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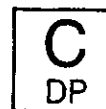
City Clerk  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

Project: 10321 Bonita Avenue  
Riverside, California  
APN: 143-140-012

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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 6<sup>th</sup> day of February, 2003, by **RICARDO RODRIGUEZ** and **ANGELINA RODRIGUEZ**, husband and wife, and **RICARDO A. RODRIGUEZ JR.**, a single man, ("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 46 of Castle Homes, in the City of Riverside, County of Riverside, State of California, as shown by Map on file in Book 36, Pages 17 and 18 of Maps, in the office of the County Recorder of said County.

Except that portion thereof lying Northwesterly of the following described line:

Beginning at a point on the Northeasterly corner of Lot 46, which bears South 34° 20' 30" East, along the Northeasterly line of said Lot 46, a distance of 51.00 feet; Thence South 57° 55' West, parallel with the Northwesterly line of said Lot 46, a distance of 61.93 feet to the Northeasterly line of said Lot 47; Thence North 12° 05' West, along the Northeasterly line of said Lot 47, a distance of 15.00 feet; Thence South 57° 55' West, parallel with the Northwesterly line of said Lot 47, a distance of 59.93 feet to the Northeasterly line of said Lots 48, 49 and 50 a distance of 153.86 feet; Thence North 32° 05' West, parallel with the Northeasterly line of said Lot 50, a distance of 26.00 feet to the Northwesterly line of said Lot 50.

B. The Property, known as 10321 Bonita Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence.

C. Declarants have applied to the City of Riverside for a variance and building permits to construct a Guest House. The Guest House consists of a living room, two bedrooms, and a bathroom.

RESCRIPTION APPROVAL  
24.03  
*[Signature]*

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.

Ricardo Rodriguez  
Ricardo Rodriguez

Angelina Rodriguez  
Angelina Rodriguez

Ricardo M. Rodriguez Jr.  
Ricardo M. Rodriguez Jr.

APPROVED AS TO FORM:

Art Smith  
Deputy City Attorney

APPROVED AS TO CONTENT:

[Signature]  
Planning Department

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03-0245  
02/03/03



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 2-6-, 2003, before me, Wendy Fox, the undersigned,  
a notary public in and for said State, personally appeared Ricardo Rodriguez, Angelina Rodriguez  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose and  
name is subscribed to the within instrument and acknowledged to me that she executed the same in her Ricardo  
authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of M.  
which the person acted, executed the instrument. Rodrigue.  
Jr.

WITNESS my hand and official seal.



Wendy Fox  
Notary Public

