

WHEN RECORDED MAIL TO:

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

Project: 15990 Summit Crest Drive
Riverside, California 92506
APN: 245-090-030

DOC # 2008-0469873

08/26/2008 08:00A Fee:24.00

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Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM 513

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 11th day of August, 2008, by CHERRI L. SEBELIUS, as Trustee of the Russell and Cherri Sebelius Survivor's Trust, ("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 15990 Summit Crest Drive, Riverside, California is in the Residential Agricultural Zone and is developed with a single-family residence.

C. Declarant proposes to construct an approximately 810 square-foot accessory dwelling unit.

D. "Accessory Dwelling Unit" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code") Chapter 19.910 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 dwelling unit 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 dwelling unit 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 dwelling unit, and prohibiting the use of the accessory dwelling unit 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 dwelling unit 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 dwelling unit.
4. Neither the attached accessory dwelling unit 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, her 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.

Cheri L. Sebelius Trustee
CHERRI L. SEBELIUS,
Trustee

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

Michael L. Zimmerman
Michael L. Zimmerman
Planning Division

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CA 08-1566
07/03/08
KJS



ACKNOWLEDGMENT

State of California
County of Riverside

On August 4, 2008, before me, Ana Alvarado, a

notary public, personally appeared Cherri L. Sebelius Trustee, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Ana Alvarado (SEAL)
Signature

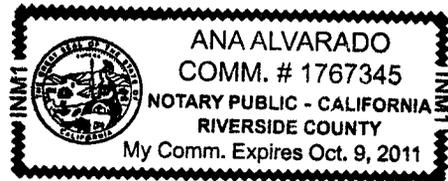


EXHIBIT "A"

PARCEL A:

That portion of the East Half of the East Half of the Southeast Quarter of the Southeast Quarter of Section 22, Township 3 South, Range 5 West, San Bernardino Meridian, described as follows:

COMMENCING at a point on the South line of said Section 22, distant 327.88 feet West of the Southeast corner, said point also being the intersection of the South line with the West line of the East Half of the East Half of the Southeast Quarter of the Southeast Quarter of said Section 22;

THENCE North 00° 10' 10" East, 43 feet to the POINT OF BEGINNING;

THENCE North 89° 27' 50" East, 272.18 feet to the beginning of a curve concave to the Northwest having a radius of 12.50 feet and a central angle of 89° 39' 40";

THENCE along said curve, a distance of 19.56 feet;

THENCE North 00° 11' 50" West, 333.58 feet;

THENCE South 89° 27' 35" West, 282.39 feet to the West line of the East Half of the East Half of the Southeast Quarter of the Southeast Quarter of said Section 22;

THENCE South 00° 10' 10" West, 346 feet to the POINT OF BEGINNING.

DESCRIPTION APPROVAL

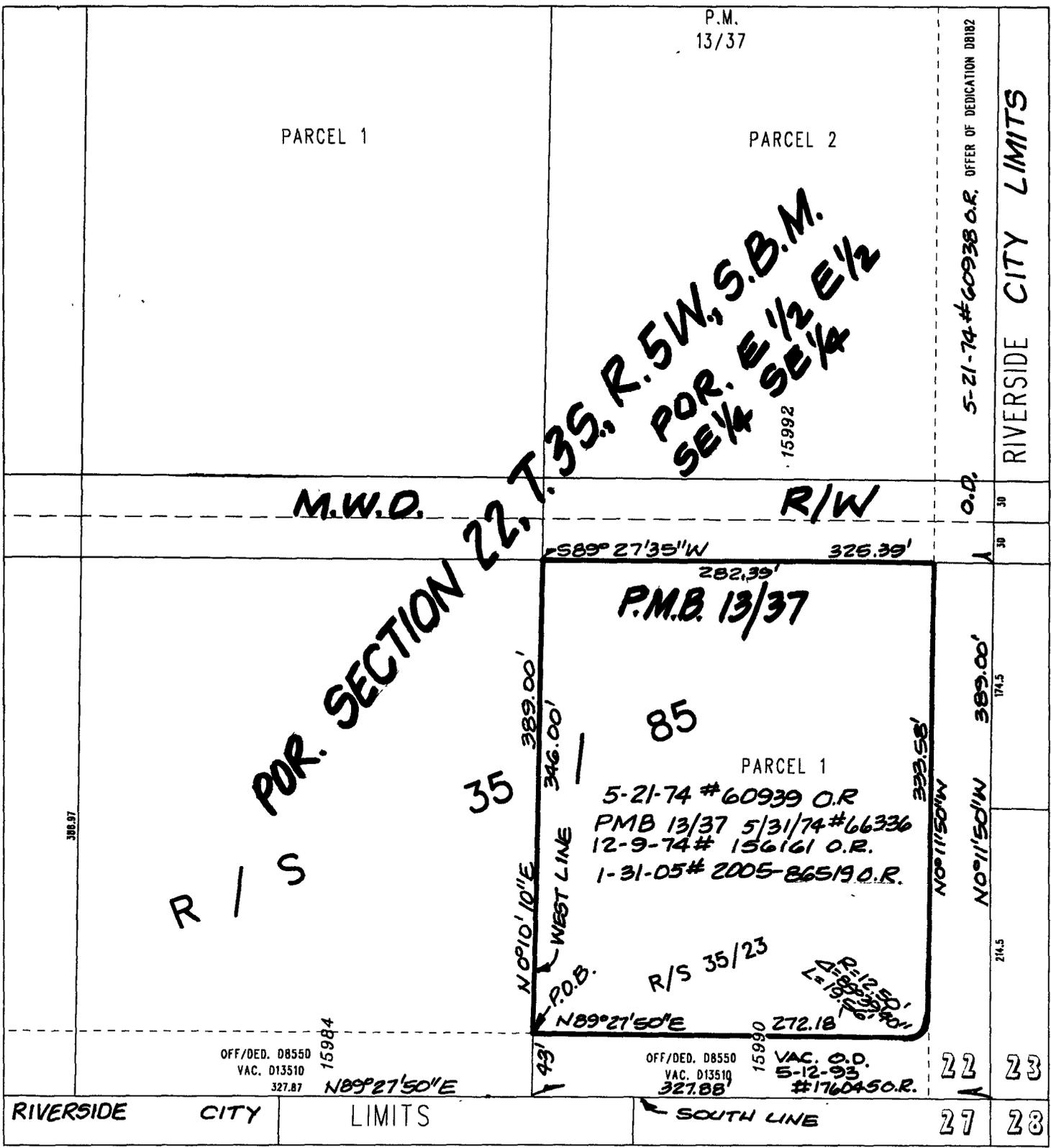
BY: K. Stewart 8/06/2008
DATE

FOR: MARK S. BROWN
CITY SURVEYOR



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◆ CITY OF RIVERSIDE, CALIFORNIA ◆

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THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

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Scale: 1" = 100'	Drawn by: sken	Date: 08/06/08	Subject: 15990 SUMMIT CREST - COV. & AGR.
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AID 1053