



WHEN RECORDED MAIL TO:

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

Project: 5529 Mountain View Avenue  
Riverside, California

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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 10 day of January, 2001, by **RAUL GRAJEDA** and **VALRIE J. GRAJEDA**, 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 in Exhibit "A," attached hereto and incorporated by reference

B. The Property, known as 5529 Mountain View Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence with a 484 square foot detached garage, onto which an 836 square foot single-story guest house was added without permits.

C. Declarants have applied to the City of Riverside for a variance to legalize the existing detached garage and accessory structure consisting of a living area, a bedroom, an office, and a bathroom.

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 accessory building will not be used for nor rented as a second dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the accessory building.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") prohibiting the accessory building from being rented or used as a second dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory building, and putting future owners on notice of such prohibitions.

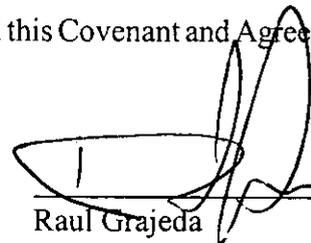
DESCRIPTION: 12/20/00  
Walter R. Orso  
SURVEYOR, CITY OF RIVERSIDE

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 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 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 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.

  
\_\_\_\_\_  
Raul Grajeda

  
\_\_\_\_\_  
Valrie J. Grajeda



APPROVED AS TO FORM:

Quanda L. Daniel  
Deputy City Attorney

APPROVED AS TO CONTENT:

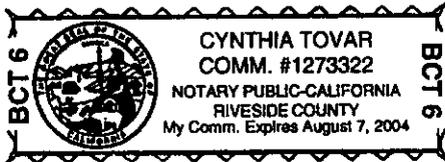
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Planning Department

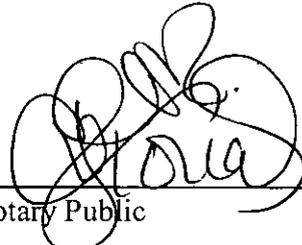


STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On January 09<sup>th</sup>, 2000, before me, CYNTHIA TOVAR, NOTARY, the undersigned, a notary public in and for said State, personally appeared Raul Grajeda ~~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.

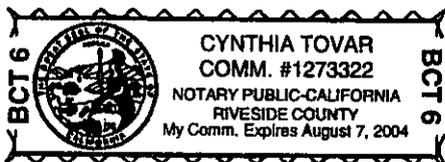


  
\_\_\_\_\_  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On January 10<sup>th</sup>, 2000, before me, CYNTHIA TOVAR, the undersigned, a notary public in and for said State, personally appeared VALRIE GRAJEDA ~~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



EXHIBIT A

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF RIVERSIDE AND IS DESCRIBED AS FOLLOWS:

THE EASTERLY 72 FEET OF THE FOLLOWING DESCRIBED PROPERTY, MEASURED AT RIGHT ANGLES TO THE EASTERLY LINE THEREOF;

A PORTION OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID SECTION 29;  
THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SECTION 29, 1754.39 FEET TO THE SOUTHWEST OF SAID LAND CONVEYED TO A. F. OBERLIN AND LOU OBERLIN, HIS WIFE, BY DEED RECORDED JULY 17, 1924 IN BOOK 611 PAGE 150 OF DEEDS, RIVERSIDE COUNTY, CALIFORNIA;  
THENCE NORTHERLY AT A RIGHT ANGLE TO THE SOUTHERLY LINE OF SECTION 29, 25 FEET TO A POINT ON THE NORTHERLY LINE OF MOUNTAIN VIEW AVENUE, WHICH IS THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTHERLY ON A LINE AT A RIGHT ANGLE TO THE SOUTHERLY LINE OF SECTION 29, 292.315 FEET;  
THENCE EASTERLY, 297.22 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO JOHN B. LA FRANCE, BY DEED RECORDED MAY 24, 1948 AS INSTRUMENT NO. 3332 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, (SAID CORNER BEING ON THE EASTERLY LINE OF THE PROPERTY CONVEYED TO I. D. CARMICHAEL) AND IDA CARMICHAEL, BY DEED RECORDED AUGUST 30, 1945 IN BOOK 695 PAGE 305 OF OFFICIAL RECORDS);  
THENCE SOUTHERLY ON A LINE AT A RIGHT ANGLE TO THE SOUTHERLY LINE OF SECTION 29, 292.315 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF MOUNTAIN VIEW AVENUE;  
THENCE WESTERLY ALONG THE NORTHERLY LINE OF MOUNTAIN VIEW AVENUE, 297.22 FEET TO THE POINT OF BEGINNING.

DESCRIPTION

12-20-00

Walter R. Faye by \_\_\_\_\_  
SURVEYOR, CITY OF RIVERSIDE



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