

RECORDING REQUESTED BY:

City of San Leandro
Planning Services Division
835 East 14th Street
San Leandro, California 94577

WHEN RECORDED MAIL TO:

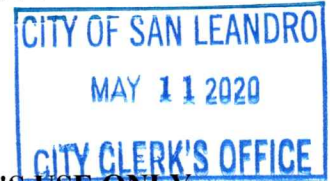
Leticia I. Miguel, City Clerk
City of San Leandro
835 East 14th Street
San Leandro, California 94577

2020046006

02/26/2020 02:15 PM

3 PGS

OFFICIAL RECORDS OF ALAMEDA COUNTY
MELISSA WILK, CLERK-RECORDER
RECORDING FEES: \$105.00



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C
THIS SPACE FOR RECORDER'S USE ONLY

DECLARATION OF RESTRICTIVE COVENANT AFFECTING REAL PROPERTY

2123 Benedict Drive, Assessor's Parcel Number 79-16-22-1

I (We), Lishan Jurca ("Owner(s)"), hereby place a restrictive covenant on the property ("Property") described below, that restricts the use of the Property for a specific land use activity. The land use restrictive covenant placed on the Property shall run with the Property and thus impose restrictions on all future owners and tenants unless a Notice of Release is executed and recorded by the City of San Leandro ("City").

CONDITIONS OF USE OF STRUCTURES

NOW THEREFORE, in consideration of the mutual benefits, promises and agreements set out herein, the parties agree as follows:

1. The parties hereto agree that execution of this Declaration by Owner and City entitles owner to convert an existing garage to an accessory dwelling unit (ADU), as approved by Permit Number **PLN19-0039**.
2. Owner agrees that the existing residence and the accessory dwelling unit shall remain on one single deeded lot and shall not be subdivided nor separately assessed for property tax purposes.
3. Owner agrees that there shall be no rental of the accessory dwelling unit for terms shorter than 30 days.
4. Owner agrees that the lower level storage area shall not be used as habitable space unless and until it and the property meets all zoning requirements and applicable Building Code provisions.
5. Owner agrees to allow the City, at any reasonable time and upon reasonable notice, to inspect the premises for compliance with this agreement.

The use of said property contrary to these special restrictions shall constitute a violation of the Zoning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Enforcement Official of the City of San Leandro, except that in the event that the zoning standards are modified so as to be less restrictive and the uses herein restricted are thereby permitted and in conformity with the provisions of the Zoning Code; this document would no longer be in effect and would be null and void.

DECLARATION OF RESTRICTIVE COVENANT AFFECTING REAL PROPERTY

2123 Benedict Drive, Assessor's Parcel Number 79-16-22-1

The restrictive covenant described in this Agreement shall run with the land and shall be fully applicable and enforceable as to owners, assigns and successors in interest.

The Property affected herein is described as: Lot 22-1 Recorded in Book 79 of Map Page 16, of Tract 1733 of Alameda County, City of San Leandro, California.

ACKNOWLEDGEMENTS

[Handwritten Signature]

Signature of Property Owner or Agent

Print Name: Lishan Jurca

Dated: 02/25/2020

A notary public or 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 Contra Costa

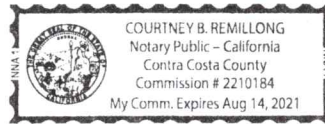
On Feb 25, 2020 before me, Courtney B. Remillong, Notary Public, personally appeared Lishan Jurca

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 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.

Signature *[Handwritten Signature]*



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ACKNOWLEDGEMENTS

Dan Jurca

Signature of Property Owner or Agent

Print Name: DAN JURCA

Dated: 2020 February 25

A notary public or 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 Contra Costa

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