

WHEN RECORDED MAIL TO:

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

Project: 4407 Daniel Drive  
Riverside, CA 92503  
APN: 145-072-031

DOC # 2011-0439948  
10/05/2011 10:36A Fee:33.00  
Page 1 of 7  
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

(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 30 day of SEP, 2011, by ROBERT BENTON MANNING and YOLANDA ELISA MANNING, 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 4407 Daniel Drive, Riverside, California, is in the R-1-7000, Single Family Residential Zone.

C. Declarants have applied to the City of Riverside to construct a new 749 sq. ft. Accessory Dwelling Unit (guest house) consisting of a bedroom, bathroom, living room, wet bar and laundry room.

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 Declarants 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. Declarants desire to restrict the use of the Property to single-family residential and to put future owners on notice of

CIA 1162

the prohibition on the Accessory Dwelling Unit from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the 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, 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 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.

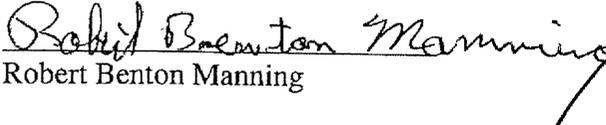
The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to reasonable attorney's fees, expert witness fees, and reasonable costs of suit.

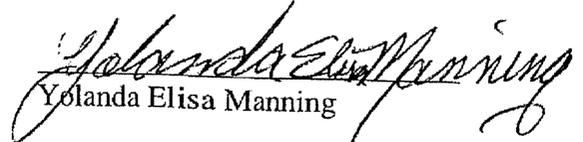
This Covenant shall run with the land and each and all of its terms shall be binding upon Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Director of the Planning Division of the City of Riverside, California, by a writing duly recorded.



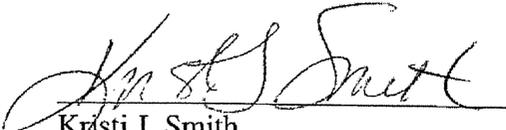
IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.

ROBERT BENTON MANNING AND YOLANDA ELISA MANNING , HUSBAND AND WIFE AS JOINT TENANTS

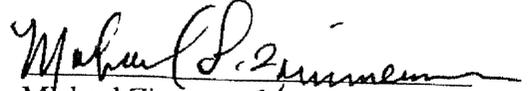
  
Robert Benton Manning

  
Yolanda Elisa Manning

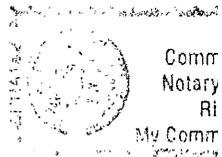
APPROVED AS TO FORM:

  
Kristi J. Smith  
Supv. Deputy City Attorney

APPROVED AS TO CONTENT:

  
Michael Zimmerman  
Planning Division

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CA: 11-2366



ACKNOWLEDGMENT

State of California  
County of Riverside

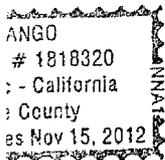
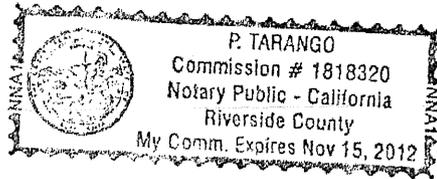
On 29th Sept 2011, before me, P. TARANGO, a

notary public, personally appeared YOLANDA ELISA MANNING, 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.

P. Tarango - Notary (SEAL)  
Signature



ACKNOWLEDGMENT

State of California  
County of RIVERSIDE

On 29th Sept 2011, before me, P. TARANGO, a

notary public, personally appeared Robert BENTON MANNING, 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.

P. Tarango - NOTARY (SEAL)  
Signature



P. TARANGO  
Commission # 1818320  
Notary Public - California  
Riverside County  
Expires Nov 15, 2012



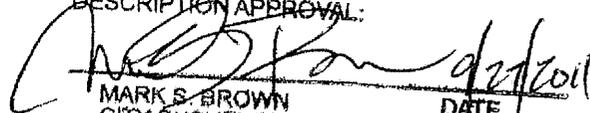
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10/05/2011 10:36A  
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C/A 116

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

THE REAL PROPERTY IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA LOCATED AT 4407 DANIEL DRIVE, RIVERSIDE, CALIFORNIA 92503 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: "LOT 48, OF TRACT NO. 4150, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE(S) 59 AND 60, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY"

DESCRIPTION APPROVAL:  
  
MARK S. BROWN CITY SURVEYOR      DATE 10/27/2011



2011-0439948  
10/05/2011 10:36A  
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C/A 116

RECORDING REQUESTED BY:  
ORANGE COAST TITLE COMPANY

AND WHEN RECORDED, MAIL TO:

ROBERT BENTON MANNING  
4407 DANIEL DRIVE  
RIVERSIDE, CA 92503

DOC # 2002-434194

08/07/2002 08:00A Fee:27.00

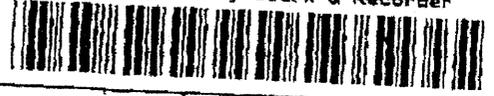
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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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### GRANT DEED

TRA 09

ASSESSOR'S PARCEL NO.: 145-072-031

TITLE ORDER NO.: R-212294-15

ESCROW NO.: R16014-JD

TRA# 009-010

The undersigned Grantor(s) declare that the DOCUMENT TRANSFER TAX IS:

\$ 308.00 County City

computed on the full value of the interest of property conveyed, or  
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.

OR transfer is EXEMPT from tax for the following reason:

R-212294-15

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, THOMAS C. BOUCHER and YOKO BOUCHER, as Co-Trustees of the Thomas C. Boucher and Yoko Boucher Family Trust, Dated March 30, 1995.

hereby GRANT(S) to ROBERT BENTON MANNING AND YOLANDA ELISA MANNING, HUSBAND AND WIFE AS JOINT TENANTS all that real property situated in the City of RIVERSIDE, County of RIVERSIDE, State of CA, described as: LOT 48, OF TRACT NO. 4150, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE(S) 59 AND 60, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Dated July 5, 2002

State of California  
County of Riverside

On July 11, 2002, Before me Marian R. Paul

Personally appeared Thomas C. Boucher and Yoko Boucher  
Personally known to me (or provided 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.

Thomas C. Boucher  
THOMAS C. BOUCHER, Trustee

Yoko Boucher  
YOKO BOUCHER, Trustee

WITNESS my hand and official seal

Marian R. Paul  
Signature



(This area for official notary seal)

MAIL TAX STATEMENTS TO:  
ROBERT BENTON MANNING  
4407 DANIEL DRIVE  
RIVERSIDE, CA 92503



CIA 110