

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City of Pinole
Development Services Department
2131 Pear Street
Pinole, CA 94564

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383

APN: _____

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**COVENANT FOR RESTRICTED USE AREA
MAINTENANCE OF UNCERTIFIED FILL**

Description of Property: The undersigned owner(s) ("Owner"), hereby certifies that I am (we are) the owners(s) of the following described real property (the "Property").

_____, Pinole, CA, and more particularly located described as follows:

City of Pinole, Lot: _____ Tract#: _____

Or filed as follows:

Assessor's Parcel Number: _____

Scope of Work: The undersigned Owner has contracted with (name of contractor), _____ to fill a former swimming pool located on the Property. The specific location of the former pool is set forth in the attached Exhibit A (the "Fill Area"), which is the drawing of the swimming pool site and its relationship to the residence.

Covenant: This execution and recordation of this agreement is a condition of approval of the City of Pinole Building and Safety Division in order to identify the location of the swimming pool that is to be filled. The Fill Area is not to be used to support buildings or structures. As a condition of the approval granted by the City of Pinole, Owner agrees to use the Fill Area only for open space and not for any structural support.

Covenant Runs with the Property: This covenant and agreement runs with the Property and is binding upon Owner and future owners, encumbrances, their successors, heirs or assignees and will continue in full force and effect until released by the authority of the Development Services Department of the City of Pinole upon submittal of written request, applicable fees and evidence that this covenant and agreement is no longer required by law.

DATE

OWNER'S SIGNATURE

DATE

OWNER'S SIGNATURE

EXHIBIT A

DESCRIPTION OF FILL AREA

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 Contra Costa)

On _____ before me, _____, Notary Public, , personally appeared, _____, who proved to me 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 _____