

WHEN RECORDED MAIL TO:

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

DOC # 2006-0107767
02/14/2006 08:00A Fee: 19.00
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Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



Project: 2591 Mulberry Street
Riverside, CA 92501
APN: 209-142-023

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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 _____, 2006, by Sergio Mireles, 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:

Lot 34 of Noland Place as Shown by Map on file in Book 8, Page 54 of Maps, in the Office of the County Recorder of said County.

B. The Property, known as 2591 Mulberry Street, 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 an approximately 747 square-foot accessory living quarters, consisting of a living room, bedroom, bathroom and garage.

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 Declarant 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. 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 attached accessory living quarters from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the

C
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DESCRIPTION APPROVAL
DATE
MARK S. BROWN
CITY SURVEYOR

C/A 974

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, 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 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 attached 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.
6. 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 attorney's 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.



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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.

Sergio Mireles
*SERGIO MIRELES

*Signature must be notarized.



APPROVED AS TO FORM:

R. M. Gonzales
Rina M. Gonzales
Deputy City Attorney

APPROVED AS TO CONTENT:

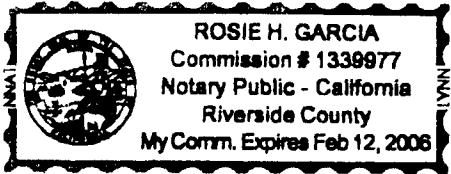
Salvador Quintanilla
Salvador Quintanilla
Planning Department



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 02/03/2006, before me, Rosie H. Garcia the undersigned, a notary public in and for said State, personally appeared Sergio Mireles 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.



Rosie H. Garcia
Notary Signature



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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

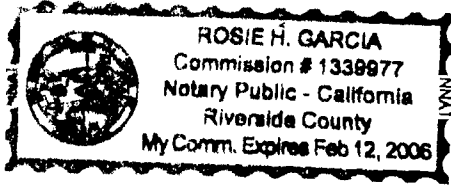
County of Riverside } SS.

On 02/03/06 before me,
 Date personally appeared

Rosie H. Garcia
 Name and Title of Officer (e.g., "Jane Doe, Notary Public")
Sergio Mirales
 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.



Place Notary Seal Above

WITNESS my hand and official seal.
Rosie H. Garcia
 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: _____

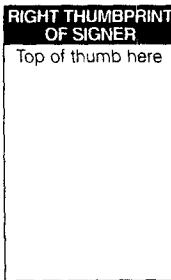
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

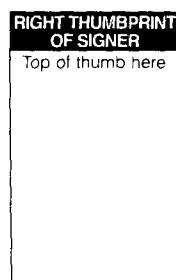
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

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



Signer Is Representing: _____



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