

DO NOT PLACE RECORDING DATA ABOVE THIS LINE

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City Clerk
City of Thousand Oaks
2100 Thousand Oaks Boulevard
Thousand Oaks, CA 91362

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COVENANT AND DEED RESTRICTION

APN _____

Documentary Transfer Tax \$ ___-0-___ ; No Apparent Value or Common Area

"No Fee Required" (Government Code Section 6103 & 27383)
recorded for the benefit of: The City of Thousand Oaks

City of Thousand Oaks, by: (signature required above this line)

This Covenant and Deed Restriction is made and executed on this _____ day of _____,
20_____, by _____
(print name and title / company)

The undersigned hereby certifies that it is the owner of fee title to the real property located at _____ also known as Assessor's Parcel No. _____ and more particularly described in Exhibit "A", which is attached hereto and incorporated herein as set forth in full.

For valuable consideration, in compliance with the conditions of approval for City of Thousand Oaks Entitlement No. _____, the undersigned hereby covenants, acknowledges and agrees that it will:

1. Assume responsibility for proper maintenance of stormwater quality Best Management Practices as described in Exhibit "B", which is attached hereto and incorporated herein as though set forth in full.
2. Perform maintenance and inspection of Best Management Practices per the schedule specified within the Maintenance Plan (Exhibit "B"), not less than once annually.
3. Retain written proof that the inspection and maintenance were performed by the owner, with said proof being annually reported to the City and retained for a period of not less than five (5) calendar years.

The purpose of this Deed Restriction is to provide notice and disclosure to subsequent purchasers or transferees of limitations associated with the real property.

This covenant shall run with the land and shall be binding upon ourselves, our tenants and any future owners and tenants, their successors, heirs or assigns and shall continue in effect unless otherwise released by the authority of the City of Thousand Oaks in writing. Any lease of said specified parcels shall be subject to this restriction, which is made for the general benefit of the entire community. The covenant shall be enforceable by remedy of injunctive relief in addition to any other remedy in law or equity.

This covenant and the provisions hereof are irrevocable and nonmodifiable except by the express written consent of the City of Thousand Oaks, a municipal corporation. The City of Thousand Oaks shall have the right, but not the responsibility, to enforce each and every provision hereof.

In the event that the owners, their heirs, assigns or successors in interest shall fail to abide by any of the covenants hereunder, they hereby agree to pay all costs and expenses incurred by the City in securing performance of such obligation, including reasonable attorney's fees and costs.

Dated: _____

By: _____

Signature *

Printed Name

Title

Company

Dated: _____

By: _____

Signature *

Printed Name

Title

Company

**Two signatures required for California corporations*

SIGNATURE MUST BE ACKNOWLEDGED BY A NOTARY PUBLIC

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____,

before me, _____,

(here insert name and title of office) personally appeared

(print name, title, and company of signator)

who proved to me on 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 _____

(Name typed or printed)

(This area for official notarial seal)

Directions for Exhibit “B”: (do not include this page or verbiage on final recorded document).

Exhibit "B" shall contain:

- a) A summary list of the source control best management practices (BMPs) that are being provided, and a list of treatment control BMPs being provided with a count by type.
- b) A detailed description of the BMPs listed.
- c) A detailed description of the inspection and maintenance requirements, include schedule and factors that would require maintenance to be performed.
- d) A discussion addressing vector control issues and the required maintenance to prevent mosquito habitat.
- e) Procedures and equipment list for how the necessary maintenance is to be performed.
- f) If using proprietary devices, provide manufacturer's contact information, and recommended inspection and maintenance procedures.
- g) If using designed BMPs, reference the Ventura County Technical Guidance Manual for Stormwater Control Measures for inspection and maintenance procedures.
- h) A site diagram showing the location of all structural BMPs, each identified with a unique identification number. Must be on letter paper, multiple sheets ok.
- i) A functional inspection and maintenance form specific to the BMPs used. Identify each individual device on inspection form using the BMP identification numbers.

Example inspection and maintenance form, categories for your design may be different:

Catch Basin ID #	Inspection date and inspector initial	Evidence of Illegal Dumping (paint, oil)	Percent full of debris *	Signs of wear (rips, holes, broken parts)	Inlet and Outlet verification (clear of debris and obstructions)	Filter Replaced	Landscape Maintenance or Erosion Issues	Debris / Sediment Removal	Date of Maintenance Performed	Type of Maintenance Performed & Comments
CB #1							N/A			
Biofilter #1				//		N/A				
Detention Basin #1				N/A		N/A				
Porous Pavement #1		N/A	N/A	N/A	N/A	N/A	N/A			
Restrictor Orifice #1		N/A	N/A	N/A		N/A	N/A	N/A		
Capture/Re-use facility #1			N/A	N/A		N/A	N/A	N/A		

* Maintenance required when XX% full

Criteria for inspection and maintenance will vary depending on BMP installed. See manufacturer's recommended inspection and maintenance requirements, or the Ventura County Technical Guidance Manual for Stormwater Control Measures for the specific criteria needed for the BMP installed. Inspection form should also list threshold criteria for when maintenance is required.