



WHEN RECORDED MAIL TO:

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

Project: 10498 Wells Avenue
Riverside, CA 92505
APN: 143-030-012

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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 17th day of February, 2005, by CANDELARIO GONZALEZ and SUSANA GONZALEZ, husband and wife, and VERONICA GONZALEZ CARRILLO, a married woman, (collectively, "Declarants"), with reference to the following facts:

A. Declarants are 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 10498 Wells Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence.

C. Declarants propose to construct an accessory living quarters consisting with approximately 700 square-feet of living space, consisting of a great room, family room, study, bedroom, and a bathroom..

D. "Accessory Living Quarters" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code"), Section 19.04.020 to mean living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

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

C/A 930



to single-family residential and to put future owners on notice of the prohibition on the accessory living quarters from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory living quarters, and prohibiting the use of the accessory living quarters 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, Declarants hereby covenant and agree with the City that the following restrictions shall apply to the Property:

1. The single-family residence and the accessory living quarters 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 living quarters.
4. Neither the accessory living quarters 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 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 and Agreement to be executed as of the day and year first written above.

Candelario Gonzalez
CANDELARIO GONZALEZ
DECLARANT

Susana Gonzalez
SUSANA GONZALEZ
DECLARANT

Veronica Gonzalez Carrillo
VERONICA GONZALEZ CARRILLO
DECLARANT

APPROVED AS TO FORM:

Kristi J. Smith
Kristi J. Smith
Deputy City Attorney

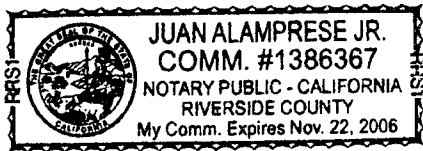
APPROVED AS TO CONTENT:

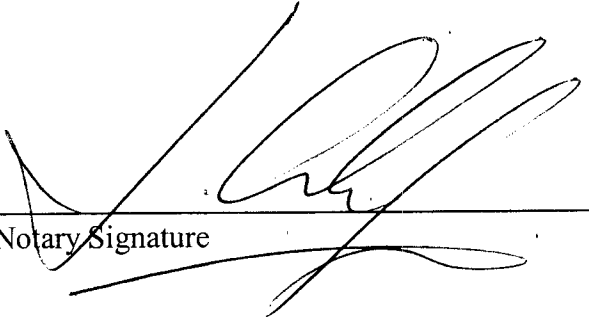
Salvador Quintanilla
Name: Salvador Quintanilla
Planning Department

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 02-17-05, before me, Juan Alamprese Jr, the undersigned, a notary public in and for said State, personally appeared SUSAN GONZALEZ 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.




Notary Signature



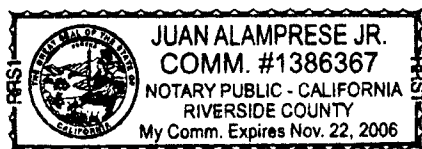
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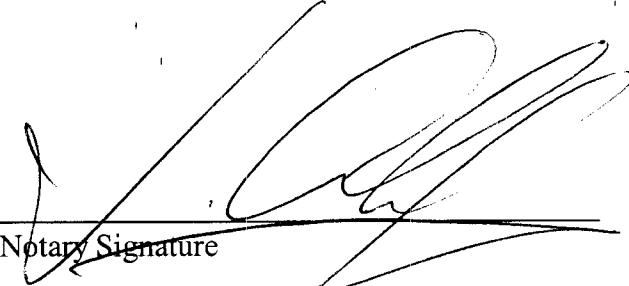
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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 02-17-05, before me, Juan Alamprese Jr, the undersigned, a notary public in and for said State, personally appeared CANDELARIO GONZALEZ, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(x) 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(x) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.

WITNESS my hand and official seal.




Notary Signature



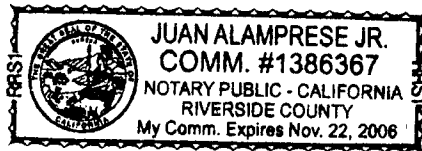
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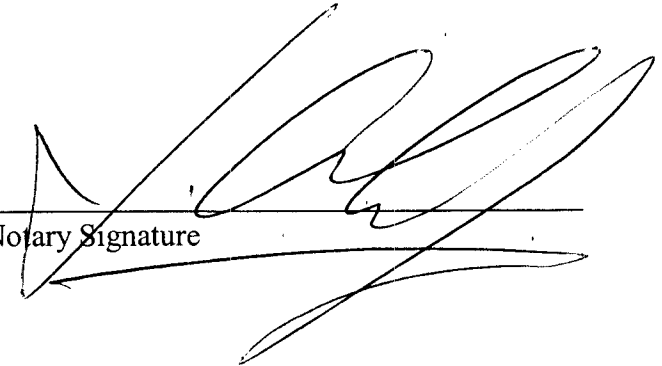
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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 02-17-05, before me, Juan Alamprese JR, the undersigned, a notary public in and for said State, personally appeared VERONICA GONZALEZ CARRILLO 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.




Notary Signature



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EXHIBIT "A"

PARCEL 1:

THAT PORTION OF LOT 16 OF EL RINCON AS SHOWN BY MAP ON FILE IN BOOK 11 PAGES 85 AND 86 OF MAPS, RIVERSIDE COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID LOT;

THENCE SOUTH 41°00' 15" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID, LOT 85 FEET TO THE MOST SOUTHERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO DANIEL M. VELASQUEZ ET UX BY DEED FILED FOR RECORD JUNE 21, 1957 AS INSTRUMENT NO. 45385, THE TRUE POINT OF BEGINNING;

THENCE NORTHEASTLY ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL SO CONVEYED, 125 FEET;

THENCE SOUTHEASTERLY, PARALLEL AND SOUTHESTERLY LINE OF SAID LOT, 130 FEET;

THENCE SOUTHWESTERLY, PARALLEL AND NORTHWESTERLY LINE OF SAID LOT, 125 FEET, TO THE SOUTHWESTERLY LINE OF SAID LOT,

THENCE NORTHWESTERLY, ALONG SAID SOUTHWESTERLY LINE, 130 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN EASMENT FOR ROAD PURPOSES OVER THAT PORTION OF SAID LOT 16, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF THE NORTHWESTERLY LINE OF SAID LOT, 125 FEET NORTHEASTERLY FROM THE MOST WESTERLY CORNER THE ROOF;

THENCE SOUTHEASTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT, 215 FEET;

THENCE NORTHEASTERLY, PARALLEL, WITH THE NORTHWESTERLY LINE OF SAID LOT, 15 FEET;

THENCE NORTHWESTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 215 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LOT;

THENCE SOUTHWESTERLY ON SAID NORTHWESTERLY LINE, 15 FEET TO THE POINT OF BEGINNING.

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DESCRIPTION APPROVAL:

M. S. D. 12/1/04

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