

VF

WHEN RECORDED MAIL TO:

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

RECEIVED FOR RECORD
AT 8:00 AM
MAY -3 1999

Project: Variance Case VR-109-989
5030 Butler Drive
Riverside, California

Recorded in Official Records
of Riverside County, California
Recorder
Fees \$ _____



COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 30 day of April, 1999, by SADOLLAH VAHIDY, an Unmarried 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 8 of Butler Subdivision No. 3, as shown on map on file in Book 25, Page 93, of Maps, records of Riverside California.

B. The Property, known as 5030 Butler Drive, Riverside, California, is located in a Single Family Residential ("R-1-65") Zone and is developed with a single-family residence and a detached garage.

C. Declarant wishes to convert an existing garage into an accessory building and construct a carport. The cabana accessory building consists of a den, recreation room, bathroom and storage area.

D. As a condition of the granting of a variance in Variance Case VR-109-989, and prior to the issuance of a building permit, Declarant is required to record a covenant subject to review and approval of the Planning and Legal Departments prohibiting the accessory structure from being rented or used as a second dwelling unit and prohibiting installation of any kitchen facilities.

DESCRIPTION APPROVAL 4/20/99
for Kenneth Stood by Kj
SURVEYOR, CITY OF RIVERSIDE

E. Declarant is willing to record such a covenant so that the single-family residence and the new accessory building 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 the granting of a variance in Variance Case VR-109-989, 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 shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the accessory building.
3. Neither the accessory building nor the existing 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 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.

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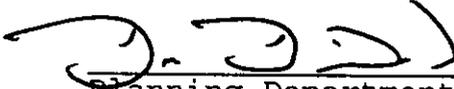
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IN WITNESS WHEREOF Declarant has caused this Covenant and Agreement and Declaration of Restrictions to be executed the day and year first written above.



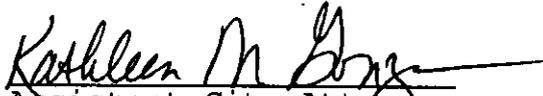
Sadollah Vahidy
vahidy

Approved as to Content:



Planning Department

Approved as to Form:

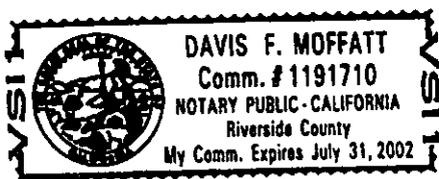


Assistant City Attorney

State of California)
County of Riverside) ss

On April 30, 1999, before me, the undersigned, a notary public in and for said State personally appeared Sadallah Wahidy 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.



Davis F. Moffatt
Signature