

Recorded at the request of and mail to:

(Name) _____

(Address) _____

SPACE ABOVE THIS LINE FOR COUNTY RECORDER'S USE

COVENANT AND AGREEMENT

REGARDING MAINTENANCE OF UNCERTIFIED FILL

(Pre-printed text shall not be changed except when done by an authorized Office of Building Safety employee.)

The undersigned hereby certify that (I am) (we are) the owner(s) of real property located in the City of Milpitas, State of California that is hereinafter legally described (as follows) (on the attached exhibit(s)):

LEGAL DESCRIPTION:

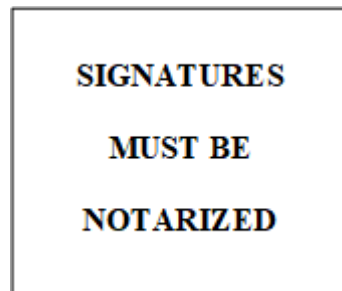
APN _____ LOT _____ BLOCK _____ TRACT _____

as recorded in BOOK _____ PAGE _____, Records of Santa Clara County.

This property is located and known as the following **ADDRESS:** _____

This covenant and agreement is executed as a condition of approval from the Office of Building Safety, City of Milpitas, State of California. I am (We are) fully aware that an existing pool or spa shell was left in-place and backfilled with uncertified fill on this site (SEE ATTACHED PLOT PLAN FOR LOCATION). Furthermore, I am (we are) fully aware that uncertified fills are not to be used to support buildings or structures. As a condition of the approval granted by the City of Milpitas, I (we) agree to use this area only for open space and not for any structural support.

This covenant and agreement shall run with all of the above-described land and shall be binding upon ourselves, and future owners, encumbrances, their successors, heirs or assignees and shall continue in effect until released by the authority of the Building Official of the City of Milpitas upon submittal of request, applicable fees and evidence that this covenant and agreement is no longer required by law.



Owner's Name _____
(Please type or print)

Signature of Owner _____
(Signature)

Two Officer's Signatures
Required for Corporation _____ ++ _____
(Signature)

Name of Corporation _____
(Please type or print)

Dated this _____ day of _____, 20____

STATE OF CALIFORNIA, COUNTY OF _____

On _____, before me, _____, 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 forgoing is true and correct.

WITNESS my hand and official seal.

Signature _____
(Signature of Notary Public)