

2023-053986

10:07 am 10/23/2023 DR Fee: NO FEE

RECORDING REQUESTED
BY AND
WHEN RECORDED MAIL
TO:

City of Redwood City
Attn: City Clerk's Office
1017 Middlefield Road
Redwood City, CA 94063

Count of Pages 6

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



SPACE ABOVE THIS LINE FOR
RECORDER'S USE
EXEMPT FROM RECORDING FEES
PURSUANT TO CA GOV. CODE §
27380

APN:053-111-090

DEED RESTRICTION

DECLARATION OF RESTRICTIVE COVENANTS FOR JUNIOR ACCESSORY DWELLING UNIT

This declaration of restrictive covenants ("Declaration") is executed on
October 17, 2023 by Tracy Hornback ("Declarant").

RECITALS

WHEREAS, Declarant is the present owner of that certain real property located at 1148 Davis Street in the City of Redwood City, County of San Mateo, State of California, which is more particularly described in Exhibit A attached hereto and incorporated by this reference (the "Property"); and

WHEREAS, the City of Redwood City ("City") approved a junior accessory dwelling unit on the Property subject to the conditions set forth in Article 37 of the Redwood City Zoning Code; and

WHEREAS, Section 65852.22 of the California Government Code requires the recordation of a deed restriction, which shall run with the land, and be filed with the City; and

WHEREAS, this Declaration is being recorded in compliance with Section 65852.22 of the California Government Code.

NOW, THEREFORE, Declarant declares as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated into this Declaration by reference and made part of this Declaration.

REV: 10-13-23 VR

2. Covenant Running with the Land. This Declaration is intended to be a covenant running with the land and shall be binding upon the heirs, assigns and successors in interest of the Declarant, and subsequent purchasers of the Property.
3. No Separate Sale. The junior accessory dwelling unit shall not be sold separately from the single-family residence on the Property.
4. Conformance with State Law. The junior accessory dwelling unit shall conform to the size and attribute restrictions for junior accessory dwelling units required by Section 65852.22 of the California Government Code.
5. Violation. Violation of any of the restrictions set forth in this Declaration is sufficient grounds to warrant civil action against the owner of the Property and all other remedies that may be required and/or available to the City for violation of this Declaration.
6. Modification. This Declaration shall not be amended, released, terminated, or removed from the Property without prior written consent of the City.
7. Severability. If any one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions contained in this Declaration, and this Declaration shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
8. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Declaration shall be liberally construed to effect the purpose of this Declaration. If any provision in this Declaration is found to be ambiguous, an interpretation consistent with the purpose of this Declaration that would render the provision valid shall be favored over any interpretation that would render it invalid.
9. Recordation. This Declaration shall be recorded in the San Mateo County Record's Office.

[Signature page follows]

Declarant has read and understands this Declaration and hereby enters into it voluntarily and without inducement.

Declarant

By: Traci Horabek

Name: Traci Horabek

Title: Property Owner, trustee of the Thorn family Lovable Trust

[Signature must be notarized]

City of Redwood City

By: Jeff Schwob

Name: Jeff Schwob

Title: Community Development and Transportation Director

[Signature must be notarized]

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 Santa Clara

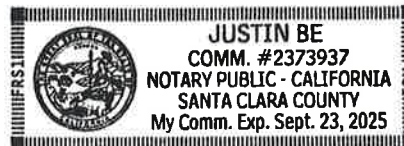
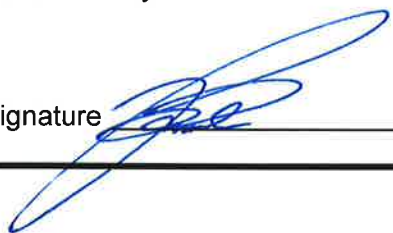
On October 17, 2023 before me, Justin Be, Notary Public
(insert name and title of the officer)

personally appeared Traci Hornbeck,
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.

Signature



(Seal)

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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 SAN MATEO

On OCTOBER 18, 2023 before me, YESSICA DOMINGUEZ, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer
personally appeared JEFFREY G. SCHNOR
Name(s) of Signer(s)

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.

Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

EXHIBIT A

Legal Description of the Property

For APN/Parcel ID(s): 053-111-090

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF REDWOOD CITY, COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 46 AS SHOWN ON THAT CERTAIN MAP ENTITLED "ROOSEVELT OAKS WOOSTER WHITTON AND MONTGOMERY SUBDIVISION LOT "O" REDWOOD FARM", WHICH MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON AUGUST 26, 1912 IN BOOK 8 OF MAPS AT PAGE 22.

JPN: 053-011-111-09