

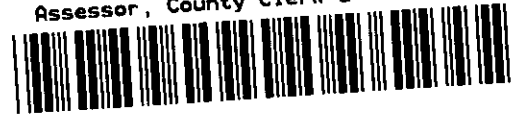
WHEN RECORDED MAIL TO:

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

Project: CU-065-001  
10462 Stover Avenue  
Riverside, California 92505

DOC # 2001-328529

07/17/2001 08:00A Fee:NC  
Page 1 of 5  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.	
	1		5							
								✓	AS	
A	R	L				COPY	LONG	REFUND	NCHG	EXAM

RECORDED  
AUG 14 2001

OFFICE OF THE CITY CLERK

COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS

C  
AS

(AUXILIARY DWELLING UNIT RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 12<sup>th</sup> day of July, 2001, by **JAMES DAVID LORENZ** and **KIMBERLY ANN LORENZ**, Husband and Wife 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, which legal description is described on Exhibit A attached hereto and incorporated herein.

B. The Property, known as 10462 Stover Avenue, Riverside, California, is in the Single Family Residential RR-Rural Residential Zone and is developed with a single family residence of approximately 1,482 square feet with a detached two-car garage comprised of 520 square feet for a total of approximately 2,002 square feet.

C. Declarants have applied to the City of Riverside for a minor conditional use permit and to convert the detached two-car garage into an auxiliary dwelling unit consisting of approximately 520 square-foot comprised of a bedroom, bathroom, living room, dining room and a kitchen.

D. "Auxiliary dwelling unit" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") to mean a dwelling unit located on a property zoned for single family residential use which is a subsidiary to the primary dwelling unit situated on that property. Such a unit is to be established by a conditional use permit, and pursuant to specific criteria as set forth in said Zoning Code.

E. Prior to the minor conditional use permit becoming effective and the issuance of building

permits, the City of Riverside is requiring Declarants to execute and record a covenant limiting the occupancy of the auxiliary dwelling unit to a maximum of two persons, each of whom is sixty (60) years of age or older; assuring that the legal owner(s) of the Property will continually occupy either the primary or the auxiliary dwelling unit; and assuring that the kitchen facilities will be removed and the unit will not be used a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.

F. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners and successors-in-interest on notice of the above-stated restrictions on the use and occupancy of the auxiliary dwelling unit.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of a minor conditional use permit and building permits in case number CU-065-001, and restricting the use of the Property to that of a single-family house and an attached auxiliary dwelling unit, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).
2. Each occupant of the auxiliary dwelling unit shall be sixty (60) years of age or older.
3. The legal owner(s) of the Property will continually occupy either the primary or the auxiliary dwelling unit.
4. The kitchen facilities will be removed and the unit will not be used a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.
5. 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.
6. The auxiliary dwelling unit shall have no separate address or house number.
7. The auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit; separate utility meters and laterals shall not be installed.
8. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.
9. The use of the auxiliary dwelling unit is only authorized in accordance with the stated terms and conditions of approval. Should the use cease or fail to comply with the stated terms and conditions, the minor conditional use permit will be subject to revocation.

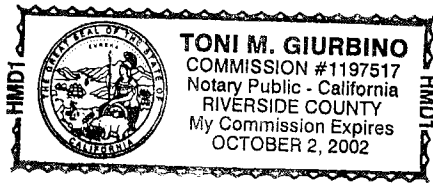


10. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

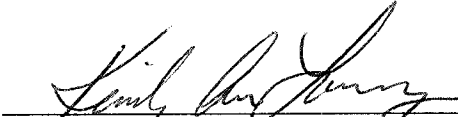
11. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California, 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.

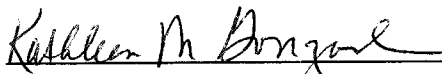
IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.



  
\_\_\_\_\_  
JAMES DAVID LORENZ

  
\_\_\_\_\_  
KIMBERLY ANN LORENZ

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy City Attorney 7/13/01

APPROVED AS TO CONTENT:

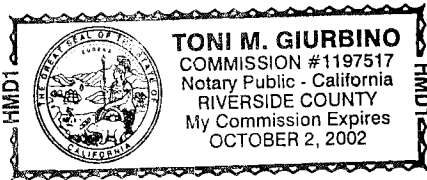
  
\_\_\_\_\_  
Planning Department



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On July 12, 2001, before me, Toni M Giurbino <sup>Notary Public</sup>, the undersigned, a notary public in and for said State, personally appeared JAMES David LORENZ 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.

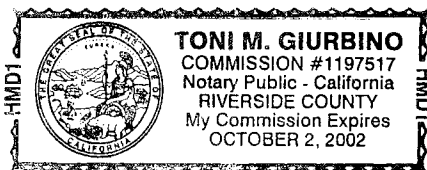


Toni M Giurbino  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On July 12, 2001, before me, Toni M Giurbino <sup>Notary Public</sup>, the undersigned, a notary public in and for said State, personally appeared Kimberly Ann LORENZ 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.



Toni M Giurbino  
Notary Public



EXHIBIT A

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside, City of Riverside, described as follows:

THAT PORTION OF LOT 2 IN BLOCK 23 OF LA GRANADA, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGE(S) 42 THROUGH 51, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 2, SAID CORNER BEING AT THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 2 AND THE NORTHEASTERLY LINE OF CHADBOURNE AVENUE, AS SHOWN ON SAID MAP; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 2, 160 FEET; THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF CHADBOURNE AVENUE TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 2, SAID POINT BEING 197.51 FEET SOUTHWESTERLY FROM THE NORTHERLY CORNER OF SAID LOT; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT, 65 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID CHADBOURNE AVENUE, 120 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 61 FEET; THENCE NORTHWESTERLY TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT 2, SAID POINT BEING 65 FEET NORTHEASTERLY FROM THE TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT, 65 FEET TO THE POINT OF BEGINNING.

DESCRIPTION APPROVAL 7,10,01  
*K. Strou*  
for SURVEYOR, CITY OF RIVERSIDE by \_\_\_\_\_

