

TEHAMA COUNTY

94093
Return to:
H. J. L. Bosman
320 Hatch Dr.
Foster City
Ca. 94024

INDEXED
BOOK 775 PAGE 82
RECORDED AT REQUEST OF
TITLE INSURANCE & TRUST CO.
at 15 min past 9:02 AM
FEB 8 1979
OFFICIAL RECORDS
TEHAMA COUNTY, CALIFORNIA
FLOYD A. HIGGS
Recorder
Fee \$ 11 -

RIVER VIEW HEIGHTS

DECLARATION OF RESTRICTIONS

WHEREAS, HENDRIKUS J. L. BOSMAN, also known as H. J. L. BOSMAN and DONNA DAE BOSMAN, also known as DONNA BOSMAN, his wife; ARTHUR H. SHOOTER and MARILYN S. SHOOTER, his wife; and C. S. COMPANY, a Partnership, are the owners of the real property described in Schedule A hereto; and

WHEREAS, it is the desire and intention of the owners to sell the property described above and to impose on it mutual, beneficial restrictions under a general plan or scheme of improvement for the benefit of all the land described in Exhibit A and the future owners of those lands;

NOW, THEREFORE, the owners hereby declare that all of the property described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied, and improved subject to the following limitations, restrictions and covenants, all of which are declared and agreed to be in furtherance of a plan for the division, improvement and sale of the lands and are established and agreed upon for the purpose of enhancing and protecting the value, desirability, and attractiveness of the lands and every part thereof. All of the limitations, restrictions and covenants shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in the described lands or any part thereof.

SAID CONDITIONS AND RESTRICTIONS ARE AS FOLLOWS:

1. That all lots in said area shall be used, occupied and improved as single family residence lots with not less than 1950 square feet in the living area exclusive of carports, garage, covered porches, patios, etc.

A. Water Wells, Sewage and Plumbing. All buildings shall have a septic tank and leaching pit or trench as may be required by the State of California Department of Public Health or the County of Tehama, and must have complete interior plumbing installations before occupancy. No leaching field or drain field shall be constructed within 100 feet of any well.

B. Livestock. An owner or occupant shall not keep or maintain any livestock, swine, goats or fowl on any residential lot or parcel except that the owners of Parcels 1, 2 and 3 of said Parcel Map 78-73 shall be allowed to keep or maintain not more than two horses, sheep or cows per acre or portion of an acre in the aggregate. The owners of any parcel under four acres shall be allowed to keep or maintain one horse, sheep or cow per acre or portion of an acre in the aggregate. Dogs, cats or other household pets may be kept on all lots provided they are not kept, bred or maintained for any commercial purpose or in unreasonable numbers.

C. Signs. No owner or occupant shall permit or cause to be erected a sign, advertisement, billboard or advertising structure or device of any kind on any lot or parcel except that temporary signs for houses to be sold or exhibited may be erected and maintained for one (1) period of ninety (90) days.

D. Building Exterior. The exterior portions of all buildings which are constructed of wood, stucco or cement shall be painted or stained immediately upon completion or shall have color mixed in the final structural applications. Colors must blend and harmonize with the landscape and adjacent homes.

E. Lot Subdivision. Parcels 1, 2 and 3 of said Parcel Map 78-73 may be divided into parcels of four acres or larger.

F. Temporary Buildings. No temporary buildings, basement, cellar, tent, shack, mobile home, garage or other outbuilding or structure shall be used for human habitation.

G. Storage of Tools and Trash. The storage of tools, tractors, boats, recreational vehicles, campers, house trailers, landscape instruments, household effects, machinery or machinery parts, empty or filled containers, boxes or bags, trash, materials or other miscellaneous items that, in appearance, detract from the aesthetic values of the property, shall be so placed and stored as to be concealed from view from public rights of way, river, and from any adjoining lot.

H. Trees. Existing trees shall not be cut, mutilated or defaced unless their removal or trimming is required to maintain the view of mountains or river; to allow room for the building of housing, pools, tennis courts, garages, etc.; or unless said trees are endangering life or property; subject, however, to any restrictions imposed by federal, state, county or other governmental agencies.

I. Occupancy. No person shall occupy any residential

unit until the same is completely finished.

J. Conditions. No destruction or alteration of wild-life habitat or construction of fences, buildings, etc., will be allowed within the State Reclamation Board's designated floodway area for the Sacramento River.

K. Commercial Business. No commercial business or trade shall be carried on upon any premises nor shall anything be done thereon which may be or may become an annoyance or nuisance.

L. Fences and Hedges. No boundary fence, wall or hedge shall have a height greater than six feet. Gates, gate posts and lamp posts may extend a reasonable distance above this limitation. Fences and walls which extend above six feet for tennis courts, etc., will have the same setbacks as buildings or structures as per Tehama County code. Tennis courts may not be constructed in full view of road or river or neighboring lots unless reasonably screened with natural growth.

M. Building Construction. No structure or building of any kind shall be moved onto any lot, nor shall any structure be placed on any such lot unless the same is originally constructed thereon, it being the intent that all construction shall be new. All buildings shall be constructed in a workmanlike manner with the exterior completed within one year after the starting date of construction.

N. Use of Lake and Surrounding Easement. The man-made lake within River View Heights shall be used only by the owners of property described in Schedule A or their immediate guests. No

power boats or power equipment of any kind, including motorcycles or other powered wheel vehicles, shall be used on said lake or on the adjacent easement surrounding said lake, excepting therefrom River Heights Drive.

2. With respect to Parcels 1, 2 and 3 of said Parcel Map 78-73, they may not be resubdivided or divided into parcels less than four acres in size, allowing one single family dwelling for each four-acre parcel, provided the persons dividing have the approval of all governmental regulatory bodies. This would allow no livestock, swine, goats or fowl on the parcel except in the aggregate one horse, sheep or cow per acre.

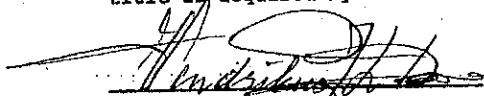
3. These conditions shall run with the land and shall be binding upon all parties and all persons claiming under them until November 1, 1978, at which time said conditions and covenants shall be automatically extended for successive periods of ten (10) years, unless by two-thirds vote of the owners of the lots in said tract, it is agreed to change said conditions in whole or in part.

PROVIDED FURTHER, that if any paragraph, section, sentence, clause or phrase of the restrictions, conditions and covenants herein contained shall become illegal, null and void, for any reason or shall be held by any court of competent jurisdiction to be illegal, null and void, the remaining paragraphs, sections, sentences, clauses or phrases herein contained shall not be affected thereby. It is hereby declared that these restrictions, conditions and covenants herein contained would have been and are imposed and each paragraph, section, sentence, clause or phrase thereof,

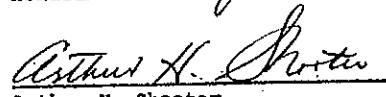
irrespective of the fact that any one or more of the other paragraphs, sections, sentences, clauses or phrases are or shall become illegal, null and void.

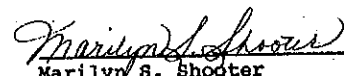
PROVIDED FURTHER, that if any owner of any lot in said property, or his heirs or assigns, shall violate or attempt to violate the terms, conditions and restrictions contained herein, it shall be lawful for any other person or persons owning any other lots in said property to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such conditions and/or restrictions; and either to prevent him or them from committing such violations, or to recover damages or other dues for such violation.

PROVIDED FURTHER, that a breach of any of the foregoing conditions, covenants and/or restrictions shall not defeat or render invalid the lien of any mortgage, or deed of trust in good faith, and for value, as to said property or any part thereof; but such conditions, covenants and/or restrictions shall be binding upon and effective against any owner of any lots in said property whose title is acquired by foreclosure, trustee's sale or otherwise.


Hendrikus J. L. Bosman


Donna Dae Bosman

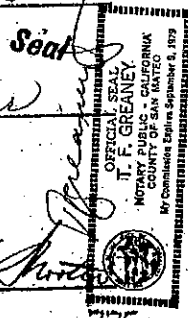

Arthur H. Shooter


Marilyn S. Shooter

C. S. Company

By 
Hendrikus J. L. Bosman


Arthur H. Shooter



TO 447 CA (4-73)
(Individual)



STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

On November 16, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Marilyn S. Shooter

STAPLE HERE

to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

Signature _____

T. F. Greaney
Name (Typed or Printed)



Seal

(This area for official notarial seal)

TO 1944 CA (10-74)
(Individual)



STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

On November 16, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Arthur H. Shooter

STAPLE HERE

to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Signature T. F. Greaney



Seal

(This area for official notarial seal)

(Individual)



STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

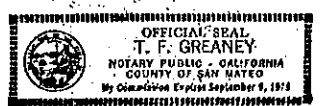
On November 16, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Hendrikus J. L. Bosman

STAPLE HERE

to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Signature T. F. Greaney



Seal

(This area for official notarial seal)

SAN MATEO COUNTY

TO 442 CA (3-73)
(Partnership)

TITLE INSURANCE AND TRUST
A TICOIN COMPANY

STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

On November 16, 1978

before me, the undersigned, a Notary Public in and for said State, personally appeared
Hendrikus J. L. Bosman

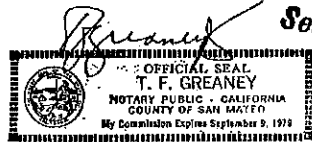
known to me

to be one of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature _____

T. F. Greaney
Name (Typed or Printed)



(This area for official notarial seal)

TO 447 CA (4-73)
(Individual)

TITLE INSURANCE AND TRUST
A TICOIN COMPANY

STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

On November 16, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared _____

Donna Dae Bosman

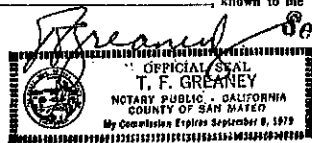
known to me

to be the person _____ whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

Signature _____

T. F. Greaney
Name (Typed or Printed)



(This area for official notarial seal)

TO 442 CA (3-73)
(Partnership)

TITLE INSURANCE AND TRUST
A TICOIN COMPANY

STATE OF CALIFORNIA }
COUNTY OF San Mateo } SS.

On November 16, 1978

before me, the undersigned, a Notary Public in and for said State, personally appeared
Arthur H. Shooter

known to me

to be one of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature _____

T. F. Greaney
Name (Typed or Printed)



(This area for official notarial seal)

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TEHAMA COUNTY

DESCRIPTION

The land referred to herein is situated in the unincorporated area, Tehama County, California:

PARCEL ONE:

Parcels 1, 2 and 3 of Parcel Map No. 78-73 filed in the Tehama County Recorder's Office on FEB. 8, 1979 in Book S of Parcel Maps, at page 197.

PARCEL TWO:

BEGINNING at the Northeast corner of Lot 1 in Block C of Bend Ferry Subdivision, Unite No. 1, filed in the Tehama County Recorder's Office, October 10, 1967 in Book P of Maps, at page 18; thence South $0^{\circ} 24' 39''$ West, 497.44 feet to the Southeast corner of said lot; thence continuing South $0^{\circ} 24' 39''$ West, 89.75 feet; thence South $0^{\circ} 25' 49''$ West, 113.56 feet; thence North $89^{\circ} 34' 11''$ West, 81.35 feet; thence South $36^{\circ} 02' 46''$ West, 434.00 feet; thence along a tangent curve concave to the North having a radius of 300.00 feet, a distance of 100.60 feet; thence South $55^{\circ} 15' 32''$ West, 146.29 feet; thence along a tangent curve concave to the South having a radius of 400.00 feet, a distance of 381.61 feet, to the most Easterly corner of Parcel 3 of Parcel Map No. 78-73 filed in the Tehama County Recorder's Office on FEB. 8, 1979 in Book S of Parcel Maps, at page 197; thence along the Northeast line of said Parcel 3, North $34^{\circ} 56' 18''$ West, 406.31 feet and North $33^{\circ} 23' 00''$ West, 410 feet, more or less, to the mean low water line of the Sacramento River; thence Northeasterly along said water line to a point that is North $00^{\circ} 24' 39''$ East from the point of beginning; thence South $00^{\circ} 24' 39''$ West to the point of beginning.

SCHEDULE A

13070

MODIFICATION OF RIVER VIEW HEIGHTS DECLARATION OF RESTRICTIONS

Subparagraph B of Paragraph 1 of said Declaration of Restrictions of River View Heights as recorded in Book 725, Page 82 on Feb. 8, 1979, in the official records of Tehama County, is deleted in its entirety, which deleted subparagraph reads as follows:

B. Livestock. An owner or occupant shall not keep or maintain any livestock, swine, goats or fowl on any residential lot or parcel except that the owners of Parcels 1, 2 and 3 of said Parcel Map 78-73 shall be allowed to keep or maintain not more than two horses, sheep or cows per acre or portion of an acre in the aggregate. The owner of any parcel under four acres shall be allowed to keep or maintain one horse, sheep or cow per acre or portion of an acre in the aggregate. Dogs, cats or other household pets may be kept on all lots provided they are not kept, bred or maintained for any commercial purpose or in unreasonable numbers.

In the place and stead of said deleted subparagraph B of Paragraph 1, the following subparagraphs are added:

B. Livestock. An owner or occupant shall not keep or maintain any livestock, swine, goats or fowl on any property located in River View Heights Parcel Map 78-73, except as follows:

(1) Owners or occupants of Parcels 1, 2 and 3 of said Parcel Map 78-73 shall be allowed to keep or maintain not more than two horses, or two sheep or two cows per acre or portion of an acre in the aggregate.

(2) Owners or occupants of any remaining parcel or lot of said Parcel Map 78-73 shall be allowed to keep or maintain not

more than one horse, or one sheep or one cow per acre or portion of an acre in the aggregate.

Dogs, cats or other household pets may be kept on all lots provided they are not kept, bred or maintained for any commercial purpose or in unreasonable numbers.

Hendrikus J. I. Bosman *Donna Dae Bosman*
Hendrikus J. I. Bosman Donna Dae Bosman

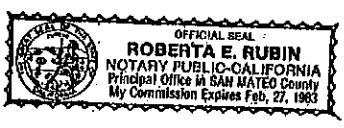
Arthur H. Shooter *Marilyn S. Shooter*
Arthur H. Shooter Marilyn S. Shooter

C. S. Company

By *Hendrikus J. I. Bosman*
Hendrikus J. I. Bosman

By *Arthur H. Shooter*
Arthur H. Shooter

Roberta E. Rubin



INDEXED
BOOK 842 PAGE 402
RECORDED AT REQUEST OF
Savoldi & Associates
at 50 min past 1P M.
NOV 18 1980
OFFICIAL RECORDS
TEHAMA COUNTY, CALIFORNIA
FLOYD A. HIGGS
Recorder *th*