

WHEN RECORDED MAIL TO:

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

Project: 3470 Dwight Avenue
Riverside, CA 92507
APN: 211-112-007

DOC # 2007-0651763
10/23/2007 08:00A Fee: 19.00
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Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



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FOR RECORDER'S OFFICE USE ONLY

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 24th day of July, 2007, by TRAIAN COCAN, 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:

See Exhibit "A"

B. The Property, known as 3470 Dwight Avenue, 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 a 750 square foot accessory living quarters consisting of two bedrooms, a living room, a studio, 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 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

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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.

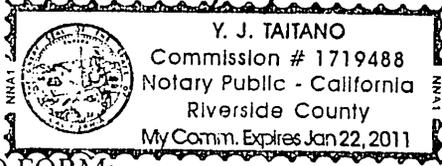
The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to reasonable attorney's fees, expert witness fees, and reasonable costs of suit.

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



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

Traian Cocan
TRAIAN COCAN



APPROVED AS TO FORM:

State of California
County of Riverside
Subscribed and sworn to (or affirmed) before me on this 23 day of October, 2007, by Traian Cocan personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
Signature [Signature]

APPROVED AS TO CONTENT:

Kristi J. Smith
Kristi J. Smith
Supv. Deputy City Attorney

Kyle Smith
Kyle Smith
Planning Division

SPOUSAL COMMUNITY RIGHTS IN THE COVENANT AND AGREEMENT

Dated _____

I am the spouse of TRAIAN COCAN, 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

Printed Name

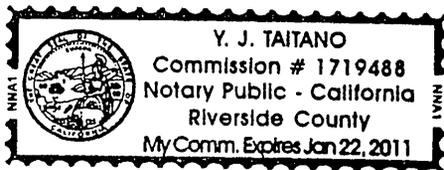
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07/10/07



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On July 14, 2007, before me, Y. J. Taitano, the undersigned, a notary public in and for said State, personally appeared Traian Cocan ~~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.



Y. J. Taitano
Notary Signature



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EXHIBIT "A"

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

Lot 52 of Assessor's Map No. 35, as shown by map on file in Book 1, Page 37 of Assessor's Maps, records of Riverside County, California.

DESCRIPTION APPROVAL.

BY: K. Stewart
FOR: MARK S. BROWN
CITY SURVEYOR

07/23/2007
DATE



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