



WHEN RECORDED MAIL TO:

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

Project: 7876 Sycamore Avenue  
Riverside, CA 92504  
APN: 227-173-003

| M | S | U | PAGE | SIZE | DA   | PCOR | NOCOR  | SMF  | MSC. |
|---|---|---|------|------|------|------|--------|------|------|
|   | 1 |   | 4    |      |      |      |        |      |      |
|   |   |   |      |      | 5    |      |        |      | LC   |
| A | R | L |      |      | COPY | LONG | REFUND | NCHG | EXAM |

FOR RECORDER'S OFFICE USE ONLY



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<sup>th</sup> day of September, 2005, by **MARK A. CODDING** and **KELLY CODDING**, husband and wife, (collectively, "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 3 of Jefferson Square as shown by map on file in Book 23, Page 61 of maps, Records of Riverside County, California.

B. The Property, known as 7876 Sycamore Avenue, 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 750 square-foot accessory living quarters consisting of a living room, two bedrooms, laundry, wet bar, and bathroom.

D. "Accessory Living Quarters" is defined by Title 19 of the Riverside Municipal Code ("Zoning Code"), Section 19.04.020 to mean living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

E. 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 living quarters to ensure the single-family residential use of the property. The Declarants desire to restrict the use of the Property

DATE 9/20/05  
MARK S. BROWN  
CITY SURVEYOR

to single-family residential and to put future owners on notice of the prohibition on the accessory living quarters from being rented or considered as a separate dwelling unit, prohibiting installation or maintenance of any kitchen facilities in the accessory living quarters, and prohibiting the use of the accessory living quarters 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, 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 living quarters shall be used as one dwelling unit.
2. Neither building shall be used as a separate dwelling unit or separate living quarters from the other.
3. No kitchen facilities shall be permitted, maintained or installed in the accessory living quarters.
4. Neither the accessory living quarters nor the main residence shall be sold, rented or leased separately from the other building.
5. 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.

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.

Mark A. Coddling  
MARK A. CODDING  
DECLARANT

Kelly Coddling  
KELLY CODDING  
DECLARANT

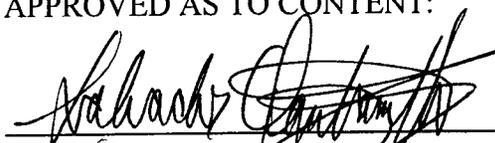


APPROVED AS TO FORM:



Kristi J. Smith  
Deputy City Attorney

APPROVED AS TO CONTENT:



Name: Salvador Quintanilla  
Planning Department

O:\Cycom\WPDocs\D006\P003\00048713.WPD  
CA:05-2038  
09/06/05



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

No. 5907

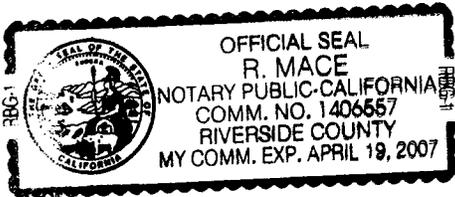
State of CALIFORNIA

County of RIVERSIDE

On Sept 10, 2005 before me, R. MACE NOTARY PUBLIC  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared MARK CODDING AND KELLY CODDING  
NAME(S) OF SIGNER(S)

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.

[Signature]  
SIGNATURE OF NOTARY

**OPTIONAL**

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

**CAPACITY CLAIMED BY SIGNER**

INDIVIDUAL IS  
 CORPORATE OFFICER

TITLE(S)

PARTNER(S)  LIMITED  
 GENERAL  
 ATTORNEY-IN-FACT  
 TRUSTEE(S)  
 GUARDIAN/CONSERVATOR  
 OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

**DESCRIPTION OF ATTACHED DOCUMENT**

[Signature]  
TITLE OR TYPE OF DOCUMENT

3  
NUMBER OF PAGES

9/10/05  
DATE OF DOCUMENT

[Signature]  
SIGNER(S) OTHER THAN NAMED ABOVE



52-8

CIA 964