

**Recording Requested by:**  
County of Humboldt  
Planning and Building Department

**Return to:**  
County of Humboldt  
Planning and Building Department  
3015 H Street  
Eureka, CA 95501-4484

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
IMPLEMENTING JOINT TIMBER MANAGEMENT PLAN AND GUIDE

Entered into on:

Assessor Parcel No.:

**215-151-002, 215-151-006, 215-162-005, 215-162-020**

By and Between **Boyle Forests, LP, a California limited  
partnership and Solomon and Erin  
Glenger, husband and wife as joint  
tenants**

Application No.: **13769**

Case No.: **JTMP-17-008**

RECITALS

DECLARANT is the owner of the property described in the attached EXHIBIT "A" (hereafter called the "subject property"). This Declaration of covenants, Conditions and Restrictions is recorded for the mutual benefit of all the subject property. DECLARANT declares that all of the real property described in the attached EXHIBIT "A" shall be held transferred, encumbered, used, sold, conveyed, leased and occupied subject to the covenants, conditions and restrictions hereafter set forth which covenants, conditions and restrictions are expressly and exclusively for the use and benefit of the above referenced property, and for the benefit and use of each and every person or entity who now owns, or acquires in the future, all or any portion or portions of said real property.

This Joint Timber Management Plan created by these covenants, conditions and restrictions shall be carried out in accordance with the most recent Joint Management Guide prepared with respect to the subject property, which Guide is attached as EXHIBIT "B" and is on file at the Humboldt County Planning and Building Department.

OWNER'S REPRESENTATION

I hereby represent that I am the owner(s) of record of the real properties described in the attached Exhibit "A".

(for owner's name(s) and signatures(s))

Boyle Forests, LP, a California limited partnership

William F. Barnum, Member, Boyle Forests Management, LLC, the General Partner of Boyle Forests, LP

WILLIAM F. BARNUM

Print name here

*William F. Barnum*

Sign above

*Solomon Gienger*

Sign above. Print name here: SOLOMON GIENGER\*\*

*Erin Gienger*

Sign above. Print name here: ERIN GIENGER\*\*

\*\* husband and wife as joint tenants

CERTIFICATE OF 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 HUMBOLDT }

On this 27th day of March 20 19, before me, A. Hinton Public

Notary, personally appeared William F. Barnum 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 is true and correct.

Witness my hand and official seal.

A. Hinton (seal)
Signature



CERTIFICATE OF ACKNOWLEDGMENT

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STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

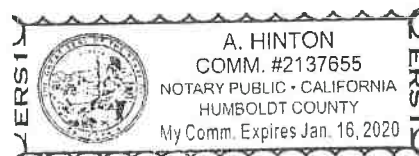
On this 14th day of April 20 19, before me, A. Hinton Public

Notary, personally appeared Solomon Gienger 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 is true and correct.

Witness my hand and official seal.

A. Hinton (seal)
Signature



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 Humboldt

On May 12, 2019 before me, A. Hinton, a Notary Public, personally appeared Erin Gienger, 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: *A. Hinton*

My commission expires: January 16, 2020



**EXHIBIT A**

PROPERTY DESCRIPTION

All that real property situated in the County of Humboldt, State of California, described as follows:

**PARCEL A**

All that portion of Lot 12 of Section 4 in Township 5 South, Range 2 East, Humboldt Meridian lying easterly of the centerline of the Briceland-Thorn County Road and southerly of the centerline of Vanauken Creek, and the northeast quarter of the southwest quarter, the northwest quarter of the southeast quarter, the south half of the southeast quarter, and that portion of the northwest quarter of the southwest quarter which lies easterly of the centerline of the County Road, all in Section 4, in Township 5 South, Range 2 East, Humboldt Meridian.

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

Those portions of the Sections 3 and 4, Township 5 South, Range 2 East, Humboldt Meridian, described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 3, Township 5 South, Range 2 East, Humboldt Meridian, as said corner is shown in Book 11 Surveys, Page 135;

thence North 88 degree 45 minutes 00 seconds East, along the South line of the Northwest Quarter of the Southwest Quarter of said Section 3, for a distance of 861.41 feet;

thence North 01 degrees 02 minutes 50 seconds West, 466.17 feet;

thence North 59 degrees 40 minutes 20 seconds West, 591.04 feet;

thence South 42 degrees 40 minutes 52 seconds West, 331.62 feet;

thence South 86 degrees 32 minutes 04 seconds West, 711.54 feet;

thence South 59 degrees 06 minutes 50 seconds West, 531.10 feet;

thence South 26 degrees 49 minutes 16 seconds West, 562.42 feet;

thence South 23 degrees 58 minutes 40 seconds East, 388.33 feet;

thence North 89 degrees 31 minutes 03 seconds East, 670.34 feet;

thence South 30 degrees 59 minutes 04 seconds West, 842.78 feet to the South line of the Southeast Quarter of said Section 4;

thence South 88 degrees 42 minutes 35 seconds East, along said South line, 924.01 feet to the Southeast corner of said Section 4;

thence North 00 degrees 40 minutes 00 seconds West, along the West line of the Southwest Quarter of said Section 3, for a distance of 1370.62 feet to the POINT OF BEGINNING.

This description is based on a Record of Survey map for BOYLE FORESTS, LP, A CALIFORNIA LIMITED PARTNERSHIP AND SOLOMON GIENGER in Section 3 and Section 4, Township 5 South, Range 2 East, Humboldt Meridian, dated September 2018, to be filed with the Humboldt County Recorder subsequent to the recordation of this document

**PARCEL B**

The northeast quarter of the southeast quarter of Section 4 and the northwest quarter of the southwest quarter of Section 3 in Township 5 South, Range 2 East, Humboldt Meridian.

EXCEPTING THEREFROM THE FOLLOWING PARCEL:

Those portions of the Sections 3 and 4, Township 5 South, Range 2 East, Humboldt Meridian, described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 3, Township 5 South, Range 2 East, Humboldt Meridian, as said corner is shown in Book 11 Surveys, Page 135;

thence North 88 degree 45 minutes 00 seconds East, along the South line of the Northwest Quarter of the Southwest Quarter of said Section 3, for a distance of 861.41 feet;

thence North 01 degrees 02 minutes 50 seconds West, 466.17 feet;

thence North 59 degrees 40 minutes 20 seconds West, 591.04 feet;

thence South 42 degrees 40 minutes 52 seconds West, 331.62 feet;

thence South 86 degrees 32 minutes 04 seconds West, 711.54 feet;

thence South 59 degrees 06 minutes 50 seconds West, 531.10 feet;

thence South 26 degrees 49 minutes 16 seconds West, 562.42 feet;

thence South 23 degrees 58 minutes 40 seconds East, 388.33 feet;

thence North 89 degrees 31 minutes 03 seconds East, 670.34 feet;

thence South 30 degrees 59 minutes 04 seconds West, 842.78 feet to the South line of the Southeast Quarter of said Section 4;

thence South 88 degrees 42 minutes 35 seconds East, along said South line, 924.01 feet to the Southeast corner of said Section 4;

thence North 00 degrees 40 minutes 00 seconds West, along the West line of the Southwest Quarter of said Section 3, for a distance of 1370.62 feet to the POINT OF BEGINNING.

This description is based on a Record of Survey map for BOYLE FORESTS, LP, A CALIFORNIA LIMITED PARTNERSHIP AND SOLOMON GIENGER in Section 3 and Section 4, Township 5 South, Range 2 East, Humboldt Meridian, dated September 2018, to be filed with the Humboldt County Recorder subsequent to the recordation of this document.

**PARCEL C**

Those portions of the Sections 3 and 4, Township 5 South, Range 2 East, Humboldt Meridian, described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 3, Township 5 South, Range 2 East, Humboldt Meridian, as said corner is shown in Book 11 Surveys, Page 135;

thence North 88 degree 45 minutes 00 seconds East, along the South line of the Northwest Quarter of the Southwest Quarter of said Section 3, for a distance of 861.41 feet;

thence North 01 degrees 02 minutes 50 seconds West, 466.17 feet;

thence North 59 degrees 40 minutes 20 seconds West, 591.04 feet;

thence South 42 degrees 40 minutes 52 seconds West, 331.62 feet;

thence South 86 degrees 32 minutes 04 seconds West, 711.54 feet;

thence South 59 degrees 06 minutes 50 seconds West, 531.10 feet;

thence South 26 degrees 49 minutes 16 seconds West, 562.42 feet;  
thence South 23 degrees 58 minutes 40 seconds East, 388.33 feet;  
thence North 89 degrees 31 minutes 03 seconds East, 670.34 feet;  
thence South 30 degrees 59 minutes 04 seconds West, 842.78 feet to the South line of the Southeast Quarter of said Section 4;  
thence South 88 degrees 42 minutes 35 seconds East, along said South line, 924.01 feet to the Southeast corner of said Section 4;  
thence North 00 degrees 40 minutes 00 seconds West, along the West line of the Southwest Quarter of said Section 3, for a distance of 1370.62 feet to the POINT OF BEGINNING.

The Southwest Quarter of the Southwest Quarter of Section 3, Township 5 South, Range 2 East, Humboldt Meridian.

This description is based on a Record of Survey map for BOYLE FORESTS, LP, A CALIFORNIA LIMITED PARTNERSHIP AND SOLOMON GIENGER in Section 3 and Section 4, Township 5 South, Range 2 East, Humboldt Meridian, dated September 2018, to be filed with the Humboldt County Recorder subsequent to the recordation of this document.

END OF DESCRIPTION

Prepared by:

*Preliminary until reviewed by the County Surveyor*

\_\_\_\_\_  
Michael J. O'Hern  
LS 4829 Dated: \_\_\_\_\_

COVENANTS, CONDITIONS AND RESTRICTIONS APPLICABLE TO THE PROPERTY DESCRIBED IN EXHIBIT "A"

- 1. Term. These covenants, conditions and restrictions shall run with the land and shall be binding on all heirs, successors, or assigns of DECLARANT, and on all persons or entities holding any interest in the subject property, for as long as the land is zoned Timber Production (TPZ).
2. Access Easements. In addition to and notwithstanding any other easements of record which may exist, each owner of a parcel described in Exhibit A shall have the non-exclusive easements as described in the Joint Timber Management Plan and attached as Exhibit B.
3. Timber Management and Harvest. Timber management and harvest activities on all parcels described in Exhibit "A" shall be conducted in accordance with the most recently prepared Joint Timber Management Guide applicable to the subject property, on file with the Humboldt County Planning and Building Department and incorporated herein by this reference. Said Guide shall provide for timber harvest within a reasonable period of time.
4. Enforcement. Enforcement may be undertaken by any available proceeding at law or in equity against any person, persons, or entity violating or attempting to violate any of the covenants, conditions and restrictions contained herein. Any remedy available at law or in equity may be sought for the purpose of restraining or preventing any violation of these covenants, conditions and restrictions, or to recover damages for any such violation.
5. Severability. Invalidation of any one of these covenants, conditions and restrictions shall in no way affect or serve to invalidate any of the other provisions contained herein, and all remaining provisions shall remain in full force and effect.
6. Incorporation into Transfer Document(s). A reference to this Declaration of Covenants, Conditions and Restrictions Implementing the Joint Timber Management Plan and Guide and the Recorder's Document Information shall appear in any document which transfers title to the subject property, or any portion thereof, and shall be in substantially the following form:

"This real property is subject to the provisions of a Declaration of Covenants, Conditions and Restrictions Implementing the Joint Timber Management Plan and Guide recorded in the office of the Humboldt County Recorder as Recorder's document \_\_\_\_\_."

IN WITNESS WHEREOF, DECLARANT(S) has/have executed this Declaration of Covenants, Conditions and Restrictions on the day and year first written below.



OWNER'S REPRESENTATION

I hereby represent that I am the owner(s) of record of the real properties described in the attached Exhibit "A".

(for owner's name(s) and signatures(s))

**Boyle Forests, LP, a California limited partnership**

William F. Barnum, Member, Boyle Forests Management, LLC, the General Partner of Boyle Forests, LP

WILLIAM F. BARNUM

Print name here

William F. Barnum

Sign above

Solomon Gienger

Sign above. Print name here: SOLOMON GIENGER\*\*

Erin Gienger

Sign above. Print name here: ERIN GIENGER\*\*

\*\* husband and wife as joint tenants

CERTIFICATE OF 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 HUMBOLDT }

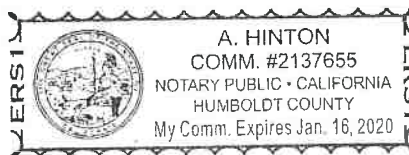
On this 27th day of March 2019, before me, A. Hinton Public

Notary, personally appeared William F. Barnum 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 is true and correct.

Witness my hand and official seal.

A. Hinton (seal)
Signature



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STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

On this 11th day of April 2019, before me, A. Hinton Public

Notary, personally appeared Solomon Sienger 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 is true and correct.

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Signature



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State of California  
County of Humboldt

On May 12, 2019 before me, A. Hinton, a Notary Public, personally appeared Erin Gienger, 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: *A. Hinton*

My commission expires: January 16, 2020

