

WHEN RECORDED MAIL TO:

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

Project: 4681 Beatty Drive
Riverside, CA 92506
APN: 226-302-046

DOC # 2007-0515310
08/09/2007 08:00A Fee:22.00
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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

30

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513

(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 1st day of August, 2007, by DAVID WAYNE BAXTER and JANCIE BAXTER, husband and wife 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 4681 Beatty Drive, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence.

C. Declarants have applied to the City of Riverside for a variance to legalize a garage conversion to an approximately 711 s.f. accessory living quarters, consisting of a living room, a bedroom, a bathroom, and a laundry room.

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

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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, 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 Planning Director of the City of Riverside, California, by a writing duly recorded.

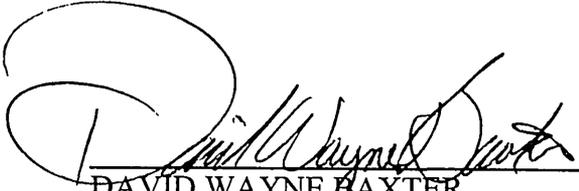
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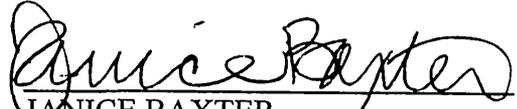
(Signatures on following Page)



C/A 1012

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


DAVID WAYNE BAXTER


JANICE BAXTER

APPROVED AS TO FORM:


Kristi J. Smith
Supervising Deputy City Attorney

APPROVED AS TO CONTENT:


Katie Chamberlain
Planning Department

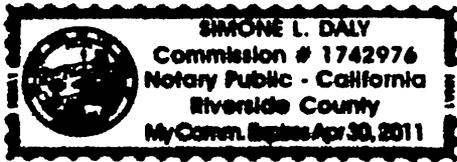
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07/23/07



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On August 1st, 2007, before me, Simone L. Daly, the undersigned, a notary public in and for said State, personally appeared David Wayne Baxter and Janice Baxter 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.



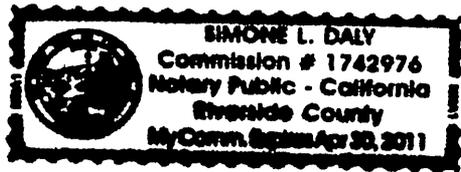
Simone L. Daly
Notary Signature



STATE OF CALIFORNIA)
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COUNTY OF RIVERSIDE)

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Simone L. Daly
Notary Signature



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EXHIBIT "A"

Legal Description

THE WESTERLY RECTANGULAR 30 FEET OF LOT 96 AND ALL OF LOT 97 OF VENETIAN SQUARE, AS SHOWN BY MAP ON FILE IN BOOK 13, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL:

BY:

FOR: MARK S. BROWN
CITY SURVEYOR

DATE

8/7/07



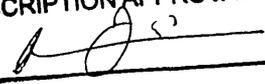
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