

WHEN RECORDED MAIL TO:

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

Project: 10326 Wells Ave.
Riverside, CA 92501

DOC # 2004-0766245

09/28/2004 08:00A Fee:22.00

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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 25 day of September, 2004, by **SERGIO RODRIGUEZ and OLGA RODRIGUEZ, husband and wife, and SERGIO COLLAZO**, a single man 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 in Exhibit "A", attached hereto and made a part hereof.

B. The Property, known as 10326 Wells Ave., 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 detached guest house that will consist of a bathroom, guest room, laundry utility and storage.

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 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 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,

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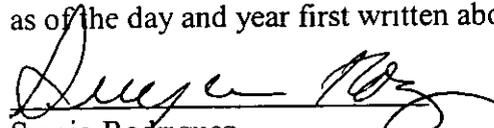
Declarants hereby covenant and agree with the City that the following restrictions shall apply to the Property.

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 living quarters.
3. Neither the detached 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.

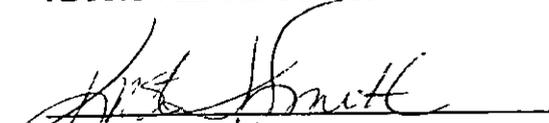
IN WITNESS WHEREOF, Declarants have caused this Covenant and Agreement to be executed as of the day and year first written above.


Sergio Rodriguez

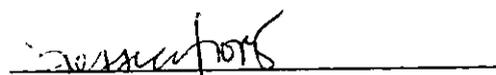

Olga Rodriguez


Sergio Collazo

APPROVED AS TO FORM:


Deputy City Attorney

APPROVED AS TO CONTENT:


Planning Department

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STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On Sept 25 2004, before me, Sandra Bescay, the undersigned, a notary public in and for said State, personally appeared Olga Rodriguez 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.



Sandra Bescay
Notary Signature



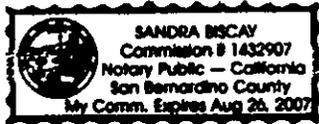
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CIA 910

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On Sept 25, 2004, before me, Sandra Biscay, the undersigned, a notary public in and for said State, personally appeared Lergis Rodriguez 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.

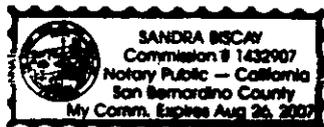


Sandra Biscay
Notary Signature

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On Sept 25, 2004, before me, Sandra Biscay, the undersigned, a notary public in and for said State, personally appeared Sergio Collazo 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.



Sandra Biscay
Notary Signature

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Riverside, County of Riverside, State of California, described as follows:

LOT 6 BLOCK 10 OF LA GRANADA, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGES 42 THROUGH 51 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THE SOUTHWEST 80 FEET MEASURED ON NORTHWEST LINE OF LOT 6, BLOCK 10 OF LA GRANADA, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGES 42 THROUGH 51 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA,

APN: 147-251-001-9

RECEPTION APPROVAL 9.20.04
[Signature]
COUNTY CLERK



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