

DOC # 2001-509281

10/19/2001 08.00A Fee 18 00

Page 1 of 5

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



WHEN RECORDED MAIL TO:

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

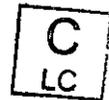
Project: 5970 Via Loma  
Riverside, California 92506  
VR-035-012

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FOR RECORDER'S OFFICE USE ONLY

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 16th day of OCTOBER, 2001, by **SILVANO PADILLA and MARIA PADILLA**, husband and wife as Joint Tenants ("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, the legal description which is attached as Exhibit A hereto and incorporated herein as if fully set forth.

B. The Property, known as 5970 Via Loma, Riverside, California, is in the Single Family Residence ("R-1-80") Zone and is developed with an approximately 2550 square-foot single family residence and a attached garage. Declarants seek to construct a 484 square-foot detached pool/recreational accessory structure on the subject real property.

C. Declarants have applied to the City of Riverside for an administrative variance to permit the construction of this accessory structure which will consist of a storage room, bathroom, wet bar area, and large open area for a pool table.

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 separate dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the accessory structure.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") prohibiting the accessory structure from being rented or used as a separate dwelling unit,

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C/A-736

EXHIBIT A

PARCEL 1:

Lot 27 of Tract No. 20329-1, as shown by Map on file in Book 173 pages 54 through 58, inclusive, of Maps, Records of Riverside County, California.

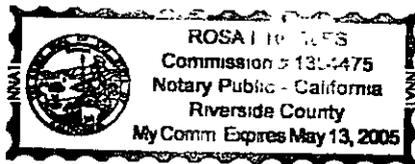
DESCRIPTION APPROVAL 10, 18, 01  
*for* K. Street by —  
SURVEYOR, CITY OF RIVERSIDE



STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 10/16/01, 2001, before me, ROSA I. ROBLES, the undersigned, a notary public in and for said State, personally appeared SILVANO AND MARIA PADILLA 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.

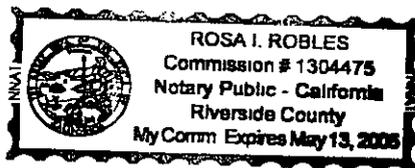


Rosa I. Robles  
Notary Public

STATE OF CALIFORNIA )  
 )  
COUNTY OF RIVERSIDE )

On 10/16/01, 2001, before me, Rosa I. Robles, the undersigned, a notary public in and for said State, personally appeared SILVANO AND MARIA PADILLA 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.



Rosa I. Robles  
Notary Public



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

  
SILVANO PADILLA

  
MARIA PADILLA

APPROVED AS TO FORM:

  
Deputy City Attorney

APPROVED AS TO CONTENT:

  
Planning Department



prohibiting installation or maintenance of any kitchen facilities in the guest house, 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 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 warrant that they have the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein.

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