

WHEN RECORDED MAIL TO:

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

Project: 3567 Marshall Street  
Riverside, CA 92504  
APN: 230-071-017

DOC # 2007-0237892

04/09/2007 08:00A Fee:NC

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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)

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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 27 day of MARCH, 2007, by RENE TAVARES, a married man, as his 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, described as follows:

Lot 3 of Galeta Manor, in the City of Riverside, County of Riverside, State of California, as per map recorded in Book 26, Page(s) 29, of Maps in the Office of the County Recorder of said county.

B. The Property, known as 3576 Marshall 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 convert the existing garage into a 289.0 square foot guest-house to be used as an accessory living quarters, consisting of a living room, a 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 Declarant to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places certain restrictions on the accessory

DESCRIPTION APPROVAL  
  
DATE 3/27/07  
MARK S. BROWN  
CITY SURVEYOR

CIA 1000

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 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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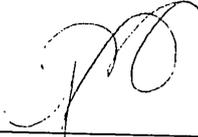
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(Signatures on following Page)

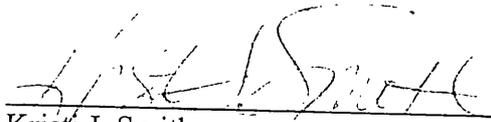


IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.



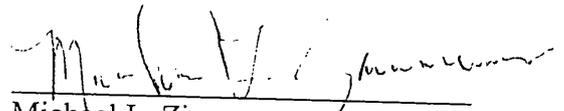
\_\_\_\_\_  
RENE TAVARES

APPROVED AS TO FORM:



Kristi J. Smith  
Supervising Deputy City Attorney

APPROVED AS TO CONTENT:

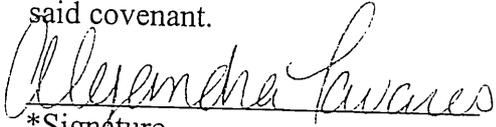


Michael L. Zimmerman  
Planning Department

SPOUSAL COMMUNITY RIGHTS IN THE COVENANT AND AGREEMENT

Dated 3/28/07

I am the spouse of RENE TAVARES, 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

Alejandra TAVARES

Printed Name

\*Signature must be notarized.

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CA: 07-0676  
03/21/07



STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On March 28, 2007, before me, Angelica G. Arzola, the undersigned, a notary public in and for said State, personally appeared Alex Tavarés 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.



Angelica G. Arzola  
Notary Signature



STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On 04/09/2007, 2007, before me, CHRISTINE M. RAMIREZ, Notary Public the undersigned, a notary public in and for said State, personally appeared RENE TAVAKIS 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.



Christine M. Ramirez  
Notary Signature



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