

DOC # 2002-025005

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

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

Project: 7416 El Sol Way
Riverside, California 92504

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COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

(SINGLE FAMILY DWELLING RESTRICTION)



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 12 day of January 2002 ~~SAG, 2001~~, by **SERGIO A. GALLARDO**, Husband, and **MARIA E. GALLARDO**, 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 is described as follows:

Lot 39 of Las Ranchitos Subdivision No. 2, as shown by Map on file in Book 27, Pages 68-69 of Maps, Records of Riverside County, California.

B. The Property, known as 7416 El Sol Way, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence with attached garage.

C. Declarants have applied to the City of Riverside for a building permit to construct a guest house ("accessory structure") of approximately 494-square-feet, consisting of a living room, one bedroom and one bathroom.

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 structure will not be used for nor rented as a separate dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the accessory structure.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions, ("Covenant") prohibiting the accessory structure from being rented or used as a separate dwelling unit,

DESCRIPTION APPROVAL 1/24/02
Walter R. Spivey
SURVEYOR, CITY OF RIVERSIDE

C/A 751

prohibiting installation or maintenance of any kitchen facilities in the accessory structure, 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 structure, Declarants hereby covenant and agree with the City of Riverside the following restrictions apply to the Property:

- 1 The single-family house and the accessory structure shall be used as one dwelling unit.
- 2 No kitchen facilities shall be permitted, maintained or installed in the accessory structure.
- 3 Neither the accessory structure 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, or the successor to the duties of such official, 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.

Sergio A. Gallardo
Sergio A. Gallardo

Maria E. Gallardo
Maria E. Gallardo

APPROVED AS TO FORM:

Kathleen M. Anze
Assistant City Attorney

APPROVED AS TO CONTENT:

Mike Cezgo
Planning Department

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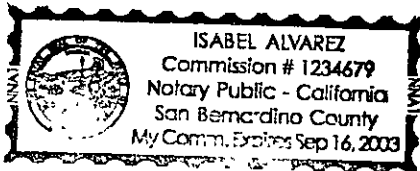
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CA 751

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On JUN 12, 2002, 2001, before me, Isabel Alvarez the
undersigned, a notary public in and for said State, personally appeared Sergio A. Gallardo
_____ 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

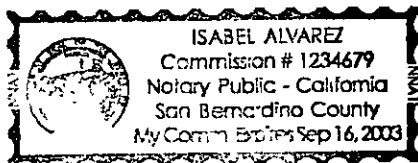


Isabel Alvarez
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On JUN 12, 2002, 2001, before me, Isabel Alvarez the
undersigned, a notary public in and for said State, personally appeared Maria E. Gallardo
_____ 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.



Isabel Alvarez
Notary Public



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