

WHEN RECORDED MAIL TO:

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

Project: 11157 Norwood Avenue
Riverside, California 92505

DOC # 2004-0096808

02/11/2004 08:00A Fee:22.00

Page 1 of 6

Recorded in Official Records
County of Riverside

Gary L. Orse
Assessor, County Clerk & Recorder



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COVENANT AND AGREEMENT
AND DECLARATION OF RESTRICTIONS

(AUXILIARY DWELLING UNIT)



THIS COVENANT AND AGREEMENT AND DECLARATION OF RESTRICTIONS is made and entered into this 19 day of December, 2003, by LAVAL C. AMOS AND ROGELIA CORTEZ, husband and wife as joint tenants, (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:

See Exhibit A attached hereto and made a part thereof.

B. The Property, known as 11157 Norwood Avenue, Riverside, California, is in the Single Family Residential ("R-1-65") Zone and is developed with a with a single family residence.

C. Declarants have applied to the City of Riverside for a minor conditional use permit to construct an auxiliary dwelling unit with approximately 780-square-feet of living space consisting of a bedroom, living/dining room, kitchen, bathroom, storage room and workshop and an attached 180 square-foot carport.

D. Prior to the minor conditional use permit becoming effective and the issuance of building permits, the City of Riverside is requiring Declarants to execute and record a covenant limiting the occupancy of the auxiliary dwelling unit to a maximum of two persons, each of whom is sixty (60) years of age or older; assuring that the legal owner(s) of the Property will continually occupy either the primary or the auxiliary dwelling unit; and assuring that the kitchen facilities will be removed and the unit will not be used a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.

E. Declarants are willing to record a covenant and agreement and declaration of restrictions ("Covenant") to put future owners and successor-in-interest on notice of the above-stated restrictions on the use and occupancy of the auxiliary dwelling unit.

NOW, THEREFORE, for the purposes of complying with the conditions imposed by the City of Riverside for the granting of a minor conditional use permit, building permits, variances, and restricting the use of the Property to that of a single-family house and a detached auxiliary dwelling unit, Declarants hereby covenant and agree with the City of Riverside that the following restrictions shall apply to the Property:

1. Occupancy of the auxiliary dwelling unit shall be limited to a maximum of two (2) persons, each of whom is sixty (60) years of age or older.
2. The legal owner(s) of the Property will continually occupy either the primary or the auxiliary dwelling unit.
3. The kitchen facilities will be removed and the unit will not be used a separate dwelling unit should the use authorized by the minor conditional use permit cease or fail to comply with the foregoing occupancy restrictions.
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.
6. The use of the auxiliary dwelling unit is only authorized in accordance with the stated terms and conditions of approval. Should the use cease or fail to comply with the stated terms and conditions, the minor conditional use permit will be subject to revocation.

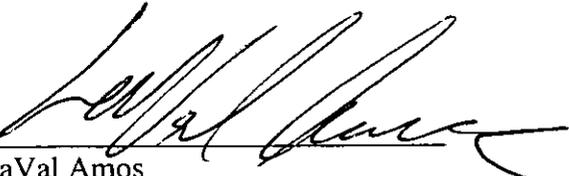
The terms of this Covenant and Agreement and Declaration of Restrictions may be enforced by the City of Riverside, its successors or assigns. Should the City of Riverside bring an action to enforce the terms of the Covenant and Agreement and Declaration of Restrictions, the prevailing party shall be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

This Covenant and Agreement and Declaration of Restrictions 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.

Declarants hereby represent and warrant that they have the legal power, right and actual authority to subject the Property to the restrictions, terms and conditions stated herein.



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



LaVal Amos



Rogelia Cortez

APPROVED AS TO FORM:
city of Riverside


Deputy City Attorney Kristi Smith
City Attorney Office

APPROVED AS TO CONTENT:
Planning Department city of Riv.


Planning Department
Robert L. Allmon
Plan Technician



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside } ss.

On 12/19/03, before me, Theressia Hollis, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared LAVAL Amos and Rogelia Cortez,
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/it~~ they executed the same in ~~his/her/its~~ their authorized capacity(ies), and that by ~~his/her/its~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Theressia Hollis

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 and agreement and Declaration of Restrictions

Document Date: 12-19-03 Number of Pages: 4 (including this page)

Signer(s) Other Than Named Above: N/A

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: _____



EXHIBIT A

All that portion of Lot 1 in Block 65 of La Sierra Heights Tract No. 2, in the City of Riverside, County of Riverside, State of California, as per Map recorded in Book 7, Page(s) 66 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point in the center line of Lot "G" 483.93 feet southwesterly from the intersection of the center line of said Lot "G" with the center line of Lot "O" produced southeasterly;

Thence north 22°55' West, 221.54 feet to a point 190.00 feet South 22°55' east from the Northwesterly line of said Lot 1;

Thence south 63°57'45" West, 105.89 feet;

Thence south 22°55' East, 222.49 feet to the center line of "G";

Thence north 63°27' East, 105.94 feet to the point of beginning.

Excepting therefrom the Southerly 30.00 feet thereof, located within Norwood Avenue

DESCRIPTION APPROVAL 10/6/03
for Walter R. Ince by _____
SURVEYOR, CITY OF RIVERSIDE





GARY L. ORSO
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P O Box 751
Riverside, CA 92502-0751
(909) 486-7000

<http://riverside.asrclrec.com>

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: Therassia Hollis

Commission #: 1326576

Place of Execution: Riverside County, CA

Date Commission Expires: NOV 22, 2005

Date: 2 - 10 - 2004

Signature: [Handwritten Signature]

Print Name: Lavel Amos

