

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.:
102-151-001 & 102-092-004

By and Between **Andrea Casanova, a married woman
as her separate property and Jack
McBride, Trustee of the Viola McBride
Education Trust**

Application No.: **14001**

Case No.: **JTMP-18-001**

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

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

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

Andrea Casanova, a married woman as to her separate property

Print name here Sign above

Jack McBride, Trustee of the Viola McBride

Education Trust

Print name here 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 _____ day of _____, 20____, before me, _____ Public

Notary, personally appeared _____ 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.

Signature (seal)

EXHIBIT A

PROPERTY DESCRIPTION

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

THE ANDREA CASANOVA PROPERTY:

LOTS 4, 5, 6 AND 11 IN SECTION 31, TOWNSHIP 1 NORTH, RANGE 1 WEST, HUMBOLDT MERIDIAN.

EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS AS RESERVED BY THE UNITED STATES OF AMERICA IN PATENT RECORDED JANUARY 21, 1931 IN BOOK 24 OF PATENTS, PAGE 279, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THE MCBRIDE PROPERTIES PROPERTY:

THE EAST HALF OF FRACTIONAL SECTION 36, IN TOWNSHIP 1 NORTH, RANGE 2 WEST, HUMBOLDT MERIDIAN.

EXCEPTING THEREFROM ALL OIL, GAS, OIL SHALE, COAL, PHOSPHATE, SODIUM, GOLD, SILVER AND ALL OTHER MINERAL DEPOSITS CONTAINED IN SAID LAND TOGETHER WITH THE RIGHT TO DRILL FOR AND EXTRACT SUCH DEPOSITS OF OIL AND GAS, OR GAS, AND TO PROSPECT FOR, MINE AND REMOVE SUCH DEPOSITS OF OTHER MINERALS FROM SAID LAND AND TO OCCUPY AND USE SO MUCH OF THE SURFACE OF SAID LAND AS MAY BE REQUIRED THEREFORE, UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF CHAPTER 5, PART I, DIVISION 6 OF THE PUBLIC RESOURCES CODE, AS RESERVED BY THE STATE OF CALIFORNIA IN PATENT RECORDED SEPTEMBER 17, 1962, IN BOOK 703 OF OFFICIAL RECORDS, PAGE 488, UNDER RECORDER'S SERIAL NO. 15833, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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.

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 }
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