

Attachment A

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Recorded at the request of
and when recorded return to:

County of Monterey
RMA-Administrative Services
1441 Schilling Place, South Bldg., 2nd Floor
Salinas, California 93901
Attn: Real Property Specialist

No fee for recording pursuant to
CA Government Code Section 27383

Above Space for Recorder's Use

DEED RESTRICTION AND COVENANT

This DEED RESTRICTION AND COVENANT is made as of the last date opposite the respective signatures below by the County of Monterey, a political subdivision of the State of California ("County") with reference to the following facts and circumstances:

- A. County is the owner in fee of that certain real property (Assessor's Parcel Number: 003-851-043) particularly described in **Exhibit "A"** attached hereto and made a part hereof, situated in the County of Monterey, California ("the Property").
- B. On April 1, 2019, the County submitted its proposal to build a Regional Emergency Shelter on a portion of the Property at 855 East Laurel Drive, Salinas, California, in response to the Coalition of Homeless Services Providers Homeless Emergency Aid Program (HEAP) Request for Proposals.
- C. On _____ Coalition of Homeless Services Providers executed a Subrecipient Grant Funding Agreement with County to undertake activities under the Homeless Emergency Aid Program ("HEAP") as approved by the California Business Services and Housing Agency, Homeless Coordinating and Financing Council. This Subrecipient Agreement is subject to a deed restriction committing the County to utilize the Property for the approved HEAP-contracted activity for a ten (10) year duration.
- D. County affirms its commitment to combating homelessness and creating or augmenting a continuum of shelter and services options for those living without shelter in the County of Monterey.

NOW THEREFORE, the County hereby has created the following restrictions on the use of the Property, to be attached to and become a part of the deed to the Property, and for itself, its heirs, assigns, and successors in interest, County hereby covenants and agrees as set forth

below:

A. COVENANT

The Property shall remain available for activities under HEAP as approved by the California Business Services and Housing Agency, Homeless Coordinating and Financing Council for a duration of ten (10) years following the date of issuance of the certificate of occupancy by the County of Monterey Resource Management Agency for County's construction of the Emergency Shelter located at 855 East Laurel Drive, Salinas, California.

B. COVENANT RUNNING WITH THE LAND

This Deed Restriction and Covenant shall run with the land, burden the Property and bind all successors in title to the Property, provided, however that on completion of the ten (10) year duration as stated above, said Deed Restriction and Covenant shall expire.

C. ENFORCEMENT

The provisions of this Deed Restriction are declared to be specifically enforceable through this recorded instrument and through any and all applicable federal, state, or local laws, regulations and ordinances, as may be amended from time to time.

- D. If any provision of this Instrument is held to be invalid or becomes unenforceable for any reason, no other provision shall be thereby affected or impaired.

IN WITNESS WHEREOF, the County has caused this DEED RESTRICTION AND COVENANT to be as of the last date opposite the respective signature below.

County

County of Monterey

By: _____
Carl P. Holm, AICP,
Resource Management Agency, Director

Date: _____

Approved as to Form

Office of County Counsel-Risk Management
Leslie J. Girard, Acting County Counsel-Risk Manager

By: _____
Mary Grace Perry, Deputy County Counsel

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 _____)

On _____, before me, _____, Notary Public, 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 paragraph is true and correct.

WITNESS my hand and official seal.

Name: _____

Certification and Consent to Recordation

This is to certify that the Deed Restriction set forth above is hereby acknowledged pursuant to the action of the Board of Supervisors of the County of Monterey approved on _____, 2019 and that said Deed Restriction is in accordance with said action and that the County of Monterey Resource Management Agency consents to recordation thereof.

"ANY EXHIBIT(S) MUST BE NO LARGER OR SMALLER THAN 8 1/2" X 11"

County of Monterey

By: _____
Carl P. Holm, AICP,
Resource Management Agency, Director

Date: _____

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STATE OF CALIFORNIA)
)
COUNTY OF _____)

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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.

Name: _____

EXHIBIT "A"

LEGAL DESCRIPTION Regional Emergency Shelter

Situate in Rancho Sausal, in the City of Salinas, County of Monterey, State of California, being a portion of Parcel 1(A), as described and conveyed from James Bundgard, et ux, to the County of Monterey by deed dated July 20, 1948 and recorded July 23, 1948 in Book 1075 of Official Records, at Page 281, Records of Monterey County, and being more particularly described as follows:

Commencing at the most easterly corner of that certain 10.214 acre parcel conveyed from the County of Monterey to the City of Salinas by deed dated April 12, 2018 and recorded May 3, 2018 as Document No. 2018019350 of the Official Records of Monterey County; thence along the southeasterly boundary of said 10.214 acre parcel

- a. S. 46°53'00" W., 264.14 feet; thence leaving said southeasterly boundary and perpendicular thereto
- b. S. 43°07'00" E., 60.00 feet to the True Point of Beginning; thence from said True Point of Beginning
 - 1) S. 43°07'00" E., 305.00 feet; thence
 - 2) S. 46°53'00" W., 240.00 feet; thence
 - 3) N. 43°07'00" W., 252.44 feet thence
 - 4) N. 24°07'10" E., 21.09 feet; thence tangentially curving
 - 5) Northeasterly along the arc of a circular curve to the right with a radius of 570.00 feet (the center of which bears S. 65°52'50" E., 570.00 feet distant) through a central angle of 22°45'50" for an arc distance of 226.46 feet to the Point of Beginning.

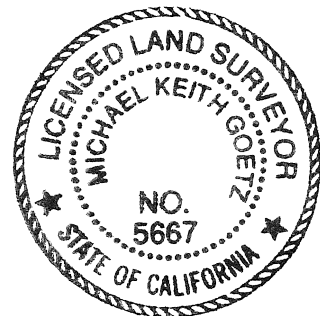
CONTAINING an area of 1.585 acres of land, more or less.

The above described parcel is shown on the plat attached hereto and made a part hereof.

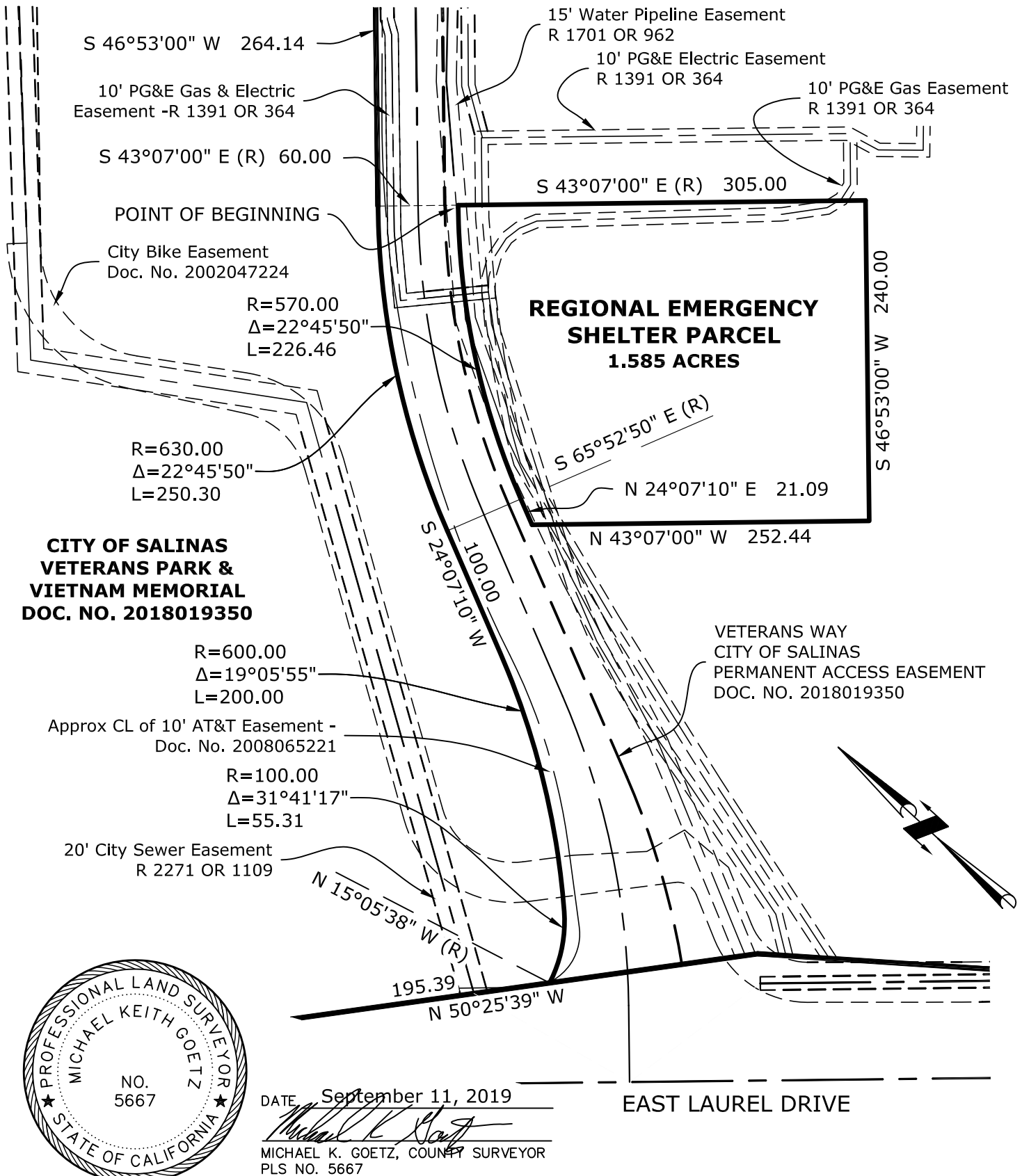
The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°34'07". To obtain ground level distances, multiply the distances shown by 1.0000585.



Michael K. Goetz – PLS 5667
County Surveyor
Monterey County, California



September 11, 2019



**CITY OF SALINAS
VETERANS PARK &
VIETNAM MEMORIAL
DOC. NO. 2018019350**

VETERANS WAY
CITY OF SALINAS
PERMANENT ACCESS EASEMENT
DOC. NO. 2018019350



DATE September 11, 2019

 MICHAEL K. GOETZ, COUNTY SURVEYOR
 PLS NO. 5667

EAST LAUREL DRIVE



**COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
OFFICE OF THE COUNTY SURVEYOR**
 1441 SCHILLING PLACE, SOUTH 2ND FLOOR
 SALINAS, CALIFORNIA 93901
 (831) 755-4800/FAX (831) 755-4958

REGIONAL EMERGENCY SHELTER		
COALITION OF HOMELESS SERVICES PROVIDERS HOMELESS EMERGENCY AID PROGRAM (HEAP)		
PLAT		
DATE	09/11/19	DRAWING COUNTY PROPERTIES/NATIVIDAD
SCALE	1"=100'	VIEW PLAT SHELTER
		SHEET 1 OF 1

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