



WHEN RECORDED MAIL TO:

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

Project: 11726 Hazeldell Drive
Riverside, California 92505

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COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

(GUEST HOUSE)



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 23 day of JULIO, 2002, by **DAVID PALACIOS** and **MARY PALACIOS**, 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:

See attached Exhibit "A"

B. The Property, known as 11726 Hazeldell Drive, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence, and a converted, detached, approximate 436 square-foot, single-story guest house ("Guest House").

C. Declarants have applied to the City of Riverside for a variance and building permits to legalize the Guest House, which was converted from the garage. The Guest House consists of three bedrooms and a bathroom.

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 the approval of the variance and the 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

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 approving the variance, 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.



David Palacios

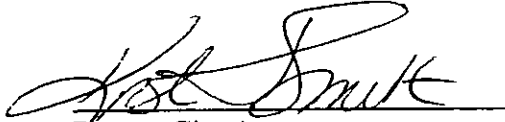


Mary Palacios

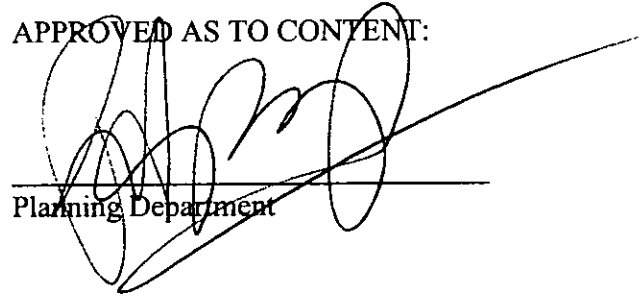
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APPROVED AS TO FORM:


Deputy City Attorney

APPROVED AS TO CONTENT:


Planning Department



STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On July 23, 2002, before me, Jesus Velasco, the undersigned, a notary public in and for said State, personally appeared DAVID PALACIOS 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.

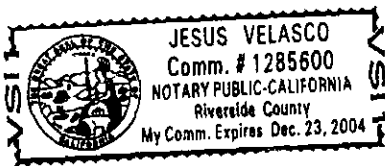


Jesus Velasco
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On July 23, 2002, before me, Jesus Velasco, the undersigned, a notary public in and for said State, personally appeared MARY PALACIOS 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.



Jesus Velasco
Notary Public



THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE NORTHERLY 115.60 FEET OF THE EASTERLY 36.00 FEET OF LOT 1 OF LA SIERRA VISTA TRACT, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGE 69 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF RIVERSIDE BY DEED RECORDED AUGUST 27, 1971 AS INSTRUMENT NO. 97480 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 2:

THAT PORTION OF THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY THEREOF, TOGETHER WITH THAT PORTION OF PEPPER DRIVE AS VACATED AND CLOSED TO PUBLIC BY ORDINANCE NO. 3868, RECORDED NOVEMBER 11, 1971 AS INSTRUMENT NO. 129490 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY PROLONGATION OF THE EASTERLY LINE OF LOT 1 OF LA SIERRA VISTA TRACT, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGE 69 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DISTANT THEREON 15 FEET NORTH OF THE NORTHEAST CORNER OF SAID LOT; THENCE NORTH 79° 30' 45" EAST, 46.98 FEET; THENCE SOUTH 45° 44' 15" EAST, 159.88 FEET; THENCE SOUTH 79° 30' 45" WEST, 139.21 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT 1; THENCE NORTH 10° 31' WEST, ON THE EASTERLY LINE OF SAID LOT 1 AND THE NORTHERLY PROLONGATION THEREOF, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE ABOVE DESCRIBED PARCELS THAT PORTION CONVEYED TO THE CITY OF RIVERSIDE, BY DEED RECORDED AUGUST 27, 1971 AS INSTRUMENT NO. 97480 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL 7/24/02
Walter R. Sinc
SURVEYOR, CITY OF RIVERSIDE by _____

for

EXHIBIT A



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CIA 796⁵