

WHEN RECORDED MAIL TO:

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



Project: Planning Case: P05-0437  
2121 St. Lawrence Street  
Riverside, California 92504  
APN: 237-130-016

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FOR RECORDER'S OFFICE USE ONLY

COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS



(AUXILIARY DWELLING UNIT RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 3<sup>rd</sup> day of Aug, 2005, by KARREN L. DAVIDSON, a married woman as her sole and separate property, ("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, which legal description is as follows:

Parcel 4 of Parcel Map 8314, as shown by map on file in Book 34, page 76 of Parcel Maps, Records of Riverside County, California.


B. The Property, known as 2121 Saint Lawrence Street, Riverside, California, is in the Residential Agriculture (RA) Zone.

C. Declarant has applied to the City of Riverside for a minor conditional use permit and building permit to construct an approximately 950 square foot granny flat ("auxiliary dwelling unit") consisting of living/dining room, 2 bedrooms, a bathroom, utility room and kitchen.

D. "Auxiliary dwelling unit" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") to mean a dwelling unit located on a property zoned for single family residential use which is a subsidiary to the primary dwelling unit situated on that property.

E. Prior to the minor conditional use permit becoming effective and the issuance of building permits, the City of Riverside is requiring Declarant to execute and record a covenant limiting the occupancy of the auxiliary dwelling unit to a maximum of two persons, each of whom is sixty (60)

DESCRIPTION APPROVAL:

 7/19/05

MARK S. BROWN  
CITY SURVEYOR

DATE

CIA 956

years of age or older, assuring that the legal owner(s) of the Property will continually occupy either the primary residence or the auxiliary dwelling unit, assuring that the kitchen facilities will be removed and the unit will not be used as a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.

F. Declarant is willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners and successors-in-interest on notice of the above-stated restrictions on the use and occupancy of the auxiliary dwelling unit.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of a minor conditional use permit and building permit in Planning Case P05-0437, and restricting the use of the Property to that of a single-family house with an auxiliary dwelling unit. Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

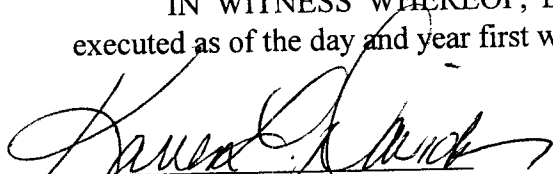
1. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).
2. Each occupant of the auxiliary dwelling unit shall be sixty (60) years of age or older.
3. The legal owner(s) of the Property will continually occupy either the primary residence or the auxiliary dwelling unit.
4. The kitchen facilities will be removed from the auxiliary dwelling unit and such unit will not be used as a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.
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.
6. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.
7. The use of the auxiliary dwelling unit is only authorized in accordance with the stated terms and conditions of approval. Should the use cease or fail to comply with the terms and conditions stated in this Covenant and Agreement, the minor conditional use permit will be subject to revocation.

The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.


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

Declarant hereby represents and warrants that she has the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein.


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

  
KARREN L. DAVISON  
Declarant

APPROVED AS TO FORM:

  
Kristi J. Smith  
Deputy City Attorney

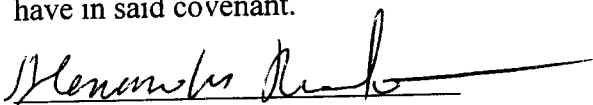
APPROVED AS TO CONTENT:

  
Robert L. Allmon  
Planning Department

### SPOUSAL COMMUNITY RIGHTS IN THE COVENANT AND AGREEMENT

Dated 08.12.05

I am the spouse of KARREN L. DAVIDSON, and I hereby consent and join in the covenant hereinabove described and I hereby release and quitclaim any community property interest that I may have in said covenant.

  
\*Signature

ALEXANDER RADOMIROVIC  
Printed Name

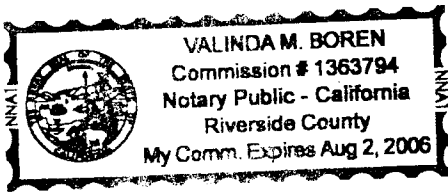
\* Signature must be notarized.

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CA: 05-1630  
07/12/05

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 8/9/05, 2005, before me, Valinda M. Boren - Notary Public, the undersigned, a notary public in and for said State, personally appeared Harmon L. Davidson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is 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, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Valinda M. Boren  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

~~On \_\_\_\_\_, 200\_\_, before me, \_\_\_\_\_, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is 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, or the entity upon behalf of which the person acted, executed the instrument.~~

WITNESS my hand and official seal.

~~\_\_\_\_\_  
Notary Public~~

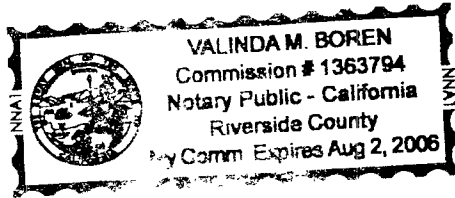
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of Riverside } ss.

On 8/12/05 before me, Valinda M. Boren - Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Alexander Rademirovic  
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.

Valinda M. Boren  
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**

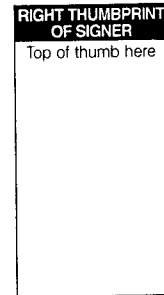
Title or Type of Document: City of Riverside Covenant and agreement  
Document Date: 8/9/05 Number of Pages: 3  
Signer(s) Other Than Named Above: Karren L. Davidson

**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: \_\_\_\_\_





LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
<http://riverside.asrclkrcc.com>

## NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: Valinda M. Boren

Commission #: 1363794

Place of Execution: Riverside

Date Commission Expires: Aug 2, 2006

Date: 8-15-05

Signature: Jennifer Leggett

Print Name: Jennifer Leggett