

WHEN RECORDED MAIL TO

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

DOC # 2001-180042

04/27/2001 08 00R Fee NC

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Recorded in Official Records

County of Riverside

Gary L Orso

Assessor, County Clerk & Recorder



Project VR-004-656 (REVISED)  
6381 Percival Drive  
Riverside, California 92506

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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 13<sup>th</sup> day of March, 2001, by **JOSEPH PITRUZZELLO** and **FRANCES ILENE PITRUZZELLO**, 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 31 of Tract No 2553, as shown by map on file in Book 48 pages 97 and 98 of maps, Records of Riverside County, California

B The Property, known as 6381 Percival Drive, Riverside, California, is in the Single Family Residential ("R-1-125") Zone and is developed with a single family residence

C Declarants have applied to the City of Riverside for a variance and permit to construct a detached two-story structure consisting of an approximately 670 square-foot two-car garage on the first floor, and an approximately 744 square-foot accessory room with a bathroom on the second floor

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

E Declarants are willing to record a covenant and agreement and declaration of restrictions

DESCRIPTION APPROVAL 3/15/01  
*[Signature]*  
CITY OF RIVERSIDE

("Covenant") prohibiting the accessory structure from being rented or used as a second dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory structure, and putting future owners on notice of such prohibitions.

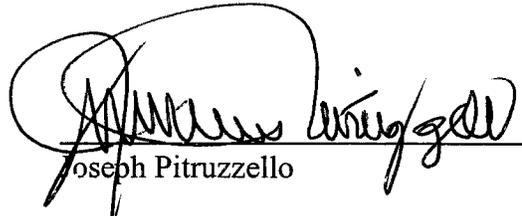
NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of building permits, and restricting the use of the Property to that of a single-family house and an accessory structure, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family house and the accessory structure shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the accessory structure.
3. Neither the accessory structure 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.

  
Joseph Pitruzzello

  
Frances Ilene Pitruzzello

APPROVED AS TO FORM:

  
Deputy City Attorney

APPROVED AS TO CONTENT:

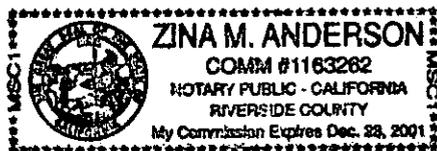
  
Planning Department



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 3/13/01, 2001, before me, ZINA M. ANDERSON, the undersigned, a notary public in and for said State, personally appeared JOSEPH PITRUZZELLO 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.

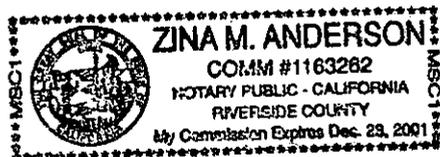


Zina M. Anderson  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 3/13/01, 2001, before me, ZINA M. ANDERSON, the undersigned, a notary public in and for said State, personally appeared FRANCES ILENE PITRUZZELLO 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.



Zina M. Anderson  
Notary Public

