

WHEN RECORDED MAIL TO:

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

Project: 1993 & 1997 Linden Street  
Riverside, CA  
APN: 211-111-034  
P03-7208 & P03-7209

DOC # 2004-0282446

04/19/2004 08:00A Fee:16.00

Page 1 of 4

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

(SECOND DWELLING UNIT RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 4 day of 19, 2004, by AZIZ H. SAID and SYLVIA L. BARRERA, 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 8 of Barclay Tract, in the City of Riverside, County of Riverside, State of California, as shown by Map on file in Book 10, Page 96 of Maps, Records of Riverside County, California.

B. The Property, known as 1993 and 1997 Linden Street, Riverside, California, is in the R-1-65 (single-family residential) Zone and is developed with a single-family residence.

C. Declarants have applied to the City of Riverside to construct a second dwelling unit with approximately 1908 square-feet of living space.

D. A second dwelling unit is permitted under Section 19.10.020 (O) of the Riverside Municipal Code ("Zoning Code"), subject to the recording of a covenant restricting the use of the property and the second dwelling unit, to ensure the Property maintains its residential character.

DESCRIPTION APPROVED 4/16/04  
CITY CLERK  
CITY OF RIVERSIDE

E. Declarants desire to restrict the use of the Property to residential and to put future owners on notice of the prohibition on the second dwelling unit as set forth by Section 19.10.020 (O) of the Riverside Municipal Code.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City for the granting of building permits, Declarants hereby covenant and agree with the City that the following restrictions shall apply to the Property:

1. The single-family residence and the second dwelling unit shall not be sold or encumbered separately, but shall remain as an integrated unit.
2. Either the single-family residence or the secondary dwelling unit shall be occupied by the record owners of the property at all times.
3. If the single-family residence or the second dwelling units is not occupied by the record owners of the property for any period longer than thirty (30) days, one of the two dwelling units will be required to be converted to accessory living quarters or a guest house and the kitchen facilities shall be removed.
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 Declarants, their heirs, successors and assigns, and shall continue in effect until such time as released by the Planning Director of the City, or his/her/their designee, by a writing duly recorded.

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

Aziz H. Said  
AZIZ H. SAID

Sylvia L. Barrera  
SYLVIA L. BARRERA



(SEE ATTACHED)

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Kristi J. Smith  
KRISTI J. SMITH  
Deputy City Attorney

[Signature]  
Typed Name:  
Planning Department

O:\Cycrom\WPDocs\D015\002\00027822.doc  
CA: 04-0750  
04/16/04



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of ORANGE } ss.

On April 19, 2004 before me, KRISTIAN SO, NOTARY PUBLIC  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared AZIZ H. SAID, SYLVIA L. BARRERA  
Name(s) of Signer(s)

personally known to me  
 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.

Kristian So  
Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: COVENANT & AGREEMENT

Document Date: \_\_\_\_\_ Number of Pages: 3

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

