

RECORDING REQUESTED BY AND
AFTER RECORDING MAIL TO:

LOCAL AGENCY FORMATION COMMISSION
455 COUNTY CENTER
REDWOOD CITY, CA 94063

With a copy to:
CITY CLERK
CITY OF REDWOOD CITY
P.O. BOX 391
1017 MIDDLEFIELD ROAD
REDWOOD CITY, CA 94064

2023-039060 CONF

11:51 am 08/14/2023 NQ Fee: \$29.00

Count of Pages 5

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



APN: 057-163-090

SPACE ABOVE RESERVED FOR RECORDER'S USE
Exempt from recording fee per Gov. Code § 27383.

DECLARATION OF RESTRICTION

THIS DECLARATION OF RESTRICTION ("Declaration") is made and entered into this 14 day of August, 2023, by the Property Owner(s), Francoise Monet and Philippe Branchu, ("Owner").

WITNESSETH:

WHEREAS, Owner owns all that certain real property situate in the County of San Mateo, State of California, commonly known as APN 057-163-090, Live Oak Lane the "Property"), as more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, the Property is located outside the jurisdictional boundaries of the City of Redwood City, a charter city and municipal corporation of the State of California, ("City"), and not contiguous to the City's boundary, but within the City's Sphere of Influence as determined by the San Mateo County Local Agency Formation Commission (the "Commission"); and

WHEREAS, on May 8, 2023, the City Council of the City adopted Resolution No. 16147, authorizing the application by the City to the Commission requesting approval for extension of water service to serve a new single family residence on the

Property pursuant to Government Code Section 56133 and in compliance with Redwood City Municipal Code Chapter 38 (Water System Regulations); and

WHEREAS, as a condition to said water service connection, the Commission required the Owner to evidence consent to annexation to City and waiver of protest to such annexation in the event the Property were to be proposed for annexation to City; and

WHEREAS, Owner desires to evidence such consent and waiver; and

WHEREAS, Owner understands that any future annexation to City is subject to any and all City rights and determinations, whether legislative, quasi-judicial, administrative, or however characterized, with respect to any proposed annexation of the Property to City.

A G R E E M E N T :

NOW, THEREFORE, Owner agrees as follows:

1. **CONSENT**. In the event that the Property shall be proposed for annexation to the City, Owner hereby consents to said annexation, and hereby waives Owner's rights to protest such annexation pursuant to the provisions of law governing such annexations.

2. **TAXES, OTHER CHARGES**. In the event annexation of the Property to City shall be duly approved by all agencies having jurisdiction thereof, Owner agrees that the Property shall be subject to any and all general, special, extraordinary, or additional taxes or assessments or any and all general, special extraordinary, or additional service charges, fees, or rates, levied against, imposed upon, or otherwise pertaining to the Property by any and all agencies, including the City, having jurisdiction thereof in the same fashion as other like property located within the territorial limits of City.


3. **SUCCESSORS.** This Declaration and all of the terms, conditions, covenants and declarations herein contained shall be binding upon, and shall inure to the benefit of, Owner, and Owner's administrators, heirs, assigns, and transferees.

4. **RUNS WITH THE LAND; RECORDATION.** This Declaration pertains to and shall run with the Property. Upon execution, this Declaration shall be recorded in the Official Records of San Mateo County.

5. **CAPTIONS.** Paragraph headings as used herein are for convenience only and shall not be deemed to affect the meaning or intent of the paragraph headed thereby.

IN WITNESS WHEREOF, Owner has executed this Declaration the date and year first hereinabove written.

OWNER



Francoise Monet, Owner

Date: 08/14/2023

[Signature must be notarized]



Philippe Branchu, Owner

Date: 8/14/2023

[Signature must be notarized]

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 057-163-090

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

LOT 25, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED EMERALD LAKE PARK, REDWOOD CITY, SAN MATEO COUNTY, CALIFORNIA, FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON MAY 21, 1919 IN BOOK 10 OF MAPS, AT PAGE 19.

EXCEPTING THEREFROM ALL THAT PORTION GRANTED TO ALBERT MONTANARO AND JEANETTE MONTANARO BY DEED RECORDED SEPTEMBER 13, 1935 IN BOOK 662, PAGE 279 OF OFFICIAL RECORDS, PURSUANT TO CERTIFICATE OF COMPLIANCE, RECORDED JULY 24, 2019, RECORDING NO. 2019-058052, SAN MATEO COUNTY RECORDS.

JPN: 057-016-163-09

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 San Mateo

On Aug. 14, 2023 before me, Michelle Mejia, Notary Public
(insert name and title of the officer)

personally appeared Francoise Monet and Philippe Branchu —
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)



EE ATTACHED
DGMMENT/JURAT
TARY PUBLIC