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JAN 14 1998

Recorded in Official Records
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Recorder

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FOR RECORDER'S OFFICE USE ONLY

Project: Zoning Case CU-041-967
5744 Crest Avenue
Riverside, California

COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS
FOR AN AUXILIARY DWELLING UNIT

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS
is made and entered into this 13th day of January, 1998, by
ANN ROMBERG IGOE, a single woman, (hereinafter referred to as
"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 18 of LA GRANADA, as shown by map on
file pages 42 thru 51 inclusive of Maps,
recorded in Riverside County, California.

B. The Property, known as 5744 Crest Avenue,
Riverside, California, is zoned for Rural Residential use
("RR"), and is currently developed with an approximately 884
square foot single-family residence on approximately 1.65
acres. Declarant desires to move a manufactured dwelling
unit onto the property to serve as a primary dwelling unit,
and utilize the currently existing single-family residence
as an auxiliary dwelling unit.

C. "Auxiliary dwelling unit" is defined by Title 19
of the Riverside Municipal Code ("Zoning Code") to mean a
dwelling unit located on a property zoned for single family
residential use which is a subsidiary to the primary
dwelling unit situated on that property. Such a unit is to
be established by a conditional use permit, and pursuant to
specific criteria as set forth in said Zoning Code.

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CITY CLERK

D. Since the subject auxiliary dwelling unit is approximately 884 square feet, over half the size of the proposed primary dwelling unit, a variance from the Riverside Zoning Regulations as set forth in Title 19 of the Zoning Code is necessary. Declarant filed an application for such variance in Zoning Case CU-041-967 and said variance has been granted.

E. The City of Riverside has required, as a condition of the approval of the minor conditional use permit for the auxiliary dwelling unit in Zoning Case CU-041-967, that certain restrictions be placed upon the Property with regard to the use of the auxiliary dwelling unit so that it shall only be occupied in accordance with Title 19 of the Riverside Municipal Code and certain other conditions of approval for said conditional use permit.

NOW, THEREFORE, for the purpose of complying with certain conditions imposed by the City of Riverside for the issuance of a Conditional Use Permit, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The auxiliary dwelling unit shall be occupied solely in accordance with Title 19 of the Riverside Municipal Code and the conditions of approval in Zoning Case CU-041-967, including but not limited to the following provisions:

a. The number of occupants of the auxiliary dwelling unit shall be no more than two (2).

b. Each occupant of the auxiliary dwelling unit shall be 60 years of age or older.

c. Either the primary dwelling unit or the auxiliary dwelling unit on the Property shall be occupied by the legal owner(s) of the Property.

d. Should the occupancy of the auxiliary dwelling unit change, the kitchen facilities will be removed, and said unit will not be used as a separate dwelling.

e. The auxiliary dwelling unit shall have no separate address or house number.

f. The auxiliary dwelling unit shall have full utility and sanitary hookups in conjunction with the primary dwelling unit; separate utility meters and laterals shall not be installed.

g. A minimum of one covered parking space shall be provided for the auxiliary dwelling unit in addition to any

parking requirement for the primary dwelling unit. All covered parking spaces shall be served by a common driveway system.

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

3. 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 to be executed as of the day and year first written above.

Ann Romberg Igoe
Ann Romberg Igoe

APPROVED AS TO CONTENT:

Robert C. Meuse
Planning Department

APPROVED AS TO CONTENT:

Kathleen M. Gonzales
Assistant City Attorney

State of California)
County of Riverside)^{SS}

On January 13, 1998, before me, the undersigned,
a notary public in and for said State, personally appeared

Ruth Romberg Igoe

~~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.

Eva A. Correa
Signature

CAPACITY CLAIMED BY SIGNER

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

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