

WHEN RECORDED MAIL TO:

City Clerk  
City of Riverside  
City Hall, 3900 Main Street  
Riverside, California 92522

Project: 6130 Chadbourne Avenue  
Riverside, California 92505

DOC # 2000-136573

04/13/2000 08:00A Fee:18.00

Page 1 of 5

Recorded in Official Records  
County of Riverside

Gary L. Orso  
Assessor, County Clerk & Recorder



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COVENANT AND AGREEMENT  
AND DECLARATION OF RESTRICTIONS

(SINGLE FAMILY DWELLING RESTRICTION)



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 07 day of April, 2000, by **BENITO ESPARZA**, a single man; **JOSE LUIS GARNICA**, a Single man; and **ALFREDO ESPARZA** and **MARIA G. ESPARZA**, husband and wife ("Declarants"), with reference to the following facts:

A. Declarants are the fee owners of the real property (the "Property") situated in the City of Riverside, County of Riverside, State of California, described as follows:

Lot 10 in Block 3 of CHADBOURNE HEIGHTS, in the City of Riverside, County of Riverside, as per map recorded in Book 12, Page(s) 11, 12 and 13, of Maps, in the Office of the County Recorder of said County.

Excepting therefrom the following described portion:

Beginning at the Northeast Corner of said Lot 10; thence Westerly along the Northerly lot line, 175 feet; thence Southerly and parallel with the Westerly lot line, 80 feet; thence Easterly and parallel with the Northerly lot line, to a point on the Easterly line of said lot; thence Northeasterly along the Easterly line of said lot and facing Chadbourne Avenue, to the Point of beginning.

B. The Property, known as 6130 Chadbourne Avenue, Riverside, California, is in the Rural Residential ("RR") Zone and is developed with a single family residence.

C. Declarants propose to add on to the existing residence by increasing the living space by 476 square feet and adding an 1800 square-foot, attached, two-story garage.

RECEPTIONS ASSOCIATES  
321 00  
*[Signature]*  
CITY OF RIVERSIDE

D. As a condition for issuance of building permits, the City of Riverside is requiring Declarants to execute and record a covenant assuring that the proposed garage will not be converted into living space without obtaining the appropriate permits and paying the appropriate fees.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners on notice of the prohibition on the proposed garage from being converted into living space without obtaining the appropriate permits and paying the appropriate fees.

NOW, THEREFORE, for the purposes of complying with a condition imposed by the City of Riverside for the granting of building permits, and restricting the use of the proposed garage to a solely uses compatible with the definition of "garage, private" under Title 19 of the Riverside Municipal Code and prohibiting the proposed garage from being converted into living space without obtaining the appropriate permits and paying the appropriate fees, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house shall be used as one dwelling unit.
2. The garage will not be converted into living space without obtaining the appropriate permits and paying the appropriate fees.
3. The garage will only be used for purposes compatible with the definition of "garage, private" under Title 19 of the Riverside Municipal Code.
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 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.
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 to be executed as of the day and year first written above.

Benito Esparza  
Benito Esparza

Jose Luis Garnica  
Jose Luis Garnica

Alfredo Esparza  
Alfredo Esparza

Maria G. Esparza  
Maria G. Esparza

APPROVED AS TO FORM:

Jennifer Louise Daniel  
Assistant City Attorney

APPROVED AS TO CONTENT:

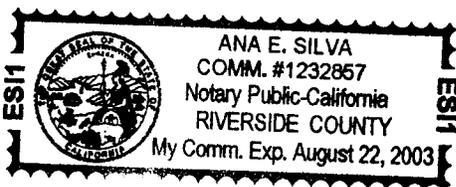
Susan Woodbury  
Planning Department



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On April 07, 2000, 2000, before me, Ana E. SILVA, the undersigned, a notary public in and for said State, personally appeared BENITO ESPARZA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

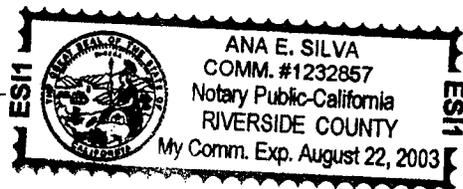


Ana E. Silva  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On April 07, 2000, 2000, before me, Ana E. SILVA, the undersigned, a notary public in and for said State, personally appeared JOSE LUIS GARNICA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



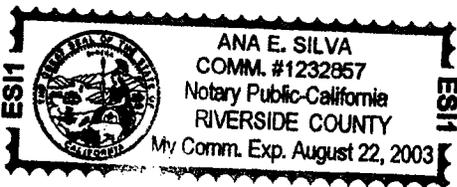
Ana E. Silva  
Notary Public



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On April 07, 2000, 2000, before me, Ana E. SILVA, the undersigned, a notary public in and for said State, personally appeared ALFREDO ESPARZA  personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

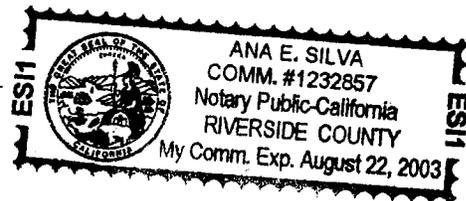


Ana E. Silva  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On April 07, 2000, 2000, before me, Ana E. SILVA, the undersigned, a notary public in and for said State, personally appeared MARIA G. ESPARZA  personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Ana E. Silva  
Notary Public



C/A 675-5