

209727

WHEN RECORDED MAIL TO:

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

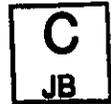
RECEIVED FOR RECORD
AT 8:00 AM
MAY 14 1999

Recorded in Official Records
of Riverside County, California

Recorder

Fees \$ 18

Project: Variance Case VR-025-978
11035 Cypress Avenue
Riverside, California



18
4
JB

COVENANT AND AGREEMENT AND
DECLARATION OF RESTRICTIONS

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this _____ day of _____, 1999, by ISAIS H. MARTINEZ, a Single Man and DANIEL A. GARCIA, a Single Man ("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:

Lot 4 of A.R. Kurz Tract, as shown by map on file in Book 25, Page 80 of Maps, records of Riverside County, California.

B. The Property, known as 11035 Cypress Avenue, Riverside, California, is located in a Rural Residential ("RR") Zone and is developed with a single-family residence and a detached garage.

C. Declarants wish to legalize an existing approximately 430 square foot addition to the detached garage and convert the addition into accessory living quarters. The accessory building consists of two bedrooms, a living room, a bathroom and a storage area.

D. As a condition of the granting of a variance in Variance Case VR-025-978, and prior to legalizing the addition, Declarants are 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.

4-29-99
CITY CLERK, CITY OF RIVERSIDE

E. Declarants are willing to record such a covenant so that the single-family residence and the 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 the granting of a variance in Variance Case VR-025-978, and restricting the use of the Property to that of a single-family house and an accessory building, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

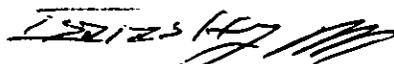
1. The single-family house and the accessory building shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the accessory building.
3. Neither the accessory building nor the existing main residence shall be sold, rented or leased separately from the 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 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.

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



ISAIA H. MARTINEZ



DANIEL A. GARCIA

Approved as to Content:



Planning Department

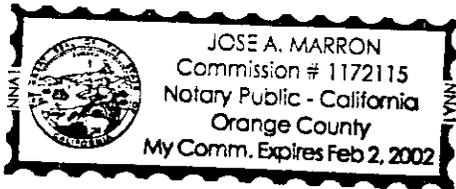
Approved as to Form:

Caryn Cooper 5-3-99
Assistant City Attorney

State of California)
County of Riverside) ss
)

On 4/30/99, 1999, before me, the undersigned, a notary public in and for said State personally appeared Isias H. Martinez Daniel A. Garcia 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.



Jose A. Marron
Signature

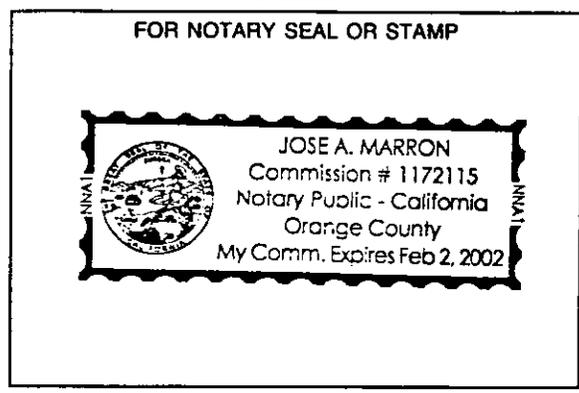
STATE OF CALIFORNIA,
COUNTY OF ORANGE } S.S.

On 4/30/99, before me, Jose A. Marron
a Notary Public in and for said County and State, personally
appeared ISAIS H. MARTINEZ

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 [Handwritten Signature]



STATE OF CALIFORNIA,
COUNTY OF ORANGE } S.S.

On 4/30/99, before me, Jose A. Marron
a Notary Public in and for said County and State, personally
appeared Daniel A Garcia

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 [Handwritten Signature]

