

WHEN RECORDED MAIL TO:

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

Project: 8894 Indiana Avenue  
Riverside, California 92503

APN 233-212-001

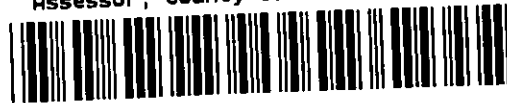
DOC # 2002-185562

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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)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 28 day of March, 2002, by **FELIX MENDEZ and MARIA MENDEZ**, 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 and described as follows:

Lot 52 of Amberwood Tract, in the City of Riverside, County of Riverside, State of California, as per map recorded in Book 31, pages 53 and 54, of Maps, Records of Riverside County, California.

B. The Property, known as 8894 Indiana Avenue, Riverside, California, is in the Residential ("R-1-65") Zone and is developed with an approximately 1188 square-foot residence with attached 485 square-foot garage.

C. Declarants have applied to the City of Riverside to convert the existing attached 485 square-foot garage into an accessory structure consisting of a master bedroom, utility room and bathroom. Further, Declarants have applied for a variance to permit the conversion to encroach 2 1/2 feet into the 7 1/2 -foot yard setback . Declarants will build a 414 square-foot carport to satisfy parking requirements.

D. As a condition of approval, Declarants have agreed that the use of the accessory structure will be incidental to the single family residence.

E. As a condition for issuance of building permits and approval of the variance, the City of

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DESCRIPTION APPROVAL 3/19/2002

for K. Stuart  
SURVEYOR, CITY OF RIVERSIDE by \_\_\_\_\_

C/A 773

Riverside is requiring Declarants to execute and record a covenant assuring that a minimum setback of five-feet will be provided between the proposed garage conversion (accessory structure) and the side property line.

F. As a condition for issuance of building permits and approval of the variance, 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.

G. 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, prohibiting installation or maintenance of any kitchen facilities in the accessory structure, and putting future owners on notice of such prohibitions and restrictions on the Property.

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 residence and the accessory structure shall be used as one dwelling unit.
2. A minimum setback of five-feet will be provided between the accessory structure and the side property line.
3. No kitchen facilities shall be permitted, maintained or installed in the accessory structure.
4. Neither the accessory structure nor the main residence shall be sold, rented or leased separately from the other.
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. Declarants shall build a carport at the time of the above-described conversion to satisfy the parking conditions required by Title 19 of the Riverside Municipal Code and said carport shall be maintained at all times.
7. 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 this 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.

8. 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 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.

  
FELIX MENDEZ

  
MARIA MENDEZ

APPROVED AS TO FORM:

  
Deputy City Attorney

APPROVED AS TO CONTENT:

  
Planning Department

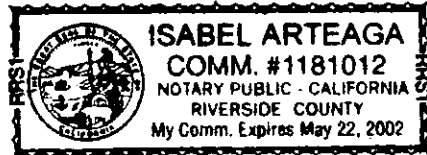


STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On March 28, 2001, before me, Isabel Arteaga, the undersigned, a notary public in and for said State, personally appeared Felix M. Mendez & Maria A. Mendez 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 Arteaga  
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

