RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF OCEANSIDE
300 North Coast Highway
Oceanside, CA 92054

THIS SPACE FOR RECORDER'S USE ONLY

DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS ON REAL PROPERTY KNOWN AS

_____

WHEREAS, _____, hereinafter referred to as the "OWNER" of approximately _____ acres of real property generally located in the _____ block of _____ in Oceanside, which such real property is more particularly described in the Property Description attached as Exhibit "A" and incorporated herein by reference, and hereinafter referred to as the "PROPERTY";

WHEREAS, Condition _____ of Resolution No. _____ requires that a covenant be recorded by the property owner to reflect the restrictions and on-site and off-site improvements required to be made on the PROPERTY prior to and as the condition of any development of the property, in accordance with the resolution (Resolution No. _____ is attached as Exhibit "B" and incorporated herein by reference, and hereinafter referred to as the "RESOLUTION");

WHEREAS, the OWNER intends to restrict the PROPERTY in accordance with the conditions of the RESOLUTION, as required by the Planning Commission;

NOW, THEREFORE, the OWNER declares that said real property shall be held, transferred, encumbered, used, sold, conveyed, leased and occupied subject to the covenants, conditions and restrictions set forth in this Declaration of Covenants, Conditions and Restrictions (hereinafter the "DECLARATION") expressly and exclusively for the use and benefit of the PROPERTY and each and every person and entity who now, or in the future, owns any portion of the PROPERTY. This DECLARATION shall constitute covenants running with the land and shall be binding on and for the benefit of OWNER, its successors and assigns, and all subsequent owners of the PROPERTY, together with their grantees, successors, heirs, executors, administrators, devisees and assigns.

OWNER HEREBY DECLARES AND COVENANTS AS FOLLOWS:

1. Compliance with each and every condition of approval as set forth in the RESOLUTION shall be required and satisfied as a condition of any grading, improvement or development of the PROPERTY. The RESOLUTION sets forth specific requirements for on-site and off-site improvements, grading, payment of fees, site development, building and use standards.

2. No provision of this DECLARATION is intended to, nor shall it be deemed to, modify, waive, delete or amend any condition or provision of the RESOLUTION. Each and every condition of the RESOLUTION is expressly incorporated into this DECLARATION and made a part hereof, and shall constitute covenants running with the land.

3. The City shall have the right, but not the obligation, to enforce the provisions of this DECLARATION. In the event it becomes necessary for the City to institute legal action to enforce any provision of this DECLARATION, the City shall be entitled to recover from the OWNER, his assigns or any successors in interest in the PROPERTY, reasonable attorneys' fees and costs incurred by the City in such action.

4. This DECLARATION shall constitute covenants running with the land and shall be binding on and for the benefit of OWNER, its transferees, successors and assigns, and any other present or future interest holders or estate holders or any portion or all of the PROPERTY.

5. This DECLARATION shall not be modified, removed or released without the express written consent of the City of Oceanside.

IN WITNESS WHEREOF, _____ executes this Declaration this _____ day of _____, 20__.

OWNERS:

_____ _____

By: (name) (name)

APPROVED AS TO FORM: _____

CITY ATTORNEY

NOTARY AND ACKNOWLEDGMENT(S) MUST BE ATTACHED
(EVIDENCE OF SIGNATURE AUTHORIZATION IS NEEDED)