

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

THIS SPACE FOR RECORDER'S USE ONLY

RESTRICTIVE COVENANT MODIFICATION
(Affordable Housing - Civil Code Section 714.6)

I(We) _____ owner(s) of the affordable housing development of the property that is covered by the document described below.

The following referenced document contains a restrictive covenant that restricts the number, size, or location of the residences that may be built on the property, or the number of persons or families who may reside on the property, and that restriction is unenforceable. Pursuant to Section 714.6 of the Civil Code and Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of redacting and eliminating that restrictive covenant as shown on page(s) _____ of the document recorded on _____ (date) in book _____ and page _____ or instrument number _____ of the official records of the County of San Diego.

Attached hereto is a true, correct, and complete copy of the document referenced above, with the unenforceable restrictive covenant redacted.

This modification document shall be indexed in the same manner as the original document being modified, pursuant to subparagraph (E) of paragraph (2) of subdivision (b) of Section 714.6 of the Civil Code.

The effective date of the terms and conditions of the modification document shall be the same as the effective date on the original document referenced above.

Signature

Print Name

_____ County Counsel, or their designee, pursuant to subparagraph (B) of paragraph (2) of subdivision (b) of Section 714.6 of the Civil Code, hereby states that it has determined that the original document referenced above contains an unenforceable restriction prohibited by subdivision (a), the owner has submitted documents sufficient to establish that the property qualifies as an affordable housing development, any notice required pursuant to paragraph (3) of subdivision (g) was provided, no exemption provided in subdivision (g) or (h) applies, the restriction may no longer be enforced against the owner of the affordable housing development, and this modification may be recorded.

Or

_____ County Counsel, or their designee, pursuant to subparagraph (D) of paragraph (2) of subdivision (b) of Section 714.6 of the Civil Code, finds that the original document does not contain a restriction prohibited by that section, the property does not qualify as an affordable housing development, or the modification document contains modifications not authorized, and this modification may not be recorded.

County Counsel

By: _____

Date: _____

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 _____ COUNTY OF _____

On _____ before me, _____, personally appeared
(here insert name and title of the officer)

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 _____ (SEAL)