

RECORDING REQUESTED

WHEN RECORDED MAIL TO:

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

Project: Zoning Case C-11-901
1555 Bradley Street
Riverside, California

RECEIVED FOR RECORD

Mr. Paul J. O'Grady M.

MAR 18 1991

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ / /

COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this _____ day of _____, 1991, by DELPHUS W. MONTAGNE and MARY ANN MONTAGNE, husband and wife, with reference to the following facts:

A. The undersigned are the fee owners of the following described real property (the "Property") situated in the City of Riverside, County of Riverside, State of California:

Parcel 2 of Parcel Map 8584 as shown by map on file in Book 34, Pages 15 and 16 of Parcel Maps, records of Riverside County, California.

B. The Property, which is located at 1555 Bradley Street, Riverside, California, is developed with a single-family house as the primary dwelling unit, an attached garage, and a prefabricated barn. The undersigned desire to construct an approximately 1,000 square foot "stick-built" auxiliary dwelling unit detached from the primary dwelling unit.

C. "Auxiliary dwelling unit" is defined by Section 19.04.037 of the Riverside Municipal Code to mean a dwelling unit located on property zoned for single-family residential use which is subsidiary to the primary dwelling unit situated on that property and which is established by a conditional use permit pursuant to Section 19.64.030 of the Riverside Municipal Code and pursuant to the criteria set forth in paragraph (13) of Section 19.07.030 of said Riverside Municipal Code.

D. The City of Riverside (the "City") has required, as a condition of approval of a conditional use permit in Zoning Case C-11-901, that certain restrictions be placed upon the Property with regard to the use of the auxiliary dwelling unit so that it shall only be occupied in accordance with the provisions of Section 19.07.030(13) of the Riverside Municipal Code and that should the

DESCRIPTION APPROVAL 2/15/91
George P. Antele
SURVEYOR, CITY OF RIVERSIDE

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use of the auxiliary dwelling unit cease or the conditional use permit expire, the unit will be converted to a guest house.

NOW, THEREFORE, the undersigned hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The auxiliary dwelling unit shall be occupied solely in accordance with Section 19.07.030(13) of the Riverside Municipal Code and the conditions of approval in Zoning Case C-11-901, including but not limited to the following provisions:

a. The auxiliary dwelling unit shall have no separate address or house number.

b. The auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit; separate utility meters and laterals shall not be installed.

c. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).

d. Each occupant of the auxiliary dwelling unit shall be 60 years of age or older.

e. Either the primary dwelling unit or the auxiliary dwelling unit on the Property shall be occupied by the legal owner of the Property.

f. The auxiliary dwelling unit shall be screened from adjacent property by opaque fencing or landscaping to the approval of the staff of the City's Planning Department.

g. The auxiliary dwelling unit shall be established in such a way as to minimize its visibility from adjacent streets and properties.

h. At least one covered parking space shall be provided for the auxiliary dwelling unit in addition to any parking requirement for the primary dwelling unit. The parking provided by the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit.

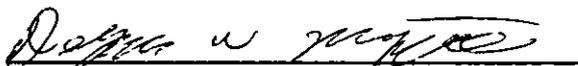
2. When the use as an auxiliary dwelling unit in accordance with Section 19.07.030(13) of the Riverside Municipal Code ends, the Property shall revert to single-family residential use and the auxiliary dwelling unit shall be removed from the Property or converted to an accessory building or guest house pursuant to the plan submitted by the undersigned to the Riverside Planning Department by removing the kitchen to the satisfaction of the Planning Director. The removal of the kitchen shall include but not

necessarily be limited to the removal of any double sink; the removal of any standard refrigerator; the removal of any 220 electric lines; and the removal of any gas lines. A single basin sink and an undercounter refrigerator may be placed in a guest house for use as a wet bar. No kitchen facilities are permitted in an accessory building used for accessory living quarters. The single-family house and the accessory building or guest house shall be used as one dwelling unit. Neither building shall be used as a separate dwelling unit or separate living quarters from the other. Neither building shall be sold, rented or leased separately from the other unit.

3. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, 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.

4. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon the undersigned, their heirs, successors and assigns, and shall continue in effect until such time as released by the City Council of the City of Riverside, California.

IN WITNESS WHEREOF the undersigned have caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.



 DELPHUS W. MONTAGNE



 MARY ANN MONTAGNE

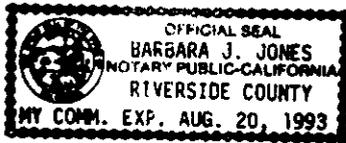
STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

On this 16TH day of MARCH, 1991, before me,
Public, personally appeared DELPHUS W MONTAGNE
MARY ANN MONTAGNE

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) are subscribed to the
within instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.



Barbara J Jones
Notary's Signature