

WHEN RECORDED MAIL TO:

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

Project: Planning Case P03-7079
5876 Noble Street
Riverside, CA 92505
APN 151-051-009

DOC # 2004-0310070

04/28/2004 08:00A Fee:NC

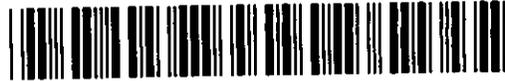
Page 1 of 4

Recorded in Official Records

County of Riverside

Gary L. Orso

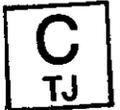
Assessor, County Clerk & Recorder



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COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS



(SINGLE FAMILY DWELLING RESTRICTION)

THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 10 day of March, 2004, by **MIGUEL CERVANTES**, a single man, and **EVANGELINA CERVANTES**, a single woman, 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, described as follows:

Lot 50 of Anza Sierra Tract, Unit No. 2, as per Map on file in Book 25, page 63 of Maps, records of Riverside County, California.

B. The Property, known as 5876 Noble Street, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a single family residence.

C. Declarants propose to construct a 624-square-foot accessory building that will contain a living room, two bedrooms, and a bathroom.

D. As a condition for the issuance of a building permit for the Property, the City of Riverside ("City") is requiring Declarants to execute and record this Covenant and Agreement and Declaration of Restrictions ("Covenant") which places certain restrictions on the accessory building to ensure its use. The Declarants desire to restrict the use of the Property to single-family residential and to put future owners on notice of the prohibition on the 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 prohibiting the use of the accessory building for commercial or business activity not authorized by Title 19 of the Riverside Municipal Code.

DEPARTMENT OF PERMITS
2/10/04

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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, Declarants hereby covenant and agree 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 building.
3. Neither the 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 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.

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

Miguel Cervantes
MIGUEL CERVANTES

Evangelina Cervantes
EVANGELINA CERVANTES

APPROVED AS TO FORM:
KRISTI J. SMITH

Kristi Smith
Deputy City Attorney
City of Riverside

APPROVED AS TO CONTENT:
Susan Woodbury

Susan Woodbury
Planning Department
City of Riverside

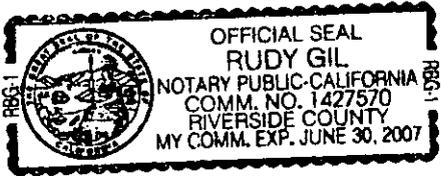
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CA04-0216



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 03/10/04, before me, RUDY GIL *RG*, the undersigned, a notary public in and for said State, personally appeared EVANGELINA CERVANTES 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.



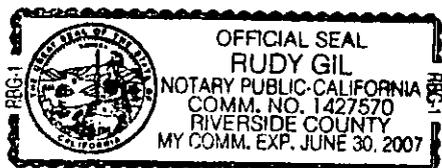
Rudy Gil
Notary Signature



STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On 4/10/04, before me, RUDY GIL, the undersigned, a notary public in and for said State, personally appeared MIGUEL CERVANTES 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.



Rudy Gil
Notary Signature



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