



WHEN RECORDED MAIL TO:

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

Project: 2561 Grace Street  
Riverside, California 92504

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(21)

COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS



(GUEST HOUSE )

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10<sup>th</sup> day of JUNE, 2002, by DENNIS L. RIMMER and LORI L. RIMMER, 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 1, together with Lot 3, both in Block 57 of Arlington Heights, as shown by Map on file in Book 11, Pages 20 and 21 of Maps, Records of San Bernardino County, California.

Excepting therefrom the Northwesterly 580.75 feet of said Lot 1.

B. The Property, known as 2561 Grace Street, Riverside, California, is in the Residential Agricultural Five-Acre ("RA-5") Zone and is to be developed with a single-family residence, and a detached, 1500 square-foot, single-story guest house with a 462 square-foot attached garage (collectively "Guest House").

C. Declarants have applied to the City of Riverside for a permit to construct the Guest House. The proposed Guest House will consists of a living room, two bedrooms, two bathrooms, a laundry room, pantry, nook and wet bar.

D. "Guest House" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code"), Section 19.04.165 to mean living quarters within an accessory building located on the same premises as the main building, for use by temporary guests of the occupants of the premises, having no kitchen, and not rented or otherwise used as a separate dwelling.

E. As a condition for issuance of building permits, the City of Riverside is requiring Declarants to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places restrictions on the Guest House that it will not be used for nor rented as a second dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the Guest House

DESCRIPTION APPROVAL 5/30/02  
Walter S. Ayres  
SURVEYOR, CITY OF RIVERSIDE  
for

F. Declarants are willing to record this Covenant to put future owners on notice of the prohibition on the Guest House from being rented or used as a second dwelling unit, prohibiting the installation or maintenance of any kitchen facilities in the Guest House, and prohibiting the use of the guest house for commercial or business activity not authorized by Title 19 of the Riverside Municipal Code.

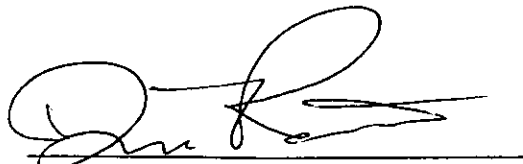
NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of building permits, and restricting the use of the buildings on the Property to that of a single-family residence with a detached Guest House, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

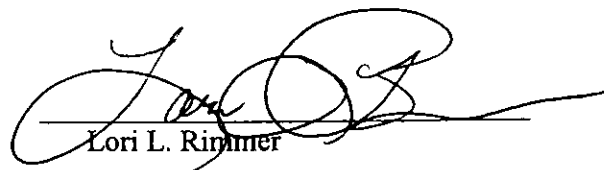
1. The single-family house and the Guest House shall be used as one dwelling unit.
2. Neither building shall be used as a separate dwelling unit or separate living quarters from the other.
3. No kitchen facilities shall be permitted, maintained or installed in the Guest House.
4. Neither the Guest House 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. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

The terms of this Covenant 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, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

This Covenant 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.


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

  
Dennis L. Rimmer

  
Lori L. Rimmer



APPROVED AS TO FORM:

  
Deputy City Attorney

APPROVED AS TO CONTENT.

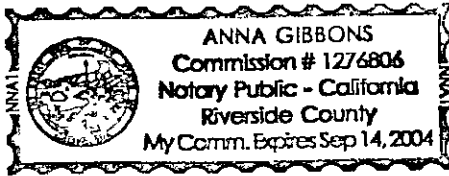
  
Planning Department



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On June 10, 2002, 2002, before me, Anna Gibbons, Notary Public, the undersigned, a notary public in and for said State, personally appeared Dennis L. Rimmer 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 ~~she~~<sup>he</sup> executed the same in ~~her~~<sup>his</sup> authorized capacity, and that by ~~her~~<sup>his</sup> 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.

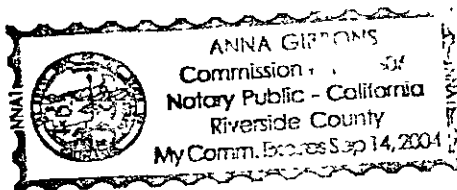


Anna Gibbons  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On June 10, 2002, 2002, before me, Anna Gibbons, Notary Public, the undersigned, a notary public in and for said State, personally appeared Lori L. Rimmer 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 she executed the same in her authorized capacity, and that by her 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.



Anna Gibbons  
Notary Public



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