

114448

WHEN RECORDED MAIL TO:

CITY CLERK
City of Riverside
City Hall, 3900 Main Street
Riverside, California 92522
FREE RECORDING (Government Code 6103)
Project: Parcel Map 27395
Zoning Case C-14-845

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

MAR 18 1994

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$

[Handwritten signature]

[Handwritten mark]

RELEASE OF
COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS RELEASE OF COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 11th day of February, 1994, by the CITY OF RIVERSIDE, a municipal corporation ("City"), with reference to the following facts:

A. As a condition to the granting of a conditional use permit for an auxiliary dwelling unit in Zoning Case C-14-845, City required the owners of the property located at 2148 Skye Drive, Riverside, California, and hereinafter described, to execute an record a covenant and agreement placing certain restrictions on the property and the use of the auxiliary dwelling unit to be built thereon. The property (the "Property") is located in the City of Riverside, County of Riverside, State of California and was described as follows:

Lot 8 of Tract No. 7757-1 as shown by map on file in Book 118 of Maps at pages 44 through 46 inclusive thereof, records of Riverside County, California.

B. To meet one of the requirements of the issuance of the conditional use permit for an auxiliary dwelling unit in Zoning Case C-14-845, on March 14, 1985, **CARL M. DAVIS and VIRGINIA P. DAVIS**, as owners of the Property, executed a Covenant and Agreement and Declaration of Restrictions which was subsequently recorded on March 22, 1985, as Instrument No. 59317 of Official Records of Riverside County, California. The Covenant and Agreement and Declaration of Restrictions provides that it is to run with the land and each and all of its terms shall be binding upon the owners of the Property 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.

C. Thereafter an auxiliary dwelling unit was built upon the Property and occupied in accordance with the conditional use permit issued by City in Zoning Case C-14-845.

DESCRIPTION APPROVAL 3/10/94
[Handwritten signature] by WF
SURVEYOR, CITY OF RIVERSIDE

D. In 1992, an application was filed with City to divide the Property into two parcels by Parcel Map 27395. The primary dwelling unit and a new detached carport and related driveway would be on Parcel 1 of Parcel Map 27395, and the auxiliary dwelling unit and carport would be on Parcel 2 of Parcel Map 27395.

E. As a condition of the approval of Parcel Map 27395, the Covenant and Agreement and Declaration of Restrictions executed by Carl M. Davis and Virginia P. Davis on March 14, 1985 and recorded on March 22, 1985 as Instrument No. 59317, Official Records of Riverside County, California is to be released as the existing auxiliary dwelling unit is to become the primary dwelling on Parcel 2 of Parcel Map 27395 and the Covenant and Agreement and Declaration of Restrictions will no longer be applicable.

F. By action duly taken on February 22, 1994, the City Council of the City of Riverside authorized the release of the Covenant and Agreement and Declaration of Restrictions executed by Carl M. Davis and Virginia P. Davis on March 14, 1985 and recorded on March 22, 1985, as Instrument No. 59317, Official Records of Riverside County, California, and directed the Planning Director to execute such release on its behalf.

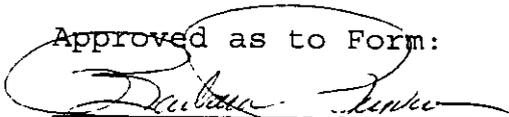
NOW, THEREFORE, incorporating the above recitals, the City of Riverside, acting by and through its Planning Director, hereby releases the Property from the Covenant and Agreement and Declaration of Restrictions executed by Carl M. Davis and Virginia P. Davis on March 14, 1985, and recorded March 22, 1985, as Instrument No. 59317, Official Records of Riverside County, California, and said Covenant and Agreement and Declaration of Restrictions shall be of no force and effect as of the date of this Release.

IN WITNESS WHEREOF City, acting by and through its Planning Director, has caused this Release of Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.

CITY OF RIVERSIDE, a
municipal corporation


Planning Director
STEPHEN J WHYLD

Approved as to Form:


Assistant City Attorney

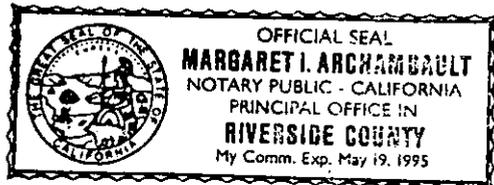
State of California)
) ss
County of Riverside)

On February 11, 1994, before me, the undersigned, a notary public in and for said State personally appeared _____

Stephen J. Whyld

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.



Margaret I. Archambault
Signature

CAPACITY CLAIMED BY SIGNER

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

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

