

WHEN RECORDED MAIL TO:

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City of Riverside
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Riverside, California 92522

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Recorded in Official Records

County of Riverside

Gary L Orso

Assessor, County Clerk & Recorder



Project: 5999 Rim View Court
Riverside, California 92506

DR-043-001

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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 19th day of November, 2001, by **GERALD D. GREEN**, a married man as his sole and separate property ("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 and described as follows:

Lot 1 of Tract No. 25486-1, as shown by Map on File in Book 233, Pages 100 through 102, inclusive of Maps, Records of Riverside County, California

B The Property, known as 5999 Rim View Court, Riverside, California, is in the Residential/Conservation ("RC") Zone and is developed with an approximately 6453 square-foot single family residence with a 1247 square-foot garage.

C. Declarant has applied to the City of Riverside to construct a 497-square-foot detached pool/recreational accessory building. As a condition of granting a variance, Declarant is required to comply with all conditions of approval set forth by Design Review staff. The proposed accessory structure will consist of a recreation room, a wet bar and a bathroom, for a total of 497 square-feet (hereinafter referred to as "pool/recreational building").

D. As a condition of approval, Declarant has agreed that the use of the pool/recreational building will be incidental to the single family residence.

E As a condition for issuance of building permits, the City of Riverside is requiring

DESCRIPTION APPROVAL 11/27/01
by
[Signature]
SURVEYOR, CITY OF RIVERSIDE

Declarant to execute and record a covenant assuring that the pool/recreational building will not be used for nor rented as a separate dwelling unit and prohibiting the installation or maintenance of kitchen facilities within the detached pool house.

F. Declarant is willing to record a covenant and agreement and declaration of restrictions ("Covenant") prohibiting the pool house from being rented or used as a separate dwelling unit, 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 an accessory building, Declarant hereby covenants and agrees with the City of Riverside that the following restrictions shall apply to the Property:

1. The single-family residence and the pool/recreational building shall be used as one dwelling unit and as a condition of granting a variance, Declarant is required to comply with all conditions of the Design Review staff.
2. No kitchen facilities shall be permitted, maintained or installed in the pool house.
3. Neither the pool/recreational 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 Declarant, his 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, Declarant hereby represents and warrants that he has the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein.



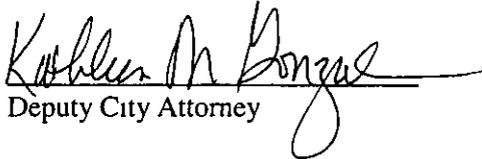
IN WITNESS WHEREOF, Declarant has caused this Covenant and Agreement to be executed as of the day and year first written above.


GERALD D. GREEN, a married man as
his sole and separate property

I am the spouse of GERALD D. GREEN and I hereby understand and consent to the Covenant and Agreement and Declaration of Restrictions in relation to the Property.


DARLENE E. GREEN
Spouse of GERALD D. GREEN

APPROVED AS TO FORM:


Deputy City Attorney

APPROVED AS TO CONTENT:

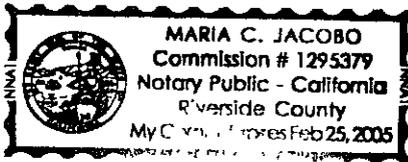

Planning Department



STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On Nov. 19, 2001, before me, Maria C. Jacobo, the undersigned, a notary public in and for said State, personally appeared Gerald D. Green & Darlene E. Green 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.

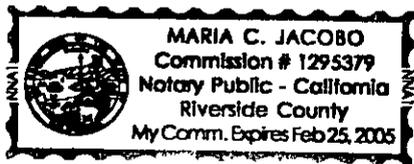


Maria C. Jacobo
Notary Public

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE)

On Nov. 19, 2001, before me, Maria C. Jacobo, the undersigned, a notary public in and for said State, personally appeared Darlene E. Green 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 C. Jacobo
Notary Public

