Cheryl Conway Notary Public
(DATE) (NAME/TITLE OF OFFICER-i.e. "JANE DOE, NOTARY PUBLIC")
personally appeared John K. Abel
(NAME(S) OF SIGNER(S))

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.

(SEAL)

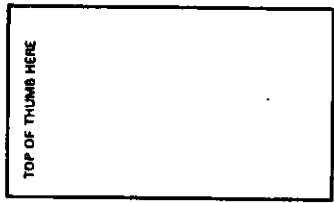
Cheryl Conway
(SIGNATURE OF NOTARY)

ATTENTION NOTARY

The information requested below and in the column to the right is **OPTIONAL**. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:
Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

RIGHT THUMBPRINT (Optional)

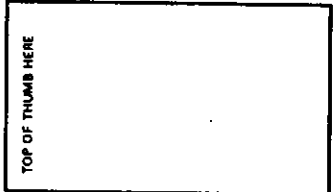


CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE _____

OFFICER(S) _____ (TITLE)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY IN FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)
 INDIVIDUAL(S)
 CORPORATE _____

OFFICER(S) _____ (TITLE)
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 OTHER: _____

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