

WHEN RECORDED MAIL TO:

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

Project: 2034 Marlborough Avenue  
Riverside, CA 92507

DOC # 2003-970209

12/11/2003 08:00A Fee:NC

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Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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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 1 day of December, 2003, by **SCOTT C. HOHULIN**, 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, described as follows:

LOT 34 OF MATHEWS TRACT, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 11 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

B. The Property, known as 2034 Marlborough Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence.

C. Declarant proposes to legalize a 485-square foot addition to the originally permitted 460-square foot detached garage, totaling 945-square feet. The structure will provide a minimum 9' x 18' parking space and the remainder will be used for storage and a restroom.

D. As a condition for the issuance of a building permit for the Property, the City of Riverside ("City") is requiring Declarant to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places certain restrictions on the accessory building to ensure that the detached garage is used for storage and parking purposes only. The Declarant desires to restrict the use of the Property to single-family residential and to put future owners on notice of the prohibition on the detached accessory building from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory building, and

DESCRIPTION APPROVAL 11/29/03  
Walter R. Ayres  
SURVEYOR, CITY OF RIVERSIDE

CIA 862

prohibiting the use of the accessory building for commercial or business activity not authorized by Title 19 of the Riverside Municipal Code.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City for the issuance of a building permit, and restricting the use of the Property to single-family residential, Declarant hereby covenants and agrees with the City that the following restrictions shall apply to the Property:

1. The single-family residence and the accessory building shall be used as one dwelling unit.
2. No kitchen facilities shall be permitted, maintained or installed in the accessory living quarters.
3. Neither the attached accessory building nor the main residence shall be sold, rented or leased separately from the other building.
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.

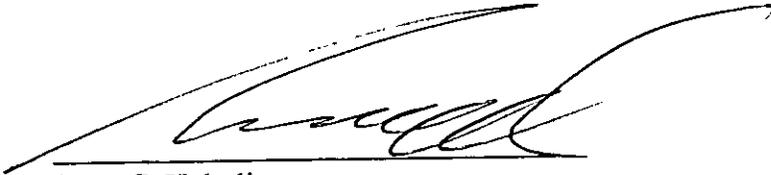
The terms of this Covenant may be enforced by the City, its successors or assigns. Should the City bring an action to enforce the terms of this Covenant, the prevailing party shall be entitled to reasonable attorneys' fees, expert witness fees, and reasonable costs of suit.

This Covenant 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.



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



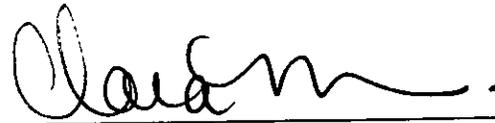
Scott C. Hohulin

APPROVED AS TO FORM:  
City of Riverside ✓



Deputy City Attorney ✓  
Kristi J. Smith

APPROVED AS TO CONTENT:  
City of Riverside ✓



Planning Department ✓  
Clara Miramontes



STATE OF CALIFORNIA )  
 )ss  
COUNTY OF RIVERSIDE )

On 12-01-2003, before me, Mary M. Adair, the undersigned, a notary public in and for said State, personally appeared Scott C. Hohulin 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.

Mary M. Adair  
Notary Signature

