

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

SPACE DIRECTLY ABOVE RESERVED FOR RECORDER'S USE

RESTRICTIVE COVENANT MODIFICATION
(Affordable Housing Development Restrictive Covenant)

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 restriction or private limit that restricts or prohibits the residential uses of the property, the number, size, or location of the residences that may be built on the affected property, or that restricts the number of persons or families who may reside on the property and shall not be enforceable against the owner of a housing development.

Pursuant to Section 714.6 of the Civil Code, this document is being recorded solely for the purpose of modifying or removing the restrictive language as shown on page(s) _____ of the document recorded on _____ in book _____ and page _____, or instrument number _____ of the official records of the County of Monterey, State of California. This modification document shall be indexed in the same manner as the original document pursuant to Civil Code Section 714.6(b)(2)(F).

Attached hereto is a true, correct, and complete copy of the document referenced above, with the unlawful restrictive covenant modified or removed. This modification document shall be indexed in the same manner as the original document pursuant to Civil Code Section 714.6(b)(2)(F).

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

Signature: _____

Date: _____

Printed Name: _____

_____ County Counsel, pursuant to Civil Code Section 714.6(b)(2)(B), hereby states that it has determined that original document referenced above restricts property in a manner that is prohibited; that the owner has submitted documents sufficient to establish that the property qualifies as a housing development; that any required notices under this section have been provided; that any exemptions provided under Civil Code Section 714.6(g) or (h) applies; and this modification may be recorded.

OR

_____ County Counsel, pursuant to Civil Code Section 714(b)(2)(E), finds that the original document does not restrict the property in a manner that is prohibited; that the property does not qualify as a housing development, and this modification may not be recorded.

County of Monterey County Counsel

By: _____

Printed Name: _____

Deputy County Counsel

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, _____
(Here insert name and title of officer)

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.

Signature _____
(SEAL)