

WHEN RECORDED MAIL TO:

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

Project: 3870 McKenzic Street
Riverside, CA 92503
APN: 191-322-016

DOC # 2008-0004611
01/04/2008 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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Ref MC title book									514

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 21 day of 12, 2007, by JUAN LUCERO GALINDO, a married man, and ROSARIO M. LUCERO GALINDO, an unmarried woman (collectively "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 3870 McKenzie Street, 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 796 square foot accessory living quarters as a second story addition with separate entrance consisting of three bedrooms and one and one half bathrooms.

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

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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, 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.

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(Signatures on following page)



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

Juan Lucero Galindo
JUAN LUCERO GALINDO

Rosario M. Lucero Galindo
ROSARIO M. LUCERO GALINDO

APPROVED AS TO FORM:

Kristi J. Smith
Kristi J. Smith
Supervising Deputy City Attorney

APPROVED AS TO CONTENT:

Kyle Smith
Kyle Smith
Planning Division

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CA: 07-2716
12/10/07



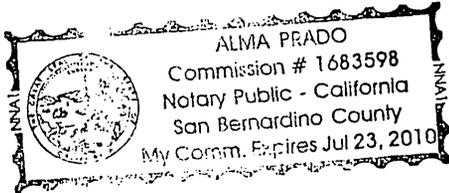
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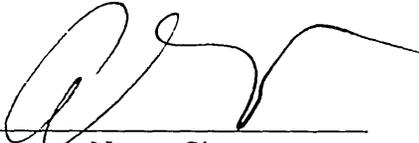
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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 12-21-2007, before me, Alma Prado, Notary Public, the undersigned, a notary public in and for said State, personally appeared Juan Lucero Galindo ~~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



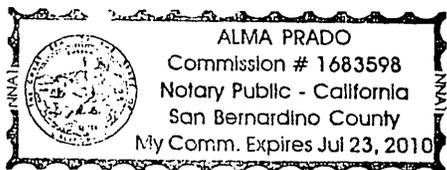
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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 12-21-2007, before me, Alma Prado, Notary Public the undersigned, a notary public in and for said State, personally appeared Rosario M. Lucero Galindo ~~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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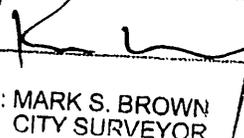
Exhibit "A"

Legal Description

LOT 17 OF MAGNOLIA TRACT, AS SHOWN BY MAP ON FILE ON BOOK 5, PAGE 136
OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

DESCRIPTION APPROVAL

BY:



12.11.07

DATE

FOR: MARK S. BROWN
CITY SURVEYOR



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