

WHEN RECORDED MAIL TO:

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

DOC # 2001-414281

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



Project: Administrative Variance  
VR-014-001  
6276 River Crest Drive  
Riverside, California

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COVENANT AND AGREEMENT  
LIMITING MAXIMUM OCCUPANCY

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THIS COVENANT AND AGREEMENT LIMITING MAXIMUM OCCUPANCY is made and entered into this 15 day of August, 2001, by **SALMA JASON MONICA LIMITED PARTNERSHIP**, a California limited partnership. ("Declarant"), with reference to the following facts:

A. Declarant is the fee owner of the real property ("The Property"), situated in the City of Riverside, County of Riverside, State of California, described as follows:

THAT PORTION OF PARCEL 16 OF PARCEL MAP 19618, AS SHOWN BY MAP OF FILE IN BOOK 129 PAGE(S) 1 THROUGH 5, INCLUSIVE OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 16: THENCE SOUTH 10 DEG 41'59" EAST: 365.00 FEET: THENCE NORTH 89 DEG 51'06" WEST. 252.51 FEET: THENCE 10 DEG 41'59" WEST. 245.09 FEET: THENCE NORTH 56 DEG 27'12" WEST, 108.81 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 444.00 FEET: THENCE NORTHEASTERLY 87.79 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11 DEG 19'42", THENCE ON A RADIAL LINE SOUTH 67 DEG 46'54" EAST, 132.57 FEET: THENCE NORTH 79 DEG 18'01" EAST. 160.00 FEET TO SAID POINT OF BEGINNING.

B. The Property, known as Lot 16, 6276 River Crest Drive, Riverside, California in the MP-BP zone. Lot 16 and Lot 17 ( 6296 River Crest Drive) were designed to share parking, with parking requirements based on the overall building square footage on those two lots. Lot 16 is developed with approximately 28,193 square foot building and lot 17 is developed with an approximately 30,638 square foot building. Parking with standard office and commercial uses with a parking requirement of 1 space for 250 square feet, a total of 235 parking spaces would be required. However, a 5,000 square foot church exists within the building Lot 17, which increases the total parking requirement to 244 spaces. The project as constructed provides 242 spaces on Lot 16 and 17. The property shares parking with the adjacent building 6296 River Crest Drive as defined in the "Declaration and Grant of Reciprocal Easements" dated October 7, 1993.

C. The Declarant is proposing to establish a medical clinic on Lot 16. Declarant has filed an application with the City of Riverside ("City") in Administrative Variance Case VR-014-001 for a variance to allow a total of 242 spaces where total of 289 parking spaces are required for Lot 16 and 17 by the provisions of Title 19 of the Riverside Municipal Code ("Zoning Code") One parking space per 180 square feet of floor area is required for medical clinics, which would require a total of 157 parking spaces for Lot 16. Lot 17 requires 132 spaces for a total of 289 spaces.

DESCRIPTION APPROVAL 8/22/01  
Walter R. Ayres  
SURVEYOR, CITY OF RIVERSIDE

CLA-726

D. As justification for granting the variance, Declarant submitted a detailed business operation plan to the City. The study indicates that a maximum of 89 persons, including staff and patients, would be at the building at any given time. This study demonstrates the use will not require the 157 spaces required by code.

E. City is able to support the requested variance based on justifications provided by Declarant, with the conditions that the Declarant record a covenant and agreement limiting maximum occupancy to a maximum of 89 persons.

NOW, THEREFORE, incorporating the above facts and for the purpose of complying with a condition imposed by City for the granting of a variance from the parking standards of the Zoning Code of the City of Riverside in Variance Case VR-014-001, Declarant hereby covenants and agrees with said City and acknowledges as follows:

1. Declarant hereby restricts the use of the Property by limiting the occupancy to 89 persons.

2. This Covenant and Agreement and Declaration of Restrictions shall run with the land and each and all of its terms shall be binding upon Declarant, 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.

3. "The terms of this Covenant and Agreement may be enforced by the City of Riverside, its successors and assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement, the prevailing party shall be entitled to reasonable attorney's fees, expert witness fees, and reasonable cost of suit."

"FURTHER, Declarant and each individual executing this Covenant and Agreement on behalf of Declarant 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 Declarant has caused this Acknowledgement to be executed the day and year first written above.

SALMA JASON MONICA LIMITED PARTNERSHIP  
a California Limited Partnership

By Thomas T. Haider  
Printed name: THOMAS T. HAIDER  
Title: general partner

APPROVED AS TO CONTENT:

[Signature]  
Planning Department

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

ON THIS THE 15<sup>TH</sup> DAY OF AUGUST 2001, BEFORE ME,  
JENNIFER LEE HENSEL A NOTARY PUBLIC FOR THE STATE  
OF CALIFORNIA, PERSONALLY APPEARED THOMAS T. HAIDER  
PERSONALLY KNOWN TO ME.

APPROVED AS TO FORM

[Signature]  
Assistant City Attorney  
Deputy

Jennifer Lee Hensel



CIA 726

2081-414281  
98/28/2001 08:58A  
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California All-Purpose Certificate of Acknowledgment

RECEIVED  
AUG 24 2001  
RIVERSIDE CITY  
CLERKING DEPARTMENT

State of California

County of RIVERSIDE

On this the 15 day of AUGUST 2001, before me, JENNIFER LEE HENSEL  
Name of Notary Public  
a Notary Public for the State of California, personally appeared THOMAS T. HAIDER  
Name(s) of Signer(s)

- 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.

Jennifer Lee Hensel  
Notary's Signature



Seal

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- INDIVIDUAL
- CORPORATE OFFICER  
PRESIDENT  
Title(s)
- PARTNER(S)
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

OCCUPANCY AGREEMENT  
Title or Type of Document  
2  
Number of Pages  
8-15-01  
Date of Document

ABSENT SIGNER (PRINCIPAL) IS REPRESENTING:

\_\_\_\_\_  
Name of Person(s)

Other



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