

WHEN RECORDED MAIL TO:

197918

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

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK



Project: Plan Check  
3419 Spruce Street  
Riverside, California

JUN - 5 1997

Recorded in Official Records  
of Riverside County, California  
Recorder

Fees \$ 21

COVENANT AND AGREEMENT AND  
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 4<sup>th</sup> day of JUNE, 1997, by MARGARITA JARAMILLO, ("Declarant"), with reference to the following facts:

A. Declarant is the fee owner of the following real property ("the Property") situated in the City of Riverside, County of Riverside, State of California, as described in a Certificate of Compliance recorded May 29, 1997, as Instrument No. 187602, Records of Riverside County, California, and more particularly described in Exhibit "A", attached hereto.

B. The Property was held by Salvador and Margarita Jaramillo as joint tenants until the death of Salvador Jaramillo on August 10, 1992.

C. The Property, known as 3419 Spruce Street, Riverside, California, is in the Single-Family Residential ("R-1-65") Zone and is developed with a single-family residence with attached garage and a building which formerly was a garage but which has been rehabilitated into a game room and guest house ("garage conversion").

D. Declarant has filed an application with the City of Riverside ("City") for a building permit to construct a second floor addition to the existing residence, which addition will include two bedrooms and a bathroom (collectively, "addition"). The addition may be entered only from the outside, which outside entrance could cause confusion as to whether a second dwelling unit exits on the Property.

E. As a condition to the approval by the City of the plans for the proposed addition, Declarant is required to record a covenant and agreement restricting use of the addition and the garage conversion to permitted accessory uses to the main residence and indicating that neither the addition nor the garage conversion shall be used as separate dwelling units and that only one kitchen is permitted on the Property.

F. Declarant desires to record a covenant and agreement acceptable to the City which meets the above-referenced conditions and restricts the use of the Property to single-family residential so that the Property will not mistakenly be used for two or three dwelling units, for one primary dwelling unit and one or two auxiliary dwelling units, or for commercial or business activity.

NOW, THEREFORE, for the purpose of complying with a condition of approval by the City of Riverside of the plans for the addition to the residence on the Property 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 room addition and the garage conversion shall be used as one dwelling unit, and that neither the room addition nor the garage conversion will be used as a second dwelling unit.

2. Neither the existing residence nor the room addition or garage conversion shall be sold, rented or leased separately from the other.

3. Only one kitchen shall be permitted, maintained or installed in the single-family residence including the addition and garage conversion. No additional kitchens shall be permitted on the Property.

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, her 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.

Margarita Jaramillo  
Margarita Jaramillo

Approved as to Content:

[Signature]  
Planning Department

Approved as to Form:

Cawley Confer 6-5-97  
Assistant City Attorney

CC/sa  
06/03/97

State of California )  
County of RIVERSIDE ) ss

On JUNE 4<sup>TH</sup>, 1997, before me, the undersigned,  
a Notary Public in and for said State, personally appeared

MARGARITA JARAMILLO  
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.



Ligia Leos  
Signature

197918

EXHIBIT A

PARCEL 1

THAT PORTION OF LOT 40 OF THE LANDS OF THE SOUTHERN CALIFORNIA COLONY ASSOCIATION AS SHOWN BY MAP ON FILE IN BOOK 7, PAGE 3 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 15 TOGETHER WITH THE SOUTHEASTERLY 25.00 FEET OF LOT 14, BOTH AS SHOWN BY ASSESSOR'S MAP NO. 1 ON FILE IN BOOK 1, PAGE 1 OF ASSESSOR'S MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

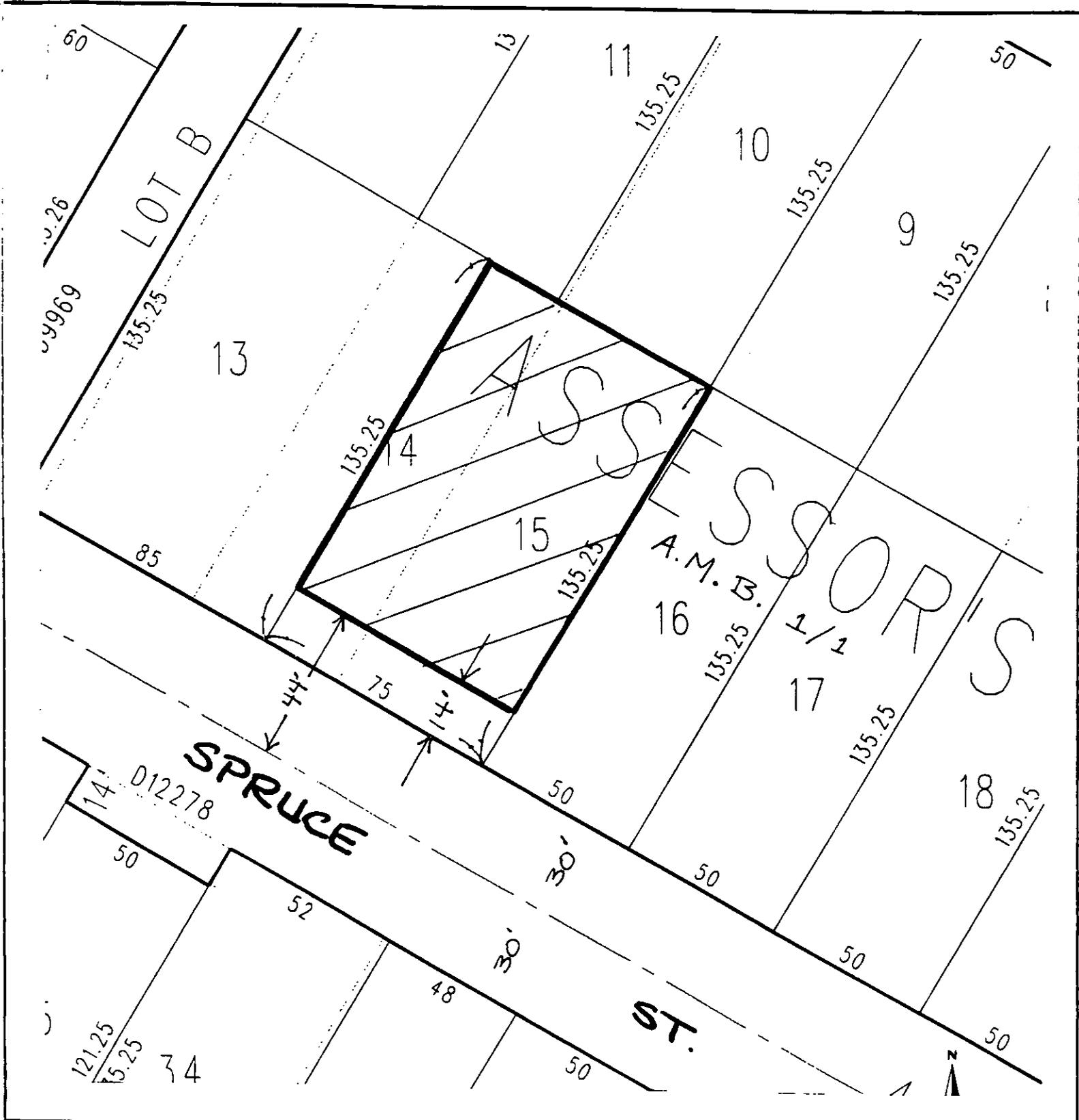
SUBJECT TO THAT PORTION CONVEYED TO THE CITY OF RIVERSIDE AS A PUBLIC ROAD EASEMENT OVER THE SOUTHWESTERLY 14.00 FEET OF SAID PARCEL 1, DESCRIBED ABOVE.

DESCRIPTION APPROVAL 4 29, 77  
Amel S. Br  
ALTERNATE CLERK OF RIVERSIDE

co003967.DSC

EXHIBIT A

C/A 563



• CITY OF RIVERSIDE, CALIFORNIA •

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

SHEET 1 OF 1

SCALE: 1" = NTS.

DRAWN BY MSD DATE 4/29/97

SUBJECT CO-003-967