

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Standard Recording Fee CC §714.6(b)(6)

AFFORDABLE HOUSING DEVELOPMENT RESTRICTIVE COVENANT MODIFICATION
Civil Code §714.6

The following referenced document contains a recorded covenant, condition, restriction, or private limit that restricts the number, size, or location of the residences that may be built on privately or publicly owned property, or that restricts the number of persons or families who may reside on the property that shall not be enforceable against the owner due to the property's status as an affordable housing development.

Pursuant to Section 714.6 of the Civil Code, this document is being recorded solely for the purpose of redacting and rendering unenforceable that restrictive language as shown on pages(s) _____ of the document recorded on _____ (date) in Book _____ and Page _____, or instrument number _____ of the official records of the County of Santa Clara, State of California.

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

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 _____

On _____ before me, _____,
(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 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 _____

COUNTY COUNSEL SECTION

_____ County Counsel, or their designee, pursuant to Section 714.6(b)(2)(B) of the Civil Code, hereby states that it has determined that (i) the original document referenced above contains a provision rendered unenforceable under Section 714.6(a) of the Civil Code, (ii) the owner has submitted documents sufficient to establish that the property qualifies as an affordable housing development, (iii) if the restriction identified by the property owner is a conservation easement, the property owner has provided evidence that any notices required under Section 714.6(g)(3)(A) of the Civil Code have been made, (iv) the restriction identified in the referenced document is not subject to a statutory exemption, and (v) the restrictions identified may not be enforced against the owner so long as the property continues to qualify as an affordable housing development and this modification may be recorded.

OR

_____ County Counsel, or their designee, pursuant to Section 714.6(b)(2)(B) of the Civil Code, finds that the proposed modification of a restriction contained in the referenced document does not meet the statutory requirements under Section 714.6 of the Civil Code and may not be recorded.

County Counsel

By: _____ Date: _____