

145261

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WHEN RECORDED MAIL TO:

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

APR 23 1996

Project: Variance Case VR-065-956
10330 Bonita Avenue
Riverside, California

Recorded in Official Records
of Riverside County, California

Recorder
Fees \$ 15

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this _____ day of _____, 1996, by SALVADOR VALADEZ, a married man ("Declarant"), with reference to the following facts:

A. Declarant 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 43 of Castle Homes as shown by map on file in Book 36, Pages 17 and 18 of Maps, records of Riverside County, California.

B. The Property, known as 10330 Bonita Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single-family residence with attached garage and an accessory building originally used as a garage. Declarant proposes to legalize the conversion of the accessory building from a detached garage to accessory living area and the construction of an approximately 50-square foot addition to the accessory building.

C. Since the accessory building is approximately 840 square feet where a maximum 750 square-foot accessory structure is permitted and as the accessory building encroaches up to 17 feet into the 25-foot rear yard setback, variances from the City of Riverside Zoning Regulations as set forth in Title 19 of the Riverside Municipal Code are necessary, and Declarant has filed an application for such variances with the City of Riverside ("City") in Variance Case VR-065-956.

D. As a condition to the approval of the variances granted by City in Variance Case VR-065-956, Declarant is required to record a covenant and agreement stating that the guest house

DESCRIPTION APPROVAL
C. K.G. Shaw 4/19/96

H/65-7
C/A-501

will not contain kitchen facilities, nor be used as a separate residence.

E. "Guest house" is defined by Section 19.04.165 of the Riverside Municipal Code to mean living quarters within an accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, having no kitchen, and not rented or otherwise used as a separate dwelling.

F. Declarant desires to record a covenant and agreement acceptable to the Planning and Legal Departments of the City which meets the above-referenced condition imposed in Variance Case VR-065-956 and restricts the use of the Property for single-family residential so that the Property will not mistakenly be used for two dwelling units, for one primary dwelling unit and one auxiliary dwelling unit, or for commercial or business activity.

NOW, THEREFORE, for the purpose of complying with a condition of approval for the granting of variances by the City of Riverside in Variance Case VR-065-956 and restricting the use of the Property to single-family residential, Declarant 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 subject to the granting of variances in Variance Case VR-065-956 shall be used as one dwelling unit.

2. No kitchen facilities shall be permitted, maintained or installed in the above-mentioned accessory building.

3. Neither the accessory building nor the existing residence 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.

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.

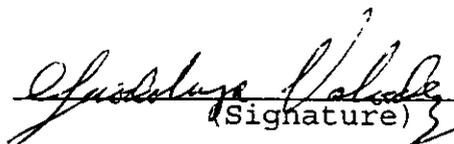
7. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be

binding upon Declarant, his heirs, successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City of Riverside, California, by a writing duly recorded.

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


Salvador Valadez

I, as the wife of Salvador Valadez, hereby consent to and join in the above Covenant and Agreement and Declaration of Restrictions and agree to be bound by the terms and conditions therein contained.


(Signature)
GUADALUPE VALADEZ
(Print Name)

Approved as to Content:

Planning Department

Approved as to Form:

Assistant City Attorney

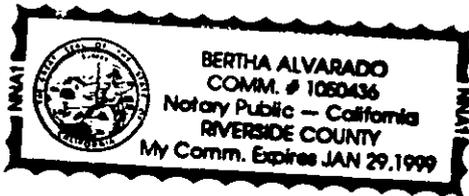
State of California)
County of Riverside) ss

On APRIL 17, 1996, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared

SALVADOR VALADEZ
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.

Bertha Alvarado
Signature



State of California)
County of Riverside) ss

On APRIL 17, 1996, 1996, before me, the undersigned, a Notary Public/in and for said State, personally appeared

GUADALUPE VALADEZ
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