RECORDED AT THE REQUEST OF
TITLE INSURANCE & TRUST CO.

WHEN RECORDED MAIL TO:

W. R. HOLCOMB
505 N. ARROWHEAD
SAN BERNARDINO, CALIF.

BOOK 8237 PAGE 715

178

RECORDED IN OFFICIAL RECORDS
SAN BERNARDINO COUNTY CAL.
CHARLES A. FERGUSON, RECORDER

1973 AUG 1 AM 10 50

8.00
D

DECLARATION OF RESTRICTIONS

FOR

TRACT NO. 8284

THIS DECLARATION MADE BY THE UNDERSIGNED, AFFECTING TRACT NO. 8284, SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 118, PAGES 85 TO 92 INCLUSIVE OF MAPS, RECORDS OF SAN BERNARDINO COUNTY.

WITNESSETH:

WHEREAS W. R. HOLCOMB, TRUSTEE, THE OWNER OF ALL OF SAID TRACT NO. 8284, SAID PARTIES HEREINAFTER BEING REFERRED TO AS DECLARANT.

WHEREAS, THE COVENANTS, CONDITIONS, RESERVATIONS AND RESTRICTIONS, (HEREINAFTER REFERRED TO AS "RESTRICTIONS") ARE FOR THE PURPOSE OF ENHANCING AND PROTECTING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF ALL OF THE LOTS AND PARCELS.

NOW, THEREFORE, THE DECLARANT DOES HEREBY MAKE AND ADOPT THE FOLLOWING DECLARATION OF RESTRICTIONS, WHICH SHALL BE APPLICABLE TO EACH AND EVERY LOT AND PARCEL IN THAT CERTAIN TRACT NO. 8284, AS RECORDED IN BOOK 118, PAGES 85 TO 92, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

THIS DECLARATION IS DESIGNED FOR THE MUTUAL BENEFIT OF ALL OF THE LOTS AND PARCELS IN SAID TRACT, AND DECLARANT HAS FIXED AND DOES HEREBY FIX THE PROTECTIVE RESTRICTIONS UPON WHICH ALL LOTS AND PARCELS OF SAID TRACT AND EACH OF THE PARTIES ACQUIRING ANY RIGHT, TITLE OR INTEREST THEREIN SHALL BE BOUND, AND THESE RESTRICTIONS SHALL RUN WITH THE LAND AND SHALL INURE TO THE BENEFIT OF EACH AND EVERY PARCEL OF LAND THEREIN AND SHALL APPLY TO AND BIND THE RESPECTIVE SUCCESSORS IN INTEREST THEREOF.

SAID RESTRICTIONS ARE AS FOLLOWS:

1. LOTS 1 THROUGH LOTS 130 INCLUSIVE OF TRACT 8284 SHALL BE DESINGATED R-MPD ZONE, SINGLE FAMILY MOBILE HOME, AND SHALL BE USED AND OCCUPIED SOLELY FOR THE PURPOSE OF A SINGLE FAMILY MOBILE HOME RESIDENCE AND/OR SUCH USE OR USES AS SET FORTH IN THE R-MPD CLASSIFICATION OF USES AS ESTABLISHED BY ORDINANCE 1437 OF THE COUNTY OF SAN BERNARDINO AS THE SAME IS ADOPTED OR FROM TIME TO TIME AMENDED.

2. THAT ONLY SUCH TYPE OF MOBILE HOME OR TRAILER COACH, AS DEFINED IN SAID ORDINANCE 1437 OR SUBSEQUENT AMENDMENTS THERETO, SHALL BE PLACED ON ANY LOT OR PARCEL WITHIN THIS TRACT, AND SHALL NOT HAVE LESS THAN 450 SQUARE FEET OF HABITABLE FLOOR AREA.

3. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OF NUISANCE TO THE NEIGHBORHOOD.

4. THAT NO STRUCTURE ERECTED THEREON SHALL BE NEARER THAN THE MINIMUM BUILDING SETBACK LINE AS INDICATED ON THE RECORDED MAP OF SAID TRACT 8284.

5. THAT IN ORDER TO MAINTAIN THE GENERAL APPEARANCE OF THE LOTS AND PARCELS WITHIN THIS TRACT, THE DECLARANT DOES HEREBY ESTABLISH A COMMITTEE OF ARCHITECTURE, WHICH SHALL APPROVE, PRIOR TO CONSTRUCTION, THE PLANS AND SPECIFICATIONS OF EACH MOBILE HOME SITE LOCATION, PATIO SLABS, CABANAS, CARPORTS AND ANY OTHER PROPOSED CONSTRUCTION WITH SAID LOT, AND EVERY LOT WITHIN THIS TRACT UNTIL JANUARY 1, 1985. ON THAT DATE THIS PARTICULAR PROVISION OF THE RESTRICTIONS SHALL TERMINATE AND SHALL NOT BE SUBJECT TO RENEWAL, AS PROVIDED IN PARAGRAPH 18 HEREAFTER. THE COMMITTEE OF ARCHITECTURE SHALL BE COMPOSED OF THREE (3) MEMBERS WHO SHALL BE APPOINTED OR DESIGNATED BY THE DECLARANT AND THEY SHALL RECEIVE ANY AND ALL PLANS AND SPECIFICATIONS SO SUBMITTED WHEN ACCOMPAINED BY THE APPROPRIATE FEE AS SHALL BE SET BY THE COMMITTEE. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF THE DEATH, INCAPACITY, OR RESIGNATION OF ANY MEMBER OF THE COMMITTEE, THE REMAINING MEMBERS SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR.

ALL PLANS AND SPECIFICATIONS TO BE APPROVED BY THE COMMITTEE OF ARCHITECTURE SHALL BE SUBMITTED TO THE OFFICE OF THE DECLARANT AT BOX 1806, HAVASU LANDING, HAVASU LAKE, CALIFORNIA, 92363. THE COMMITTEE OF ARCHITECTURE SHALL RULE ON THE ACCEPTANCE OF THE PROPOSED PLANS AND SPECIFICATIONS AS SUBMITTED. THE COMMITTEE OF ARCHITECTURE WILL ISSUE APPROVAL OR DENIAL OF THE PROPOSED PLANS AS SUBMITTED WITHIN 60 DAYS FROM THE DATE OF SUBMISSION. IF NO FORMAL ACTION IS TAKEN WITHIN THAT PERIOD OF TIME, THE PROPERTY OWNER SHALL THEN HAVE THE RIGHT TO COMMENCE CONSTRUCTION

COVERING THOSE ITEMS IN THE PROPOSED PLAN PROVIDING HOWEVER THEY MEET ALL STATE, COUNTY SPECIFICATIONS AND THE REQUIREMENTS ARE STATED HEREIN.

6. THAT NO WALL, FENCE, OR OTHER DIVIDING STRUCTURE HIGHER THAN THREE AND ONE-HALF FEET (3 1/2) SHALL BE PERMITTED WITHIN THE FRONT PROPERTY LINE AND THE FRONT SETBACK LINE OR HIGHER THAN SIX FEET (6) BETWEEN THE FRONT SETBACK LINE AND THE REAR PROPERTY LINE AS SHOWN ON THE RECORDED MAPS OF THIS TRACT, ON ANY LOT WITHIN THE TRACT.

7. THAT NO BUILDING STRUCTURE, MOBILE HOME, ADDITION, OR ACCESSORY SHALL BE LOCATED ON ANY LOT OR PARCEL NEARER THAN 5 FEET TO ANY SIDE LOT LINE OR 15 FEET FROM THE REAR LOT LINE, UNLESS APPROVED BY THE COMMITTEE OF ARCHITECTURE.

8. NO BOAT, BOAT TRAILER, TRAVEL TRAILER, CAMP TRAILER OR AUTOMOTIVE CAMPER, OR ANY SIMILAR PROPERTY SHALL BE STORED ON ANY LOT WITHIN THIS TRACT WITHOUT THE PRIOR WRITTEN APPROVAL OF THE DECLARANT, OR THE COMMITTEE OF ARCHITECTURE, UNLESS SAID PROPERTY IS STORED IN AN ENCLOSED BUILDING OF PERMANENT DESIGN.

9. THE DECLARANT HEREBY RESERVES THE RIGHT, BUT WITHOUT OBLIGATION TO DO SO, TO PLANT AND MAINTAIN TREES ON ANY LOT OR PARCEL WITHIN THIS TRACT WITHIN THE FRONT SETBACK AREA.

10. EACH OWNER OF A LOT SHALL MAINTAIN THE ENTIRE LOT IN A NEAT CONDITION AT ALL TIMES AND SHALL, WITHIN NINETY (90) DAYS OF THE INSTALLATION OF A MOBILE HOME, SKIRT THE SAME BY ENCLOSING (USING GOOD AND SUBSTANTIAL MATERIALS) THE ENTIRE AREA BETWEEN THE MOBILE HOME AND THE GROUND.

THE DECLARANT RESERVES THE RIGHT, BUT SHALL HAVE NO OBLIGATION, TO ENTER UPON ALL LOTS, BLOCK, OR PARCELS OF LAND, TO CARE FOR, CUT GRASS, REMOVE RUBBISH, AND KEEP ALL LOTS, BLOCKS OR PARCELS OF LAND FROM CREATING AN UNSIGHTLY APPEARANCE, AND TO CHARGE THE OWNER OF SAID LOT OR PARCEL THE ACTUAL COST PLUS 10% FOR SERVICES PERFORMED IN ALLEVIATING SAID UNSIGHTLY APPEARANCE.

11. WITH THE EXPRESSED PERMISSION OF THE COMMITTEE OF ARCHITECTURE AS TO DESIGN AND WITH THE REQUIRED PERMITS FROM THE VARIOUS COUNTY AND STATE AGENCIES IF REQUIRED, THE PROPERTY OWNER MAY ERECT WITHIN THE REAR 1/3 AREA OF SAID OWNERS LOT A COMPLETELY ENCLOSED 2 CAR GARAGE PROVIDING SAID GARAGE MEASURES NO LESS THAN 24 FEET WIDE BY 24 FEET DEEP WITH A FOLDING TYPE OR DROP DOWN TYPE

GARAGE DOOR. THE MAXIMUM PITCH ON ANY ROOF OF SAID STRUCTURE WILL BE 3 INCHES OF RISE TO EACH HORIZONTAL 1 FOOT. ALL ROOFS MUST PEAK IN THE CENTER OF THE GARAGE.

12. ALL MOBILE HOMES MUST HAVE COMPLETE SANITARY FACILITIES, INCLUDING, AMONG OTHERS, A LAVATORY, WASH BASIN, TUB OR SHOWER, KITCHEN SINK, AND MUST BE CONNECTED TO SEWAGE OUTLETS IN CONFORMITY WITH STATE AND COUNTY HEALTH REQUIREMENTS.

13. NOT MORE THAN ONE MOBILE HOME SHALL BE PLACED ON EACH LOT OR PARCEL OF LAND, WITH THE EXCEPTION OF TWO OR MORE MOBILE HOMES JOINED TO FORM A SINGLE DWELLING AS APPROVED BY THE COMMITTEE OF ARCHITECTURE. A LOT OR PARCEL OF LAND MAY BE OCCUPIED BY ONLY ONE SINGLE-FAMILY MOBILE HOME.

14. ALL BUILDINGS TO BE ERECTED SHALL BE OF NEW CONSTRUCTION AND MATERIALS, AND NO BASEMENT, TENT, SHACK, GARAGE, CAMPER, BARN, STABLE OR OTHER ODD BUILDINGS SHALL BE CONSTRUCTED, MOVED ON TO OR ERECTED ON ANY LOT IN SAID TRACT AT ANY TIME AND BE USED AS A RESIDENCE TEMPORARY OR PERMANENT NOR SHALL ANY STRUCTURES OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE. NO BUILDING OR STRUCTURE BUILT OR CONSTRUCTED ELSEWHERE SHALL BE MOVED ON TO, PLACED, OR MAINTAINED ON ANY LOT IN SAID TRACT.

15. NO LOT OR PART OF A LOT OR PARCEL OF LAND IN THIS TRACT SHALL BE REGRADED WITHOUT THE PRIOR WRITTEN CONSENT OF THE COMMITTEE OF ARCHITECUTRE.

16. NO LOT OR PARCEL WITHIN THIS TRACT SHALL BE SPLIT, DIVIDED, OR SUBDIVIDED INTO ANY SMALLER PLOT THAN INDICATED ON THE RECORDED MAP OF THIS TRACT.

17. THESERESTRICTIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 1985, AT WHICH TIME SAID RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS BY VOTE OF THE THEN OWNERS OF A MAJORITY OF THE LOTS IN SAID TRACT, IT IS AGREED TO CHANGE SAID RESTRICTIONS IN WHOLE OR IN PART.

18. INVALIDATION OF ANY ONE OF THESE RESTRICTIONS BY JUDGMENT OR BY COURT ORDER SHALL NOT AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

19. EACH GRANTEE AND OWNER OF A LOT IN SAID TRACT AGREES FOR

HIMSELF, HIS HEIRS, ASSIGNS, OR SUCCESSORS IN INTEREST THAT HE WILL PERMIT FREE ACCESS BY OWNERS OF ADJACENT OR ADJOINING LOTS, TO SLOPES OR DRAINAGEWAYS LOCATED ON HIS PROPERTY WHICH AFFECT SAID ADJACENT OR ADJOINING LOTS, WHEN SUCH ACCESS IS ESSENTIAL FOR THE MAINTENANCE OF PERMANENT STABILIZATION ON SAID SLOPES, OR MAINTENANCE OF THE DRAINAGEWAY FACILITIES FOR THE PROTECTION AND USE OF PROPERTY OTHER THAN THE LOT ON WHICH THE SLOPE OR DRAINAGEWAY IS LOCATED.

THAT EACH GRANTEE OF A LOT IN SAID TRACT AGREES FOR HIMSELF AND HIS ASSIGNS THAT HE WILL NOT IN ANY WAY INTERFERE WITH THE ESTABLISHED DRAINAGE PATTERN OVER HIS LOT FROM ADJOINING OR OTHER LOTS IN SAID TRACT, AND THAT HE WILL MAKE ADEQUATE PROVISIONS FOR PROPER DRAINAGE IN THE EVENT IT IS NECESSARY TO CHANGE THE ESTABILISHED DRAINAGE OVER HIS LOT. FOR THE PURPOSES HEREOF, "ESTABLISHED" DRAINAGE IS DEFINED AS THE DRAINAGE WHICH OCCURRED AT THE TIME THE OVERALL GRADING OF SAID TRACT, INCLUDING THE LANDSCAPING OF EACH LOT IN SAID TRACT, WAS COMPLETED BY THE UNDERSIGNED DECLARANT OR ITS ASSIGNS.

20. NO MOBILE HOME SHALL BE PLACED OR MOVED ONTO ANY LOT IN SAID TRACT OR ANY CABANA, PATIO SLAB, CARPORT, OR STORAGE BUILDING CONSTRUCTED UNTIL THE ARCHITECUTRAL CONTROL COMMITTEE HEREINBEFORE MENTIONED, HAS GIVEN APPROVAL OF MOBILE HOME, CABANA, PATIO SLAB, CARPORT OR STORAGE BUILDING, AS TO THE QUALITY OF WORKMANSHIP, DESIGN AND CONFORMANCE TO ALL REQUIREMENTS TO BE IN HARMONY WITH THE APPEARANCE AND DESIGN OF ANY MOBILE HOMES OR ACCESSORY IMPROVEMENTS LOCATED ON, OR TO BE LOCATED ON ANY LOT IN SAID TRACT.

21. AFTER JANUARY 1, 1985, THERE NEED NOT BE A COMMITTEE OF ARCHITECTURE, UNLESS HOWEVER, 51% OR MORE OF THE PROPERTY OWNERS IN SAID TRACT 8284 SO DESIRE SUCH A COMMITTEE. THEN THEY MAY ELECT AT 5 YEAR INTERVALS TO EXTEND THE PERIOD THE COMMITTEE OF ARCHITECTURE MAY RULE ALL PROPOSED MOBILE HOMES AND STRUCTURES FOR PROPERTY OWNERS PARCELS.

22. PROVIDED FURTHER, THAT A BREACH OF ANY OF THE FOREGOING PROVISIONS, CONDITIONS, RESTRICTIONS OR COVENANTS, OR ANY RE-ENTRY BY REASON OF SUCH BREACH SHALL NOT DEFEAT OR RENDER INVALID THE LIEN OF ANY MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE AS TO ANY LOT IN SAID TRACT OR ANY PART THEREOF AND ANY

IMPROVEMENTS THEREON, BUT SAID PROVISIONS, CONDITIONS, RESTRICTIONS AND COVENANTS, SHALL BE BINDING UPON AND EFFECTIVE AGAINST ANY OWNER THEREOF WHOSE TITLE THERETO IS ACQUIRED BY FORECLOSURE OF ANY MORTGAGE OR DEED OF TRUST OR OTHERWISE.

IN WITNESS WHEREOF, SAID DECLARANT HAVE CAUSED THEIR NAME TO BE AFFIXED HERETO THIS 30TH DAY OF JULY, 1973.

W. R. HOLCOMB, TRUSTEE

TO 447 C
(Individual)

TI

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } SS.

On AUGUST 1, 1973 before me, the undersigned, a Notary Public in and for said State, personally appeared W. R. HOLCOMB, AS TRUSTEE

known to me to be the person whose name IS subscribed to the within instrument and acknowledged that HE executed the same.

WITNESS my hand and official seal.

Signature Marion R. Jehue

Name (Typed or Printed)

OFFICIAL SEAL
MARION R. JEHUE
NOTARY PUBLIC CALIFORNIA
SAN BERNARDINO COUNTY
My Commission Expires Jan. 11, 1978

(This area for official notarial seal)

STAPLE HERE