

501401

WHEN RECORDED MAIL TO:

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

Project: Building Permit for
10364 Wells Avenue
Riverside, California

RECEIVED FOR RECORD
AT 12:00 O'CLOCK

DEC 16 1993

Recorded in Official Records
of Riverside County, California
W. J. [Signature] Recorder
Fees \$

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this *3rd* day of *December*, 1993, by VICTOR SAMANO and LETICIA SAMANO, husband and wife, hereinafter collectively referred to as "Declarants" with reference to the following facts:

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

That portion of Lots 3 and 4 in Block 10 of La Granada as shown by map on file in Book 12, Pages 42 through 51, inclusive, of Maps, records of Riverside County, California, described as follows:

COMMENCING at the most westerly corner of said Lot 4;

THENCE North 43° 57' 13" East, along the southeasterly line of Wells Avenue, a distance of 19.00 feet to the TRUE POINT OF BEGINNING;

THENCE South 30° 19' 00" East, parallel with the southwesterly line of said Lot 4, a distance of 168.00 feet;

THENCE North 58° 26' 20" East, a distance of 53.91 feet;

THENCE South 30° 19' 00" East, a distance of 126.72 feet to the southeasterly line of said Lot 4;

THENCE South 45° 54' 34" West, along the Southeasterly line of said Lots 3 and 4, a distance of 138.46 feet;

THENCE North 30° 36' 17" West, a distance of 303.39 feet to

the said southeasterly line of said Wells Avenue;

THENCE North 43° 57' 13" East, along said southeasterly line of said Wells Avenue, a distance of 85.30 feet to the TRUE POINT OF BEGINNING.

B. The Property, known as 10364 Wells Avenue, Riverside, California, is developed with a single-family residence, a detached garage and carport, and an accessory building previously used as a barn. Prior owners of the Property previously converted the barn to accessory living quarters consisting of a living room, two bedrooms, a bathroom and a closet. Declarants desire to obtain a building permit to legalize the conversion of the accessory building into accessory living quarters.

C. "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, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

D. As a condition for the issuance of a building permit for the Property, the City of Riverside is requiring Declarants to execute and record a Covenant and Agreement which places certain restrictions on the accessory living quarters to ensure the single-family residential use of the Property so that it will not mistakenly be used as two dwelling units, as one primary dwelling unit and one auxiliary dwelling unit or for commercial or business activity.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for issuance of a building permit for the conversion of the barn to accessory living quarters, and restricting the use of the Property to single-family residential, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house and the accessory living quarters converted from the barn shall be used as one dwelling unit.

2. No kitchen facilities shall be permitted, maintained or installed in the accessory living quarters constructed in the accessory building.

3. Neither the accessory living quarters nor the existing house shall be sold, rented or leased separately from the other.

4. 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.

DESCRIPTION APPROVAL 12/3/93

K. A. Shacht
SURVEYOR, CITY OF RIVERSIDE

5. The on-site covered parking required by Title 19 of the Riverside Municipal Code shall be maintained at all times.

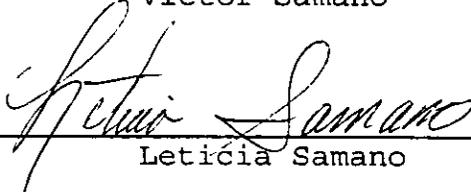
6. The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside bring an action to enforce any of the terms of this Covenant and Agreement and Declaration of Restrictions, the prevailing party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

7. This Covenant and Agreement and Declaration of Restrictions 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 Planning Director of the City of Riverside, California.

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



 Victor Samano



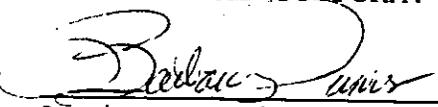
 Leticia Samano

APPROVED AS TO CONTENT:



 Planning Department

APPROVED AS TO FORM:

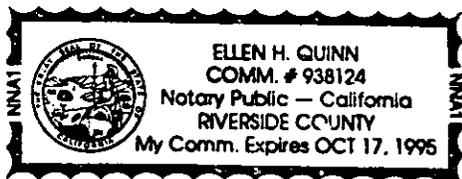


 Assistant City Attorney

State of California)
) SS
 County of Riverside)

On December 3, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Victor Samano and Leticia Samano

~~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.

Ellen H. Quinn
 Signature

CAPACITY CLAIMED BY SIGNER

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

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