

WHEN RECORDED MAIL TO:

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

Project: 5917 Mitchell Avenue
Riverside, California 92505

DOC # 2001-002618

01/03/2001 08:00A Fee:21.00

Page 1 of 6

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

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(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 29 day of Dec, 2000, by **LUIS L. SOLORIO**, a single man, and **MARIA G. MAGANA**, a single woman, ("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 in Exhibit "A," attached hereto and incorporated by reference

B. The Property, known as 5917 Mitchell Avenue, Riverside, California, is in the Rural Residential ("RR") Zone and is developed with a single family residence with an attached garage.

C. Declarants have applied to the City of Riverside for a permit to convert the existing attached garage into living space and to construct a detached garage.

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 detached 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") agreeing to the terms of such condition and to put future owners on notice of the prohibition against converting the proposed garage into living space without first obtaining the required permits and paying the appropriate fees.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of building permits, and restricting the use of the proposed garage to uses

DESCRIPTION APPROVAL 12/20/00
Walter R. Orso
SURVEYOR, CITY OF RIVERSIDE

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 first obtaining the required 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 and the detached garage shall be used together as one dwelling unit.
2. The garage will not be converted into living space without first obtaining the required 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.

FURTHER, Declarants and each of them hereby represent and warrant that they have the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein

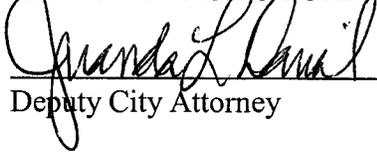
IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.

x Luis L. Solorio
Luis L. Solorio

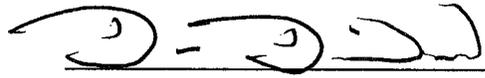
x Maria Magana
Maria G. Magana



APPROVED AS TO FORM:


Deputy City Attorney

APPROVED AS TO CONTENT:

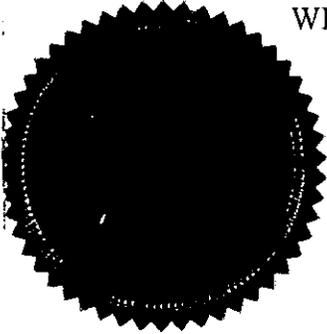

Planning Department



STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On 12-29-00, 2000, before me, MARIA Leonhard, the undersigned, a notary public in and for said State, personally appeared LUIS SOLORIO, MARIA MAGANA 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 he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their 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.



Maria Leonhard
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)



On _____, 2000, before me, _____, the undersigned, a notary public in and for said State, personally appeared _____ 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 he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their 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.

Notary Public



ILLEGIBLE NOTARY SEAL DECLARATION
(GOVERNMENT CODE 27361.7)

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary Maria Leonhard

Commission No. 1250140

Date Commission Expires 1-14-2004

Date and Place of Notary Execution 12-29-00 Riverside

Date and Place of This Declaration 1-3-2001 Riverside

Maria Magaña
Signature

Maria Magaña
Firm Name (if any)

REC-91-000008 (7/94)*



CIA 6975

EXHIBIT "A"

The land referred to in this Report is situated in the County of Riverside, City of Riverside
State of California, and is described as follows:

The Northerly 65 feet of the Southerly 70 feet of the following described property:

All that portion of Lot 8 in Block 10 of La Sierra Heights Tract No. 2, in the City of Riverside, County of Riverside, State of California, as per map recorded in Book 7, Page(s) 66, of Maps, in the Office of the County Recorder of said County, described as follows:

Commencing at a point on the Northwesterly line of said Lot, 593.95 feet Southwesterly from the Northeasterly corner thereof;

Thence South $00^{\circ}07'15''$ West, parallel with the Easterly line of said Lot, 120 feet to the true point of beginning;

Thence Southwesterly parallel with the Northwesterly line of said Lot, 150 feet to a point on the Westerly line of said Lot, distant Southerly, 120 feet from the Northwesterly corner of said Lot;

Thence Southerly along the Westerly line, to a point which lies distant Northerly 60 feet from the Southwesterly corner of said Lot;

Thence Easterly and parallel with the Southerly line of said Lot, 150 feet;

Thence Northerly, parallel with the Westerly line of said Lot, to the true point of beginning.

Said distance of 70 feet being measured along the Westerly line thereof; and the Northerly line thereof being parallel with the Southerly line of said lot.

DESCRIPTION 12/20/00
Walter R. Frye by _____
SURVEYOR, CITY OF RIVERSIDE

for

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