

284096

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522

Project: Building Permit for
7250 Orchard Street
Riverside, California
Variance Case VR-188-901

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL 23 1993

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$

733

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 21st day of July, 1993, by DAVID A. ALFARO and ERMILA ALFARO, husband and wife, with reference to the following facts:

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

Lot 16 of Madison Park, as shown by map on file in Book 14, pages 82 and 83 of Maps, records of Riverside County, California. Excepting therefrom any portion thereof included in the right of way of the Riverside Water Company Canal.

B. The Property, known as 7250 Orchard Street, Riverside, California, is developed with a single-family house.

C. The undersigned desire to construct a new single-family dwelling on the property. In addition, the undersigned desire to construct a detached two-story garage/guest house with the guest house located above the four-car garage and consisting of a bedroom, bathroom and a family room.

D. "Accessory living quarters" is defined by Section 19.04.020 of the Riverside Municipal Code to mean living quarters within an accessory building located on the same premises with the main building,

DESCRIPTION APPROVAL: 7/21/93
George P. Hutzler
SURVEYOR, CITY OF RIVERSIDE

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 and as a condition of Variance Case VR-188-901, the City of Riverside is requiring the undersigned to execute and record a Covenant and Agreement which places certain restrictions on the accessory building to ensure the single-family residential use of the property and which requires removal of the existing single-family dwelling upon occupancy of the new single-family dwelling.

F. The undersigned desires to restrict the use of the Property to single-family residential and to comply with the condition imposed by the City of Riverside.

NOW, THEREFORE, for the purposes of complying with a condition of approval of Variance Case VR-188-901 by the City of Riverside and restricting the use of the Property to single-family residential, the undersigned hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house and the accessory building containing the guest quarters 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 building. Kitchen facilities shall not be permitted, maintained or installed in the guest house. No commercial or business activity shall be conducted on the Property. The required on-site covered parking shall be maintained at all times.

2. The single-family dwelling existing on the Property shall be removed immediately when the new single-family dwelling being constructed behind the existing single-family dwelling is occupied.

The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be entitled to court costs, including reasonable attorneys' fees.

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, and 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 has caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

David A. Alfaro 284096
DAVID A. ALFARO

Emila Alfaro
ERMILA ALFARO

APPROVED AS TO CONTENT:

Richard Ebertman
Planning Department

APPROVED AS TO FORM;

Kathleen M. Gonzal
Assistant City Attorney

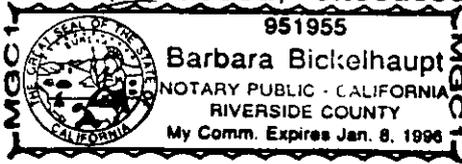
State of California)
County of RIVERSIDE) ss

284096

X

On 7-31-93, before me BARBARA BICKELHAUPT
(date) (name and title of the officer)
personally appeared DAVID A ALFARO & ERMI LA ALFARO

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.

Barbara Bickelhaupt
Signature

CAPACITY CLAIMED BY SIGNER

- () Attorney-in-fact
- () Corporate Officer(s)
Title _____ Title _____
- () Guardian /Conservator
- Individual(s)
- () Partner(s)
() General () Limited
- () Trustee(s)
- () Other _____

The party(ies) executing this document is/are representing:

