

WHEN RECORDED MAIL TO:

DOC # 2007-0509336

08/07/2007 08:00A Fee:25.00

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder

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



Project: 4775 Somerset Drive  
Riverside, CA 92507  
APN: 219-151-025

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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 6 day of August, 2007, by [Name], and LARKIN PHILLIPS, an unmarried woman, as Joint Tenants, ("Declarants"), with reference to the following facts:

A. Declarants are the fee owners 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 4775 Somerset Drive, 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 approximately 700 square foot accessory living quarters consisting of a bedroom, a game room, a bar, 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. Declarants desire 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

CIA 1011

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 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 Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Director of the Planning Division of the City of Riverside, California, by a writing duly recorded.

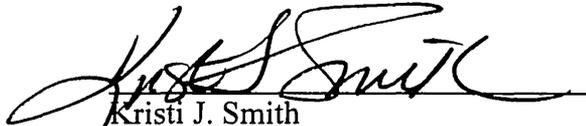


IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.

  
TIMOTHY MC LEAN

  
LARKIN PHILLIPS

APPROVED AS TO FORM:

  
Kristi J. Smith  
Supv. Deputy City Attorney

APPROVED AS TO CONTENT:

  
Michael Zimmerman  
Planning Division

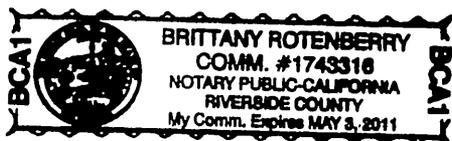
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STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On August 6<sup>th</sup> 2007, before me, Brittany Rotenberg, Notary Public the undersigned, a notary public in and for said State, personally appeared Larkin Phillips — ~~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.



*Brittany Rotenberg*  
Notary Signature



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**EXHIBIT "A"**

**LEGAL DESCRIPTION**

LOT 18 AND THE SOUTHWESTERLY 15 FEET OF LOT 19 OF CLARK'S SUBDIVISION, AS SHOWN BY MAP ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, IN BOOK 7, PAGE 44 OF MAPS, THEREOF, THE NORTHEASTERLY LINE OF SAID SOUTHWESTERLY 15 FEET OF SAID LOT 19 BEING PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT.

DESCRIPTION APPROVAL:

BY: K. Stewart 08/01/2007  
DATE

FOR: MARK S. BROWN  
CITY SURVEYOR



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Larkin Phillips  
4775 Somerset DR.  
Riverside, Ca. 92507

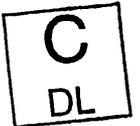


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A298-10  
R298-04

### QUITCLAIM DEED



TRA: 0029  
DTT: 0

**THIS QUITCLAIM DEED**, executed this 27th day of AUGUST 2001 (year),

by first party, Grantor, Timothy L. Mclean and Larkin Phillips  
whose post office address is 4775 Somerset Dr. Riverside, Ca. 92507

to second party, Grantee, Larkin Phillips  
whose post office address is 4775 Somerset Dr. Riverside, Ca. 92507

**WITNESSETH**, That the said first party, for good consideration and for the sum of  
Dollars (\$0.00) paid by the said second  
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim  
unto the said second party forever, all the right, title, interest and claim which the said first party  
has in and to the following described parcel of land, and improvements and appurtenances there-  
to in the County of Riverside, State of California to wit:

4775 Somerset Dr. Riverside, Ca. 92507  
lot 18 and the southwesterly 15 feet of lot 19 of Clark's sub-  
division, as shown by map on file in the office of the county  
recorder of the county of Riverside, State of California, in  
book 7, page 44 of maps, thereof, the northeasterly line of  
said southwesterly 15 feet of said lot 19 being parallel with  
the southwesterly line of said lot.



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Larkin Phillips  
 4775 Somerset DR.  
 Riverside, Ca. 92507

DC # 2001-415868  
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 Recorded in Official Records  
 County of Riverside  
 Gary L. Orso  
 Assessor, County Clerk & Recorder



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A298-10  
 R298-04

**QUITCLAIM DEED**

C  
 DL

TRA: 009  
 DTT: 0

**THIS QUITCLAIM DEED**, executed this 27th day of AUGUST 2001 (year),  
 by first party, Grantor, Timothy L. Mclean and Larkin Phillips  
 whose post office address is 4775 Somerset Dr. Riverside, Ca. 92507  
 to second party, Grantee, Larkin Phillips  
 whose post office address is 4775 Somerset Dr. Riverside, Ca. 92507

**WITNESSETH**, That the said first party, for good consideration and for the sum of  
 Dollars (\$0.00) paid by the said second  
 party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim  
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 has in and to the following described parcel of land, and improvements and appurtenances there-  
 to in the County of Riverside, State of California to wit:

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 the southwesterly line of said lot.



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