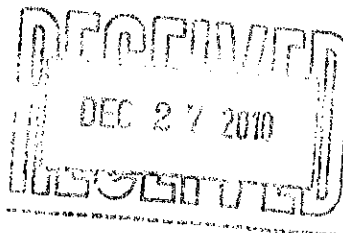


2010-27356-4Recorded — Official Records
Humboldt County, California
Carolyn Crnich, RecorderRecorded by CITY OF TRINIDAD
Exempt from payment of fees
Clerk: MM Total: 0.00
Dec 7, 2010 at 15:18Recording requested by
and When recorded return to:City Clerk
City of Trinidad
P.O. Box 390
Trinidad, CA 95570THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUENT TO
SECTION 27383 OF THE CALIFORNIA GOVERNMENT CODE**DEED RESTRICTION****RECITALS**

WHEREAS, Robert D. Lake, herein referred to as "Owner," is the record owner of real property described as Assessor's Parcel No. 042-041-024, 740 Edwards Street herein referred to as the "Property;" and

WHEREAS, the CITY OF TRINIDAD, herein referred to as the "City," is vested with planning, building and coastal permitting discretion and authority; and

WHEREAS, pursuant to the City Zoning Ordinance, and the Local Coastal Plan, the Owner applied to the City for a variance, design review and coastal development permit approval (#2010-03) for an addition to an existing, single-family residence (herein referred to as "Permit"); and

WHEREAS, approval and issuance of the Permit is subject to the following terms and conditions, to be recorded on deed:

1. That Owner would not increase the number of bedrooms on the Property above three without additional City approval of adequate sewage disposal facilities.
2. That Owner would not increase the use of the property beyond a one-unit, single-family residence without additional City approval for an accessory dwelling unit.

WHEREAS, when granting the Permit, the City found that but for the imposition of the above conditions the proposed development could not be found consistent with the provisions of the zoning ordinance and local coastal plan and that a Permit could otherwise not be granted; and

WHEREAS, Owner has elected to comply with the conditions imposed by the Permit and execute this Deed Restriction to enable Owner to undertake the development authorized by the Permit.

NOW, THEREFORE, in consideration of the granting of the Permit to the Owner by the City, the Owner hereby irrevocably covenants with the City that there be and

hereby is created the following restrictions on the use and enjoyment of said Property, to be attached to and become a part of the deed to the Property.

1. Covenants, Conditions and Restrictions. The undersigned Owner, for itself and for its heirs, assigns and successors in interest, covenants and agrees that:

a) At no time shall there be more than three (3) bedrooms on the Property without prior written approval by the City of adequate sewage disposal capabilities.

b) At no time shall the property be utilized with more than one (1) dwelling unit on the property without prior written approval by the City for an accessory dwelling unit.

2. Run With the Land. This Deed Restriction shall run with the land, bind all successors and assigns, and shall be free of all prior liens and encumbrances, except tax liens.

3. Taxes and Assessments. It is intended that this Deed Restriction is Irrevocable and shall constitute an enforceable restriction with the meaning of both Article XIII, Section 8, of the California Constitution; and Section 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden the Property within the meaning of §3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

4. Right of Entry. City, or its employees or agents, may enter onto the Property at a time reasonably acceptable to the Owner to ascertain whether the use restrictions set forth above are being observed.

5. Remedies. Any act, conveyance, contract or authorization by the Owner, whether written or oral, which uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction will be deemed a violation and breach hereof. The City and the Owner may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction. In the event of a breach, any forbearance on the part of either party to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding any subsequent breach.

6. Severability. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

Dated: 12/2/10


Robert D. Lake

ACKNOWLEDGMENT

State of California

County of Humboldt

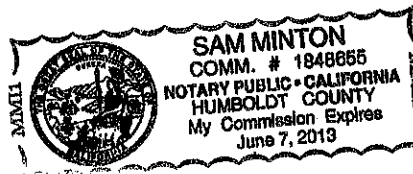
On December 2, 2010, before me, Sam Minton, Notary Public

personally appeared Robert D. Lake, 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 the instrument the person, or the entity upon 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.

Sam Minton
Notary Public
In and for said County and State



"EXHIBIT A"

EXHIBIT "A"

LEGAL DESCRIPTION

That real property situate in the County of Humboldt, City of Trinidad, State of California, as follows:

Those portions of Lot 13 of the Town of Trinidad, as per Survey by J.S. Murray on July 11, 1871 and filed in the office of the County Recorder of said County, described as follows:

PARCEL ONE:

BEGINNING at the Southwest corner of the land conveyed to Howard K. Havens and wife, by deed recorded October 17, 1950, under Recorder's Serial No. 18043;

thence Northerly, along the Westerly line of said land 139.82 feet, to the Northwest corner thereof;

thence South 89 degrees 30 minutes West, parallel with the Northerly line of said Lot, 80 feet, to a line drawn parallel with the Westerly line of land so conveyed to Havens and distant 80 feet Westerly therefrom, measured at right angles thereto;

thence Southerly, along the line so drawn, 139.82 feet, more or less, to the Southerly line of said Lot;

thence Easterly, along the last named line, 80 feet, to the point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed to Patrick R. Caldwell and Julia Louise Caldwell, husband and wife, as joint tenants, and described as follows:

BEGINNING on the North line of Edwards Street, at a point located South 89 degrees 45 minutes West, 127.21 feet, from the Northwest corner of Edwards and Hector Streets, as shown on Record of Survey recorded in Book 40, Page 82 of Surveys, Humboldt County Records;

thence North 1 degree 34 minutes 42 seconds East, to the East line of the land described as Parcel One in Deed to John Henry Wilson and wife, recorded April 19, 1978, in Book 1484, Page 78 of Official Records, Humboldt County Records;

thence along said East line South 0 degrees 03 minutes 30 seconds East, to the North line of Edwards Street;

thence South 89 degrees 45 minutes West, 2.00 feet, to the point of beginning.