

WHEN RECORDED MAIL TO:

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

Project: 5391 Magnolia Avenue
Riverside, CA 92506

DOC # 2005-0431660

05/31/2005 08:00A Fee:16.00

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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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 _____ day of _____, 2005, by **LESLIE A. FISHER, an unmarried woman** ("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:

Lot 1 of Elmwood Court Addition, as shown by map on file in Book 8, Page 4 of Maps, Records of Riverside County.

B. The Property, known as 5391 Magnolia Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence.

C. Declarant proposes to construct a 216-square foot room addition to the existing detached garage to be utilized as a guest room consisting of a bedroom, bathroom and a wet bar area ("accessory building").

D. 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 its use. 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 detached accessory building from being rented or used as habitable space, 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.

DESCRIPTION APPROVAL:

BY: Mark S. Brown 5/18/2005
DATE

FOR: MARK S. BROWN
CITY SURVEYOR

CIA 943

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:

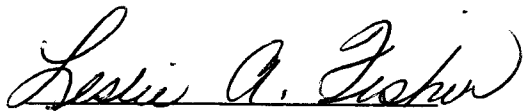
1. The single-family residence and the accessory building shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the accessory building.
3. Neither the accessory building nor the main residence shall be sold, rented or leased separately from the other building.
4. 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.
5. 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, 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, its 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.

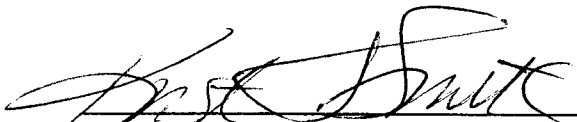
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IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.



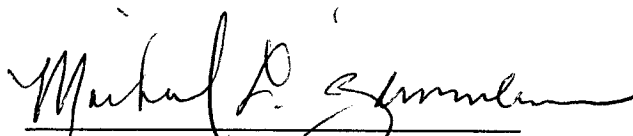
Leslie A. Fisher

APPROVED AS TO FORM:



Kristi J. Smith
Deputy City Attorney

APPROVED AS TO CONTENT:



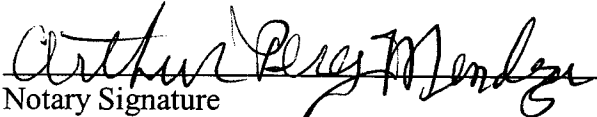
Typed Name: Michael L. Zimmerman
Planning Department

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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On MAY 31, 2005, 2005, before me, ARTHUR PEREZ MENDOZA, NOTARY, the undersigned, a notary public in and for said State, personally appeared LESLIE ANN FISHER 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
ARTHUR PEREZ MENDOZA, NOTARY PUBLIC



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C/A 943