



WHEN RECORDED MAIL TO:

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

Project: 2028-2030 Eleventh Street
Riverside, California
CU-070-012

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FOR RECORDER'S OFFICE USE ONLY



COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

(DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 9th day of July, 2002, by GENERAL R. SIMS, a widower ("Declarant"), with reference to the following facts:

A. Declarant is the fee owner of the real property (the "Property") situated in the City of Riverside, County of Riverside, State of California, the legal description which is attached as Exhibit "A" hereto and incorporated herein as if fully set forth.

B. The Property, known as 2028-2030 Eleventh Street, Riverside, California, is in the Single-Family Residential Zone (R-1-125) and is developed with a duplex consisting of an 808 square-foot unit and a 906 square-foot unit and contains a carport conversion into a 741 square-foot addition ("Addition"), constructed without permits.

C. Declarant has applied to the City of Riverside for a conditional use permit to allow and legalize the Addition. Declarant has also applied for a permit to construct a new 324 square-foot, two car carport.

D. As a condition for issuance of building permits, the approval of the conditional use permit and legalizing the Addition, the City of Riverside is requiring Declarant to execute and record a covenant assuring that the Addition will be connected to rear most unit and will not be rented as a separate dwelling unit, limiting the use on the property to just two units, and limiting each unit to no more than one kitchen facility.

E. Declarants are willing to record this Covenant and Agreement and Declaration of Restrictions prohibiting the Addition from being rented or used as a separate dwelling unit, requiring the Addition be connected to the rear most unit, limiting the use on the property to just two units, and limiting each unit to no more than one kitchen facility, and putting future owners on notice of such prohibitions and restriction o the Property.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of building permits, approval of the conditional use permit and legalizing the Addition, and restricting the use of the Property to that of two units and a proposed two-car carport, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The Addition shall be connected to the rear most unit and together they shall be used as one dwelling unit.
2. There shall be no doors to the exterior on the Addition.
3. The Property shall be limited to two units and a proposed two-car carport.
4. The Addition may not be rented as a separate unit.
5. There shall be no more than one (1) kitchen facility per unit.
6. 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.
7. 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 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.

This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, his 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, Declarant warrants that he has 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.

General R. Sims
GENERAL R. SIMS

APPROVED AS TO FORM:

Asst. Smith
Deputy City Attorney

APPROVED AS TO CONTENT:

[Signature]
Planning Department



EXHIBIT "A"

LOT 9 OF TROWBRIDGE AND ROSE SUBDIVISION, AS SHOWN BY MAP ON FILE IN
BOOK 8, PAGE 23 OF MAPS, SAN BERNARDINO COUNTY RECORDS.

DESCRIPTION APPROVAL 7/9/02
Walter R. Spivey by
for SURVEYOR, CITY OF RIVERSIDE



2002-379944
07/11/2002 08:00A
4 of 5

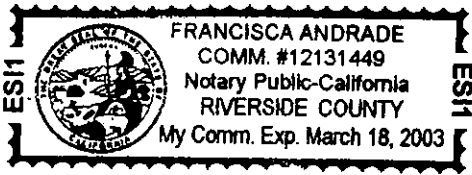
CIA 795

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA
County of RIVERSIDE

On July 9 2002 before me, *Francisca Andrade, Notary Public*, personally
appeared General R. Sims

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.

Francisca Andrade
Signature of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNERS
- LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Covenant & Agreement
TITLE OR TYPE OF DOCUMENT
Declaration of Restrictions

NUMBER OF PAGES

7-9-02

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

SIGNER(S) OTHER THAN NAMED ABOVE

