



WHEN RECORDED MAIL TO:
CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, CA 92522

Project: Zoning Case CU-002-990

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COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS
ON USES OF THE PROPERTY

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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS ON USES OF THE PROPERTY ("Covenant") is made this 26TH day of SEPTEMBER, 2002, by BREEZY MEADOWS, LLC, a California limited liability company ("Declarant") with reference to the following facts:

- A. Declarant is the fee owner of that certain real property ("the Property") situated in the City of Riverside, County of Riverside, State of California, described as follows:

See Exhibit "A", attached hereto and incorporated herein by reference.
- B. The Property will be developed with a 90-unit senior apartment housing project ("Project"), situated at 8507 Magnolia Avenue, on the northwest side of Magnolia, between Adams and Monroe Streets.
- C. As a condition of the approval by the City of Riverside ("City") of Case Number CU-002-990, the City is requiring Declarant to execute and record a Covenant and Agreement setting forth that all housing, building and structures erected and maintained in the Project shall be occupied solely by a person or persons with a minimum age of 55 years.
- D. Declarant desires to record a covenant and agreement, to put future owners on notice, that the minimum age of the tenants of the Project will be 55 years of age.

NOW, THEREFORE, incorporating the above facts and for the purpose of complying with a condition imposed by the City under Case Number CU-002-990, Declarant hereby covenants and agrees with said City and acknowledges as follows:

- 1. The minimum age of the occupants of the Project shall be 55 years of age.

The terms of this Covenant may be enforced by City, and its successors and assigns. Should City bring an action to enforce any of the terms of this Covenant, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.


This Covenant shall run with the land and each and all of its terms shall be binding upon Declarant, its heirs, successors and assigns, and shall continue in force and effect until such time as released by the Planning Director of the City of Riverside, California, by a writing duly recorded.

IN WITNESS WHEREOF Declarant has caused this Covenant to be executed the day and year first written above.

BREEZY MEADOWS, LLC
A California limited liability company

By: 
David A. Spiegel
Managing Member

APPROVED AS TO FORM:


Deputy City Attorney
City of Riverside

APPROVED AS TO CONTENT:

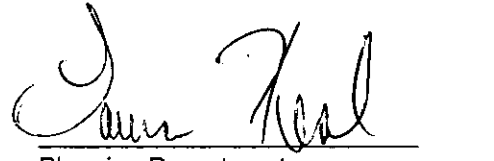

Planning Department
City of Riverside



EXHIBIT "A"

The northeasterly rectangular one-quarter of Lot 14 of the lands of the Riverside Land and Irrigation Company, in the City of Riverside, County of Riverside, State of California, as per map recorded in Book 1, Page 70 of Maps, records of San Bernardino County, California.

Excepting therefrom the southeasterly 42.00 feet thereof as conveyed to the City of Riverside by document recorded February 9, 1992 as Instrument no. 46117 of Official Records of Riverside County California.

CU002990

DESCRIPTION: APPROX. 216103
Walter R. Inge by ---
SURVEYOR, CITY OF RIVERSIDE

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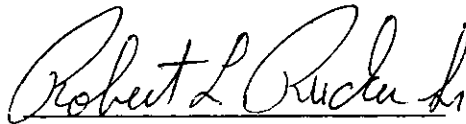
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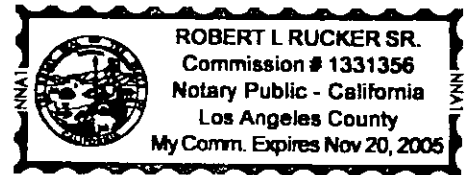
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On SEPTEMBER 26, 2002, before me, ROBERT L. RUCKER SR., the undersigned, a notary public in and for said State, personally appeared DAVID A. SPIEGEL Personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity, and that by his/~~her/their~~ signature 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.


Notary Public



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