

Recording Requested By:
County of Humboldt
Planning and Building Department

Return To:
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501-4484

NOTICE OF RESTRICTION FOR DETACHED BEDROOM

| | | |
|----------------------------------|---|--------------------------|
| Entered Into On | } | Assessor Parcel Number.: |
| By And Between | } | |
| | } | |
| | } | |
| (hereafter referred to as OWNER) | } | |
| | } | Application No.: |
| And The County Of Humboldt | } | Case No.: |
| (hereafter referred to as | } | |
| COUNTY) | } | |

WITNESSETH

WHEREAS, OWNER has applied to COUNTY for permits and other grants of approval necessary to carry out a project which is described within a project application filed with Humboldt County Planning and Building Department as the Permit Application Number and Assessor Parcel Number referenced above (hereinafter referred to as proposed project); and

WHEREAS, the real property upon which OWNER's proposed project is situated, is or includes, the real property which is described in EXHIBIT A and which is attached to this agreement and incorporated by reference herein (hereinafter referred to as subject property); and

WHEREAS, the subject property is situated in the County of Humboldt, State of California; and

WHEREAS, the Director of Humboldt County Planning and Building Department has determined that to protect the public health, safety and welfare, the structure containing the detached bedroom shall not be used as a separate dwelling or guest house as defined in §314-139 and §317-75.1 of the Humboldt County Code; and

WHEREAS, the Director of Humboldt County Planning and Building Department has determined that, in order to find conformance with the Humboldt County Zoning Regulations, a Notice of Restriction containing the terms described above shall be recorded to put future purchasers on notice of these terms.

NOW, THEREFORE IT IS MUTUALLY AGREED AS FOLLOWS:

1. OWNER hereby agrees to maintain the structure containing the detached bedroom on the subject property described in EXHIBIT A, attached hereto and incorporated herein, solely as to be used by the owner or occupants, and in conjunction with OWNER'S primary residence, and not used as a dwelling unit or guest house as defined by the Humboldt County Zoning Regulations.

2. Both parties acknowledge that this agreement to restrictions is made in consideration of approval by COUNTY of OWNER's proposed project.

3. OWNER agrees that failure to meet the restrictions described herein shall subject OWNER to all applicable legal penalties, including nuisance abatement, available to COUNTY.

4. OWNER agrees to insert in any document which transfers title to the subject property, or any part thereof, the "Notice of Restriction" described herein. OWNER further agrees to include in any such transfer document a provision by the terms of which the transferee, and each subsequent transferee, agrees to each and every condition contained in this Notice of Restriction, including the requirement contained in this paragraph.

IN WITNESS WHEREOF, the parties hereto have caused this Notice of Restriction to be executed by their duly authorized officers on the _____ day of _____ 20____

BY _____
John H. Ford, Director
Planning and Building Department
County of Humboldt, State of California

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

On this _____ day of _____ 20 ____, before me, _____ Notary Public, personally appeared **John H. Ford** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public Signature

(seal)

OWNER(S)

Sign above. Print name here:

Sign above. Print name here:

Sign above. Print name here:

Sign above. Print name here:

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

On this _____ day of _____ 20 ____, before me, _____ Notary Public, personally appeared _____ who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public Signature

(seal)

PROPERTY DESCRIPTION