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WHEN RECORDED MAIL TO:

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

Project: Building Permit for
3343 Spruce Street
Riverside, California

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

JUL - 2 1997

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$

12

For Recorder's Office Use Only

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS



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THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10th day of June, 1997, by JAVIER BERNAL and YOLANDA O. BERNAL, husband and wife as joint tenants, ("Declarants") with reference to the following facts:

A. 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 Lot 40 of the Lands of Southern California Colony Association as shown by map on file in Book 7 of Maps, at page 3 thereof, records of San Bernardino County, California, described as follows:

Commencing at the southeasterly corner of said Lot 40;

Thence northerly along the easterly line of said lot, 330.50 feet;

Thence at a right angle westerly and parallel with the southerly line of said lot, 200 feet for the True Point of Beginning;

Thence at a right angle northerly and parallel with the easterly line of said Lot 40, a distance of 165.25 feet;

Thence at a right angle westerly and parallel with the southerly line of said lot, 50 feet;

Thence at a right angle southerly and parallel with the easterly line of said lot, 165.25 feet;

Thence at a right angle easterly and parallel with the southerly line of said lot, 50 feet to the True Point of Beginning;

Excepting therefrom the southerly rectangle 30 feet thereof for roadway;

Said land is also shown as Lot 21 of Assessor's Map in Book 1, Page 1 of Assessor's Maps, records of Riverside County, California.

B. The Property, known as 3343 Spruce Street, Riverside, California, is located in a Single Family Residential ("R-1-65") Zone and is developed with a single-family residence and detached garage.

C. Declarants desire to convert the existing detached garage to accessory living quarters and to construct a new carport behind the existing house to meet the requirements of the Zoning Code of the City of Riverside for on-site covered parking. The living quarters will contain a bedroom, a game room, a storage/utility room and a bathroom.

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

E. As a condition to the issuance of the building permit for the conversion of the detached garage to accessory living quarters, the City of Riverside is requiring Declarants to execute and record a Covenant and Agreement which places certain restrictions on the Property to ensure the single-family residential use of the Property so that the single-family residence and the detached garage converted to accessory living quarters 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, 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 living quarters located in the accessory building shall be used as one dwelling unit.

2. No kitchen facilities shall be permitted, maintained or installed in any part of the detached garage converted to accessory living quarters.

3. Neither the detached garage to be converted to accessory living quarters or the main 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 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 by a writing duly recorded.

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

Javier Bernal
Javier Bernal

Yolanda O. Bernal
Yolanda O. Bernal

Approved as to Content:

Approved as to Form:

D. D. D.
Planning Department

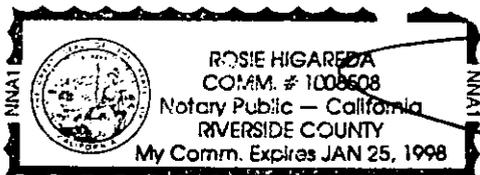
[Signature]
Assistant City Attorney

State of California)
County of Riverside) ss

On June 10, 1997, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared

Javier Bernal and Yolanda O. Bernal
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.



[Signature]
Signature