

RECORDING REQUESTED BY:

East Hills Community Church
7889 Mission Grove Prkwy.
Riverside, CA 92508

DOC # 2004-0569781

07/22/2004 08:00A Fee:19.00
Page 1 of 5

Recorded in Official Records
County of Riverside

Gary L. Orso
Assessor, County Clerk & Recorder

WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF RIVERSIDE
CITY HALL, 3900 MAIN ST.
RIVERSIDE, CA 92522



PROJECT: TRACT NO.31214
*Orange Terrace Pk
& Hillside*

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**COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS
(BUILDING HEIGHT REQUIREMENT)**

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This COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS (BUILDING HEIGHT REQUIREMENTS) ("Covenant and Agreement"), dated this 17th day of June, 2004 (for reference purposes only), is made and entered into by **Classis of California, Reformed Church in America**, a non-profit corporation, its successors, heirs and /or assigns ("Declarant"), with reference to the following.

RECITALS

- A. Declarant is the fee owner of the following described real property located in the City of Riverside, County of Riverside, State of California ("Property"):

Residential Lots 1 through 7, inclusive, of Tract No. 31214, as shown by map on file in Book 359, Pages through 525B inclusive, of Maps, records of Riverside County, California.

- B. Declarant has filed with the City of Riverside ("City") an application to develop the property as a residential subdivision, as defined in Civil Code Section 1351(k), consisting of 7 residential lots.
- C. As a condition of approval of the tentative Tract No. 31214 the City is requiring Declarant to record a Covenant and Agreement satisfactory to the Planning Department and City Attorneys Office of the City to ensure that future buyers are informed of certain requirements related to building heights.

PLANNING DEPARTMENT APPROVAL
 4/17/04

 CITY OF RIVERSIDE

88-8

C/A 899

NOW, THEREFORE, for the purposes of complying with the conditions of approval for Tract Map No. 31214 and in consideration of such approval, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the property:

1. **The height of any structure on any individual lot on the property shall not exceed an elevation of 1,759 (measured from mean sea level).**
2. Declarant, by recordation of this Covenant and Agreement, prior to or concurrently with the recordation of the Map for Tract No.31214, hereby gives notice to all prospective buyers of any Lot of the Property that the Property shall be subject to the foregoing restriction.
3. The terms of this Covenant and Agreement may be enforced by the City of Riverside, its successors or assigns, or by any Owner or Tenant of any lot of the Property. Should the City, or any Owner or Tenant bring an action to enforce any of the terms of this Covenant and Agreement, the prevailing party shall be entitled to reasonable attorney's fees, expert witnesses' fees and reasonable cost of suit.
4. This Covenant and Agreement shall run with the land and shall be binding upon Declarant, its heirs, successors and assigns and shall continue in effect until such time as it may be released by the Planning Director, or his designee, of the City of Riverside, by a writing recorded in the Official Records of Riverside County , California.
5. This instrument contains the entire agreement entered into by Declarant relating to the responsibilities herein agreed to and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by Declarant, approved by the Planning Director, or his designee, of the City and recorded in the Office of the County Recorder of Riverside County, California.

IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed the day and year written below.

"Declarant":

Classis of California, Reformed Church in America

A handwritten signature in black ink, appearing to read "Roger Beukelman", written over a horizontal line.

By: Roger Beukelman

Its: Stated Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside } ss.

On June 17, 2004 before me, Betty Knapp
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Roger Beukelman
Name(s) of Signer(s)

personally known to me
 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.

Betty Knapp
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Covenant & Agreement of Deed of Res.
Document Date: 6-17-04 Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

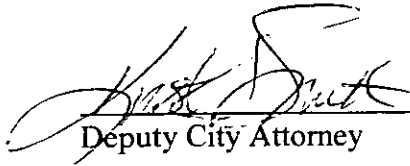
Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

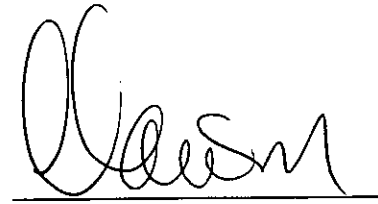
Signer Is Representing: _____



APPROVED AS TO FORM:


Deputy City Attorney

APPROVED AS TO CONTENT:


Planning Department