

WHEN RECORDED MAIL TO:

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

DOC # 2002-247450

05/10/2002 08:00A Fee:16.00

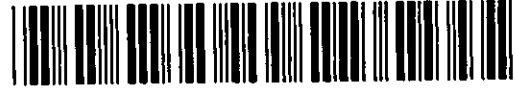
Page 1 of 4

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



Project: 5238 Sierra Vista Avenue  
Riverside, California  
APN 141-041-007

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		4						
					5				AS
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

(2)  
C  
AS

COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS  
FOR AN ACCESSORY LIVING QUARTERS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 9 day of May, 2002, by Harold M. McCarthy and Maria J. McCarthy, husband and wife ("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, described as follows:

Lot 29 of Sierra Vista Rancho Subdivision No. 2 as shown by Map on file in Book 27, Page 74 of Maps, Records of Riverside County, California.

B. The Property, known as 5238 Sierra Vista Avenue, Riverside, California, is developed with a single-family residence.

C. Declarants propose to construct an approximately 520 square-foot detached accessory living quarters consisting of a game room, multipurpose room, bar area and bathroom. Access to the accessory quarters will be through an entrance separate from the existing residence.

D. "Accessory living quarters" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code"), Section 19.04.020 to mean living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

DESCRIPTION APPROVAL 5/08/02  
for K. Street  
SURVEYOR, CITY OF RIVERSIDE by

E. As a condition for the issuance of a building permit for the Property, the City of Riverside ("City") is requiring the Declarants to execute and record a Covenant and Agreement which places certain restrictions on the accessory building to ensure the single-family residential use of the property. The Declarants desire to restrict the use of the Property to single-family residential and to comply with the conditions imposed by the City.

NOW, THEREFORE, for the purpose of complying with the conditions of approval for issuance of a building permit by the City, and restricting the use of the Property to single-family residential, Declarants hereby covenant and agree with the City that the following restrictions shall apply to the Property:

1. The single-family house and the accessory living quarters shall be used as one dwelling unit.
2. Neither building shall be used as a separate dwelling unit or separate living quarters from the other.
3. Neither building shall be sold, rented or leased separately from the other building.
4. Kitchen facilities shall not be permitted, maintained or installed in the accessory living quarters.
5. No commercial or business activity shall be conducted on the Property.

The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City, its successors or assigns. Should the City 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 reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

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.

[Signatures on next page.]



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

*Harold M. McCarthy*

Harold M. McCarthy

*Maria J. McCarthy*

Maria J. McCarthy

APPROVED AS TO CONTENT:

*D.W.T. D.D.*

Planning Department

APPROVED AS TO FORM:

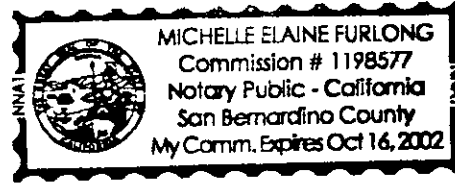
*Kate Smith*

Deputy City Attorney

O:\Cyc\com\WPDocs\D002\P001\00006367.WPD  
CA 02-1101



State of California )  
County of Riverside ) )ss



On May 9, 2002, before me, the undersigned, a notary public in and for said State personally appeared Harold and Maria McCarthy 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.

Michelle E. Furlong  
Signature

