

DOC # 2005-0062825

01/24/2005 08:00A Fee:19.00

Page 1 of 5

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

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

Project: 10239 Gramercy Place
Riverside, CA
APN: 147-060-040

M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC.
	1		5						
					14				AS
A	R	L			COPY	LONG	REFUND	NCHG	EXAM

33

COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS



(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 24 day of January, 2005^{CA} by CANDELARIO ACEVEDO, a single man, ("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, described as follows:

See Exhibit "A"

B. The Property, known as 10239 Gramercy Place, Riverside, California, is in the Rural Residential ("RR") Zone.

C. Declarant has applied to the City of Riverside for a permit to construct a detached 698 sq. ft. accessory building containing a living room, bathroom and two bedrooms to be used as a guest house.

D. "Accessory Building" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code"), Section 19.04.015 to mean a building or structure, or portable building including a cargo container which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot.

E. As a condition for the issuance of a building permit for the Property, the City of Riverside ("City") is requiring Declarant to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places certain restrictions on the accessory building to ensure the single-family residential use of the property. The Declarant desires to restrict the use of the Property to single-family residential and to put future owners on notice of the prohibition on the accessory

CIA 925

building from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory building, and prohibiting the use of the accessory building 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 for the issuance of a building permit, and restricting the use of the Property to single-family residential, Declarant hereby covenants and agrees with the City that the following restrictions shall apply to the Property:


1. The single-family residence and the accessory building 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 accessory building.
4. Neither the accessory building nor the main residence shall be sold, rented or leased separately from the other building.
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.

The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City 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 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.

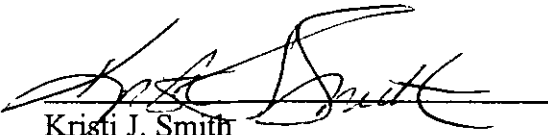


IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.

 1/24/05

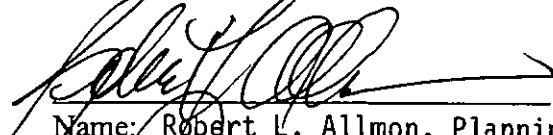
CANDELARIO ACEVEDO
DECLARANT

APPROVED AS TO FORM:



Kristi J. Smith
Deputy City Attorney

APPROVED AS TO CONTENT:



Name: Robert L. Allmon, Planning Technician
Planning Department

O:\Cycorn\WPDocs\D014\0001\00019442 WPD
CA 04-2898
12/17/04



EXHIBIT "A"

All that certain real property situated in the County of Riverside, State of California, described as follows:

Lot 9 in Block 16 of La Granada Tract, in the City of , County of Riverside, State of California, as per map recorded in Book 12, page(s) 42 to 51, inclusive of Maps, in the office of the County Recorder of said County.

Except the Westerly 65 feet of said Lot 9; said Westerly 65 feet being measured along the Southerly line of said Lot and the Easterly line of said 65 feet being parallel with the Westerly line of said Lot;

Also Except beginning at the Northeasterly corner of said Lot 9;

Thence Westerly on the Northerly line of said Lot 9, 65 feet;

Thence Southerly and parallel with the Easterly line of said Lot, 120 feet;

Thence Easterly and parallel with the Northerly line of said Lot, 65 feet to the Easterly line of said Lot;

Thence Northerly on said Easterly line of said Lot, 120 feet to the Point of Beginning.

DESCRIPTION APPROVAL:

 1/3/05

MARK S. BROWN
CITY SURVEYOR

DATE



2005-0062025
01/24/2005 08:00A
3 of 5

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 1-24-05, before me, Patricia D. Fisher, the undersigned, a notary public in and for said State, personally appeared Candelario Acevedo 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.

Patricia D. Fisher

Notary Signature



2005-0062825
01/24/2005 08 00A
5 of 5

64-2
CIA925