

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.:
223-044-003 et seq.

By and Between **Bob Howard & Bob Howard, Trustee of
The Bob J. Howard Living Trust UAD
October 19, 2016**

Application No.: **14122**

Case No.: **LLA-18-013**

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.

APN No.: 223-044-003, 223-045-007

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))

Bob Howard

Print name here

Bob Howard
Sign above

Bob Howard, as Trustee of the Bob J. Howard

Living Trust UAD October 19, 2016

Print name here

Bob Howard, Trustee
Sign above

Print name here

Sign above

Print name here

Sign above

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 22nd day of MAY, 20 19, before me, JAMES LAMPORT Public

Notary, personally appeared BOB HOWARD 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.

James Lampport
Signature (seal) JAMES LAMPORT

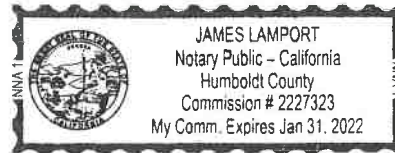


EXHIBIT A

PROPERTY DESCRIPTION

That portion of Township 5 South, Range 4 East, Humboldt Meridian, more particularly described as follows:

PARCEL ONE

Lot 2 and Lot 3 of Section 7, Township 5 South, Range 4 East, Humboldt Meridian.

Being the same lands described in the Deed to Ezra Reed and Reuben Reed recorded May 16, 1890 in Book 34 of Deeds, Page 559, Humboldt County Records.

EXCEPTING therefrom that portion thereof conveyed to T.M. Dimmick Company, a partnership, by Deed recorded October 14, 1970 in Book 1061, Page 437, Humboldt County Official Records.

ALSO EXCEPTING therefrom, those portions thereof conveyed to the State of California by the following Deeds:

- A. Deed recorded July 23, 1971 in Book 1096 of Official Records, Page 385, Humboldt County Records.
- B. Deed recorded April 28, 1988 in Book 1872 of Official Records, Page 215, Humboldt County Records.

PARCEL TWO

The Northwest Quarter of the Northeast Quarter of Section 18 and the West Half of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 7, Township 5 South, Range 4 East, Humboldt Meridian.

Being the same lands described in the Patent to Joseph Caton, recorded April 11, 1911 in Book 21 of Patents, Page 256, Humboldt County Records.

EXCEPTING from the Northwest Quarter of the Northeast Quarter of Section 18, that portion thereof lying Southerly and Westerly of a line described as follows:

BEGINNING on the North line of Lot 4 of Section 7, Township 5 South, Range 4 East, Humboldt Meridian, at a point located South 89 degrees 55 minutes 26 seconds West, thereon 155.29 feet from the Northeast corner of said Lot 4

- Thence South 2 degrees 23 minutes 40 seconds West, 90.76 feet;
- Thence South 2 degrees 18 minutes 44 seconds East, 102.72 feet;
- Thence South 18 degrees 16 minutes 13 seconds West, 195.31 feet;
- Thence South 21 degrees 51 minutes 01 seconds West, 184.81 feet;
- Thence South 12 degrees 06 minutes 21 seconds West, 140.99 feet;
- Thence South 5 degrees 12 minutes 46 seconds East, 228.92 feet;
- Thence South 26 degrees 29 minutes 37 seconds West, 72.65 feet;
- Thence South 52 degrees 26 minutes 01 seconds West, 88.48 feet;

Thence South 67 degrees 34 minutes 40 seconds West, 111.04 feet;
 Thence South 36 degrees 16 minutes 55 seconds West, 59.83 feet;
 Thence South 10 degrees 07 minutes 12 seconds West, 115.80 feet;
 Thence South 9 degrees 59 minutes 05 seconds East, 169.56 feet;
 Thence South 9 degrees 11 minutes 40 seconds West, 139.98 feet;
 Thence South 50 degrees 25 minutes 22 seconds East, 117.82 feet;
 Thence North 53 degrees 18 minutes 20 seconds East, 229.50 feet;
 Thence South 60 degrees 17 minutes 45 seconds East, 116.23 feet;
 Thence South 64 degrees 10 minutes 17 seconds East, 123.46 feet;
 Thence South 43 degrees 35 minutes 52 seconds East, 30.58 feet;
 Thence South 1 degree 57 minutes 34 seconds West, 60.54 feet;
 Thence South 51 degrees 10 minutes 16 seconds West, 130.83 feet;
 Thence South 17 degrees 53 minutes 49 seconds West, 91.39 feet;
 Thence South 26 degrees 39 minutes 57 seconds East, 51.02 feet;
 Thence South 48 degrees 28 minutes 20 seconds East, 173.16 feet;
 Thence North 85 degrees 19 minutes 56 seconds East, 94.48 feet;
 Thence North 71 degrees 19 minutes 16 seconds East, 165.92 feet;
 Thence North 68 degrees 48 minutes 13 seconds East, 118.84 feet;
 Thence North 82 degrees 24 minutes 43 seconds East, 235.21 feet;
 Thence South 63 degrees 51 minutes 20 seconds East, 186.63 feet;
 Thence South 61 degrees 46 minutes 55 seconds East, 133.57 feet;
 Thence South 33 degrees 35 minutes 26 seconds East, 239.26 feet;
 Thence South 65 degrees 30 minutes 32 seconds East, 151.13 feet;
 Thence South 33 degrees 00 minutes 37 seconds East, 45.68 feet;
 Thence South 10 degrees 18 minutes 17 seconds East, 282.06 feet.

EXCEPTING FROM PARCELS ONE AND TWO all that portion lying south of the creek running in an east-west direction through the Northwest Quarter of the Southeast Quarter of Section 7 and near the north line of Lot 3 of said Section 7.

That portion of Township 5 South, Range 4 East, Humboldt Meridian, more particularly described as follows:

PARCEL ONE

Lot 2 and Lot 3 of Section 7, Township 5 South, Range 4 East, Humboldt Meridian.

Being the same lands described in the Deed to Ezra Reed and Reuben Reed recorded May 16, 1890 in Book 34 of Deeds, Page 559, Humboldt County Records.

EXCEPTING therefrom that portion thereof conveyed to T.M. Dimmick Company, a partnership, by Deed recorded October 14, 1970 in Book 1061, Page 437, Humboldt County Official Records.

ALSO EXCEPTING therefrom, those portions thereof conveyed to the State of California by the following Deeds:

- A. Deed recorded July 23, 1971 in Book 1096 of Official Records, Page 385, Humboldt County Records.
- B. Deed recorded April 28, 1988 in Book 1872 of Official Records, Page 215, Humboldt County Records.

PARCEL TWO

That portion of Lot 4 of Section 7 and Lot 1 of Section 18, Township 5 South, Range 4 East, Humboldt Meridian, lying Easterly and Northerly of a line described as follows:

BEGINNING on the North line of Lot 4 of Section 7, Township 5 South, Range 4 East, Humboldt Meridian, at a point located South 89 degrees 55 minutes 26 seconds West, thereon 155.29 feet from the Northeast corner of said Lot 4;

Thence South 2 degrees 23 minutes 40 seconds West, 90.76 feet;
Thence South 2 degrees 18 minutes 44 seconds East, 102.72 feet;
Thence South 18 degrees 16 minutes 13 seconds West, 195.31 feet;
Thence South 21 degrees 51 minutes 01 seconds West, 184.81 feet;
Thence South 12 degrees 06 minutes 21 seconds West, 140.99 feet;
Thence South 5 degrees 12 minutes 46 seconds East, 228.92 feet;
Thence South 26 degrees 29 minutes 37 seconds West, 72.65 feet;
Thence South 52 degrees 26 minutes 01 seconds West, 88.48 feet;
Thence South 67 degrees 34 minutes 40 seconds West, 111.04 feet;
Thence South 36 degrees 16 minutes 55 seconds West, 59.83 feet;
Thence South 10 degrees 07 minutes 12 seconds West, 115.80 feet;
Thence South 9 degrees 59 minutes 05 seconds East, 169.56 feet;
Thence South 9 degrees 11 minutes 40 seconds West, 139.98 feet;
Thence South 50 degrees 25 minutes 22 seconds East, 117.82 feet;
Thence North 53 degrees 18 minutes 20 seconds East, 229.50 feet;

Thence South 60 degrees 17 minutes 45 seconds East, 116.23 feet;
Thence South 64 degrees 10 minutes 17 seconds East, 123.46 feet;
Thence South 43 degrees 35 minutes 52 seconds East, 30.58 feet;
Thence South 1 degree 57 minutes 34 seconds West, 60.54 feet;
Thence South 51 degrees 10 minutes 16 seconds West, 130.83 feet;
Thence South 17 degrees 53 minutes 49 seconds West, 91.39 feet;
Thence South 26 degrees 39 minutes 57 seconds East, 51.02 feet;
Thence South 48 degrees 28 minutes 20 seconds East, 173.16 feet;
Thence North 85 degrees 19 minutes 56 seconds East, 94.48 feet;
Thence North 71 degrees 19 minutes 16 seconds East, 165.92 feet;
Thence North 68 degrees 48 minutes 13 seconds East, 118.84 feet;
Thence North 82 degrees 24 minutes 43 seconds East, 235.21 feet;
Thence South 63 degrees 51 minutes 20 seconds East, 186.63 feet;
Thence South 61 degrees 46 minutes 55 seconds East, 133.57 feet;
Thence South 33 degrees 35 minutes 26 seconds East, 239.26 feet;
Thence South 65 degrees 30 minutes 32 seconds East, 151.13 feet;
Thence South 33 degrees 00 minutes 37 seconds East, 45.68 feet;
Thence South 10 degrees 18 minutes 17 seconds East, 282.06 feet.

PARCEL THREE

The Northwest Quarter of the Northeast Quarter of Section 18 and the West Half of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 7, Township 5 South, Range 4 East, Humboldt Meridian.

Being the same lands described in the Patent to Joseph Caton, recorded April 11, 1911 in Book 21 of Patents, Page 256, Humboldt County Records.

EXCEPTING from the Northwest Quarter of the Northeast Quarter of Section 18, that portion thereof lying Southerly and Westerly of a line described as follows:

BEGINNING on the North line of Lot 4 of Section 7, Township 5 South, Range 4 East, Humboldt Meridian, at a point located South 89 degrees 55 minutes 26 seconds West, thereon 155.29 feet from the Northeast corner of said Lot 4

Thence South 2 degrees 23 minutes 40 seconds West, 90.76 feet;
Thence South 2 degrees 18 minutes 44 seconds East, 102.72 feet;
Thence South 18 degrees 16 minutes 13 seconds West, 195.31 feet;
Thence South 21 degrees 51 minutes 01 seconds West, 184.81 feet;
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Thence South 61 degrees 46 minutes 55 seconds East, 133.57 feet;
Thence South 33 degrees 35 minutes 26 seconds East, 239.26 feet;
Thence South 65 degrees 30 minutes 32 seconds East, 151.13 feet;
Thence South 33 degrees 00 minutes 37 seconds East, 45.68 feet;
Thence South 10 degrees 18 minutes 17 seconds East, 282.06 feet.

PARCEL FOUR

The East Half of the Northeast Quarter of Section 18, Township 5 South, Range 4 East, Humboldt Meridian.

Being the same lands described in the Patent to Heinrich H. Schroeder, recorded May 3, 1894 in Book 14 of Patents, Page 450, Humboldt County Records.

PARCEL FIVE

The Southwest Quarter of the Northeast Quarter of Section 18, Township 5 South, Range 4 East, Humboldt Meridian.

EXCEPTING FROM PARCELS ONE, TWO and THREE all that portion lying north of the creek running in an east-west direction through the Northwest Quarter of the Southeast Quarter of Section 7 and near the north line of Lot 3 of said Section 7.

END OF DESCRIPTION

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. Invalidity 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.

Bob Howard

Declarant's (Property Owners') Signature *

5/22/19

Date

Declarant's (Property Owners') Signature *

Date

Declarant's (Property Owners') Signature *

Date

Declarant's (Property Owners') Signature *

Date

* Attach separately full page Notary Acknowledgment Form

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 22nd day of MAY 20 19, before me, JAMES LAMPOR Public

Notary, personally appeared BOB HOWARD 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.

James Lampor (seal)
Signature JAMES LAMPOR

