

City Hall, 3900 Main Street  
Riverside, CA 92522

Project: 4975 Hollyhock Lane  
Riverside, CA 92502  
APN: 146-142-006

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

(SECOND DWELLING UNIT RESTRICTION)



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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 23 day of September, 2007, by ARNULFO FELIX and ARCADIA FELIX, husband and wife, ("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:

All that portion of Lot 4 in Block 60 of Tract No. 2, La Sierra Heights, as shown by Map on file in Book 7 page 66 of Maps, in the Office fo the County Recorder of Riverside County.

Beginning at a point on the Northeasterly line of said Lot 4 which bears South 27° 25' 30" East 181 feet from the most Northerly corner of said Lot 4; thence South 62° 2' 30" West, 203.3 feet; thence South 27° 25' 30" East, 63 feet; thence North 62° 2' 30" East, 203.3 feet to a point on the Northeasterly line of said Lot 4; thence North 27° 25' 30" West 63 feet to the point of beginning.

B. The Property, known as 4975 Hollyhock Lane, 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 ("City") for a minor conditional use permit and building permit to construct an approximately 1807 square foot second dwelling unit consisting of a living room, 4 bedrooms, 2 bathrooms, utility room, kitchen, dining room, and a 572 square foot 2-car garage.

DESCRIPTION APPROVAL.

MARK S. BROWN  
CITY SURVEYOR

10/4/07  
DATE

C/A 1018

D. A second dwelling unit is permitted under Section 19.10.020 (O) of the Riverside Municipal Code ("Zoning Code"), subject to the recording of a covenant restricting the use of the property and the second dwelling unit, to ensure the Property maintains its residential character.

E. Declarants desire to restrict the use of the Property to residential and to put future owners on notice of the prohibition on the second dwelling unit as set forth by Section 19.10.020 (O) of the Riverside Municipal Code.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City for the granting of building permits, Declarants hereby covenant and agree with the City that the following restrictions shall apply to the Property:

1. The single-family residence and the second dwelling unit shall not be sold or encumbered separately, but shall remain as an integrated unit.

2. Either the single-family residence or the secondary dwelling unit shall be occupied by the record owners of the property at all times.

3. If the single-family residence or the second dwelling unit is not occupied by the record owners of the property for any period longer than thirty (30) days, one of the two dwelling units will be required to be converted to accessory living quarters or a guest house and the kitchen facilities shall be removed.

4. 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.

5. 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 and Agreement and Declaration of Restrictions may be enforced by the City, 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 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, or his designee, by a writing duly recorded.

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(Signatures on following page)



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

x *Arnulfo Felix*  
ARNULFO FELIX

x *Arcadia Felix*  
ARCADIA FELIX

APPROVED AS TO FORM:

*Kristi J. Smith*  
KRISTI J. SMITH  
Supv. Deputy City Attorney

APPROVED AS TO CONTENT:

*Katie Chamberlain*  
KATIE CHAMBERLAIN  
Planning Department

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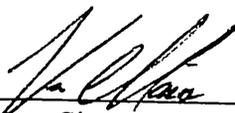


STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On September 20, 2007, before me, Veronica Macias, the undersigned, a notary public in and for said State, personally appeared Arnulfo Felix and Arcadio Felix 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.



  
\_\_\_\_\_  
Notary Signature



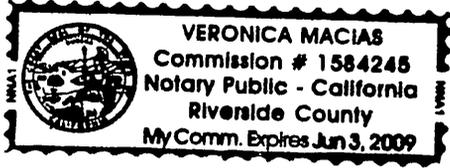
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WITNESS my hand and official seal.



*Veronica Macias*  
Notary Signature

