

WHEN RECORDED MAIL TO:

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

Project: 5348 Jurupa Avenue  
Riverside, California

DOC # 2001-117278

03/22/2001 08:00A Fee:18.00

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS

(SINGLE FAMILY DWELLING RESTRICTION)

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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 12 day of March, 2001, by **ROSA N. PACHECO**, a married woman as her sole and separate property and **MARIA J. QUINONEZ**, a single woman, as joint tenants ("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, the legal description which is attached as Exhibit A hereto and incorporated herein as if fully set forth.

B. The Property, known as 5348 Jurupa Avenue, Riverside, California, is in the Residential ("R-1-65") Zone and is developed with an approximately 1026 square-foot single family residence with an attached garage, a detached 402 square-foot nonconforming guest home, and a detached 375 square-foot hobby room.

C. Declarants have applied to the City of Riverside for a expand and remodel the existing detached guest house and to bring it into conformance with current requirements for an accessory building and accessory living quarters as defined by the Riverside Municipal Code. The proposed accessory living quarters will consist of a living room, a bedroom, a hallway, and a bathroom, for a total of 665 square-feet (hereinafter referred to as "guest house").

D. The proposed expansion and remodeling includes the removal of the existing kitchen facilities and the conversion of the existing kitchen space into living space.

E. As a condition for issuance of building permits, the City of Riverside is requiring Declarants to execute and record a covenant assuring that the guest house will not be used for nor rented as a separate dwelling unit and prohibiting the reinstallation or maintenance of kitchen facilities within the

detached guest house.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") prohibiting the guest house from being rented or used as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the guest house, and putting future owners on notice of such prohibitions.

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 guest house shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the guest house.
3. Neither the guest house 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.

FURTHER, Declarants and each of them hereby represent and warrant that they have the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein.

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

Rosa Nevarez Pacheco

Rosa N. Pacheco, a married woman as her sole and separate property, a Joint Tenant

Maria J. Quinonez

Maria J. Quinonez, as a single woman, a Joint Tenant

APPROVED AS TO FORM:

Quanda L. Daniel  
Deputy City Attorney

APPROVED AS TO CONTENT:

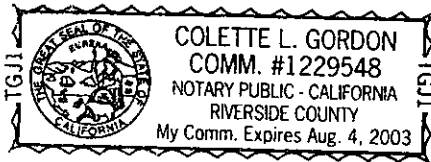
Austen Woodbury  
Planning Department



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On MARCH 12, 2001, before me, COLETTE L. GORDON, the undersigned, a notary public in and for said State, personally appeared MARIA J. GONZALEZ AND ROSA PACHECO NAVARRE 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 he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their 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.



Colette L. Gordon  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On \_\_\_\_\_, 2001, before me, \_\_\_\_\_, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_ 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 he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their 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.

\_\_\_\_\_  
Notary Public



THE LAND REFERRED TO SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THAT PORTION OF LOT 1 IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN ON UNITED STATES GOVERNMENT SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE SOUTH 89° 25' 30" WEST, 255.35 FEET ALONG THE SOUTHERLY LINE OF SAID SECTION 29; THENCE NORTH 0° 04' EAST, 495.92 FEET TO THE SOUTHERLY LINE OF JURUPA AVENUE, AS CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED ON NOVEMBER 17, 1942, IN BOOK 562, PAGE 145, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA, THE TRUE POINT OF BEGINNING; THENCE SOUTH 0° 04' WEST, 243.62 FEET TO THE NORTHEAST CORNER OF THE LAND CONVEYED TO BERL O. RICHMOND AND VERA M. RICHMOND BY DEED RECORDED ON AUGUST 20, 1945, IN BOOK 688, PAGE 341, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 89° 25' 30" WEST, 134.85 FEET ALONG THE NORTHERLY LINE OF SAID LAND SO CONVEYED TO RICHMOND, TO THE SOUTHEAST CORNER OF THE LAND CONVEYED TO RALPH S. ANDERSON AND GEORGIA MAE ANDERSON BY DEED RECORDED ON OCTOBER 3, 1945, IN BOOK 676, PAGE 496, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA; THENCE NORTH 0° 04' EAST, 254.91 FEET ALONG THE EASTERLY LINE OF SAID LAND SO CONVEYED TO ANDERSON, TO THE SOUTHERLY LINE OF JURUPA AVENUE; THENCE SOUTH 85° 47' EAST, 135.19 FEET, MORE OR LESS, ALONG THE SOUTHERLY LINE OF JURUPA AVENUE, TO THE TRUE POINT OF BEGINNING. SAID LAND IS ALSO SHOWN ON RECORD OF SURVEY ON FILE IN BOOK 12, PAGE 88, OF RECORDS OF SURVEY, RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA.

PARCEL NO. 2:

THAT PORTION OF LOT 1 IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN ON UNITED STATES GOVERNMENT SURVEY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE SOUTH 89° 25' 30" WEST, 255.35 FEET ALONG THE SOUTHERLY LINE OF SAID SECTION 29; THENCE NORTH 0° 04' EAST, 252.30 FEET TO THE NORTHEAST CORNER OF THE LAND CONVEYED TO BERL O. RICHMOND AND VERA M. RICHMOND BY DEED RECORDED ON AUGUST 20, 1945, IN BOOK 688, PAGE 341, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 89° 25' 30" WEST, 134.85 FEET ALONG THE NORTHERLY LINE OF SAID LAND SO CONVEYED TO RICHMOND TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 25' 30" WEST, 5.00 FEET ALONG SAID NORTHERLY LINE OF SAID LAND SO CONVEYED TO RICHMOND; THENCE NORTH 0° 04' EAST, 255.33 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF JURUPA AVENUE, AS CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED ON NOVEMBER 17, 1942, IN BOOK 562, PAGE 145, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 85° 47' EAST, 5.02 FEET ALONG SAID SOUTHERLY LINE OF JURUPA AVENUE; THENCE SOUTH 0° 04' WEST, 254.91 FEET TO THE POINT OF BEGINNING, BEING A STRIP OF LAND 5.00 FEET IN WIDTH OFF THE EASTERLY LINE OF THE LAND CONVEYED TO RALPH S. ANDERSON AND GEORGIA MAE ANDERSON BY DEED RECORDED ON OCTOBER 3, 1945, IN BOOK 676, PAGE 496, OF OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA. SAID LAND IS ALSO SHOWN ON RECORD OF SURVEY ON FILE IN BOOK 12, PAGE 88, OF RECORDS OF SURVEY, RECORDS OF SAID RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING FROM PARCELS 1 AND 2 THE NORTHERLY 11 FEET CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED JANUARY 24, 1958, IN BOOK 2211, PAGE 513, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. SAID LAND IS ALSO SHOWN ON RECORD OF SURVEY ON FILE IN BOOK 12, PAGE 88 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

REGISTRATION AFFIDAVIT  
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**EXHIBIT A** CL710