

DocuSigned by:

*Robert H Brester Trust dated May 25 2017*

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**The following notice is pursuant to California Government Code  
Section 12956.1(b)(1))**

**Notice**

If this document contains any restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code by submitting a "Restrictive Covenant Modification" form, together with a copy of the attached document with the unlawful provision redacted to the county recorder's office. The "Restrictive Covenant Modification" form can be obtained from the county recorder's office and may be available on its internet website. The form may also be available from the party that provided you with this document. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

## **Restrictive Covenant Modification**

Under current state law, including AB1466 effective January 1, 2022, homeowners can request to modify property documents that contain unlawful discriminatory covenants. Government Code Section 12956.2 allows a person who holds an ownership interest of record in property that the person believes is the subject of an unlawfully restrictive covenant to record a Restrictive Covenant Modification document to have the illegal language stricken. Unlawful restrictions include those restrictions based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, national origin, source of income as defined in Government Code Section 12955 subdivision (p), ancestry, or genetic information.

### **To Record a Restrictive Covenant Modification, you must:**

- Complete a Restrictive Covenant Modification Form; this must be signed in front of a notary public.
- Attach a copy of the original document containing the unlawful restrictive language with the unlawful language stricken.
- Submit the completed document to the County Recorder.

### **This document requires the following:**

1. Name(s) of current owner(s)
2. Identification of document page number and language in violation
3. Recording reference of document with unlawful restrictive covenant
4. Copy of referenced document attached complete with unlawful restrictive language stricken out
5. Signature(s) of owner(s)
6. Signature(s) acknowledged
7. Approval by County Counsel provided to County Recorder

Upon receipt, the Recorder's office will submit the document to County Counsel who will determine whether the original document contains any unlawful restrictions, as defined in Government Code Section 12956.2 subdivision (b). Only those determined to be in violation of the law will be recorded and those that are not, will be returned to the submitter unrecorded.

Please note that the County Recorder is not liable for modification not authorized by law. This is the sole responsibility of the holder of ownership interest who caused the modified recordation per Government Code Section 12956.2 subdivision (f).

Pursuant to the requirements of AB1466, and no later than July 1, 2022, the Assessor-County Clerk-Recorder will post an implementation plan outlining our strategy to identify records with discriminatory restrictions.

Recording Requested By

When recorded mail document to

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Above Space for Recorder's Use Only

## RESTRICTIVE COVENANT MODIFICATION

I (We) \_\_\_\_\_ have an ownership interest of record in the property located at \_\_\_\_\_ that is covered by the document described below.

The following referenced document contains a restrictive covenant based on race, color, religion, sex, familial status, marital status, disability, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry that violates state and federal fair housing laws and that restriction is void. Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of eliminating that restrictive

covenant as shown on page(s) \_\_\_\_\_ of the document recorded on \_\_\_\_\_ (date)

In book \_\_\_\_\_ and page \_\_\_\_\_, or Document No. \_\_\_\_\_ of the Official records of the County of \_\_\_\_\_, State of California.

The document referenced above was originally indexed in the following manner \_\_\_\_\_ and this document shall be indexed in like manner pursuant to Section 12956.2 (e).

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.

Dated \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Printed Name(s)

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, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_ 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 signatures(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 \_\_\_\_\_

RECORDED at REQUEST OF  
Western Title Guaranty Company  
At 9:30 A.M.

101 11:010

AY 73540

AND WHEN RECORDED MAIL TO

JUN 15 1966

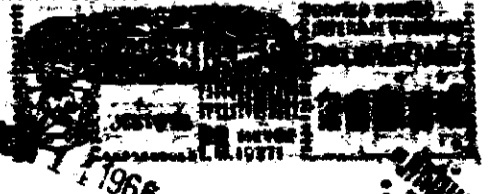
ECCO LAND CO., INC.  
164 NORTH BASCOM AVE.  
SAN JOSE, CALIF.

OFFICIAL RECORDS OF  
ALAMEDA COUNTY, CALIFORNIA  
JACK G. BLUE  
COUNTY RECORDER

SPACE ABOVE THIS LINE FOR RECORDER'S USE

692703

CANCELLED



ECCO LAND CO., INC.  
164 NORTH BASCOM  
SAN JOSE, CALIF.

AFFIX I.R.S. \$ 184.00 IN THIS SPACE

### Corporation Grant Deed

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

**VOLK-McLAIN COMMUNITIES, INC.,** a corporation,  
formerly **The Volk-McLain Co.**  
a corporation organized under the laws of the state of  
hereby **GRANTS** to

**ECCO LAND CO., INC.,** a California corporation

the following described real property in the Township of Pleasanton  
County of Alameda, State of California:

**Parcel One:** Lots 1 to 14 inclusive in Block 1 as said Lots and Block are shown  
on the Map of "Tract 2554, Pleasanton Township, Alameda County,  
California" recorded June 21, 1965, in the office of the County  
Recorder of Alameda County in Book 50 of Maps at Page 48, and

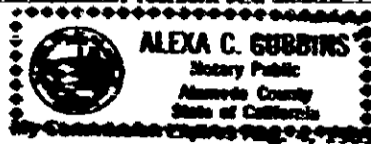
**Parcel Two:** Lots 1 to 28 inclusive in Block 1, Lots 1 to 27 inclusive in Block 2 and  
Lots 1 to 27 inclusive in Block 3 as said Lots and Blocks are shown on  
the Map of "Tract 2773, Pleasanton Township, Alameda County,  
California" recorded June 28, 1965, in the office of the County  
Recorder of Alameda County in Book 50 of Maps at Page 50.

**Reserving from Parcels One and Two:** All water rights, including the right to use  
subterranean water, together with any pipe lines, wells or other equipment relating  
to the use of or extraction of water from or under said property, but without the  
right of entry upon the surface of said property.

**Also Reserving from Parcels One and Two:** All oil, gas and other hydro-carbon  
substances in and under or that may be produced from a depth below 500 feet of the  
(Continued on Next Page)

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this  
instrument to be executed by its \_\_\_\_\_ President and \_\_\_\_\_ Secretary  
thereunto duly authorized.

Dated: June 2, 1966



STATE OF CALIFORNIA }  
COUNTY OF Alameda } ss.  
On June 2, 1966, before me, the under-  
signed, a Notary Public in and for said State, personally appeared  
Ralph O. Arnesen, known  
to me to be the Vice President, and  
Henry L. Farrell, known to me to be

**VOLK-McLAIN COMMUNITIES, INC.**  
By Ralph O. Arnesen Vice President  
By Henry L. Farrell AUTHORIZED AGENT Secretary

Authorized Agent of the Corporation that executed the  
within Instrument, known to me to be the persons who executed the  
within Instrument on behalf of the Corporation therein named, and  
acknowledged to me that such Corporation executed the within Instru-  
ment pursuant to its by-laws or a resolution of its board of Directors.

WITNESS my hand and official seal.  
(Seal)  
Signature Alexa C. Gubbins  
Alexa C. Gubbins  
Name (Typed or Printed)  
Notary Public in and for said State

Title Order No. 692703  
Escrow or Loan No. 13335 and 13339

MAIL TAX STATEMENTS AS DIRECTED ABOVE

(Continued from Page 1)

RE: 1787 IM:677

AY 73540

surface of said property without right of entry upon the surface of said property for the purpose of mining, drilling, exploring or extracting such oil, gas and other hydro-carbon substances or other use of or right in or to any portion of the surface of said property to a depth of 500 feet below the surface thereof.

This conveyance is made upon and subject to the following condition subsequent and which shall also be treated and construed as a covenant running with the land and which condition and covenant the Grantee assumes and agrees to perform and abide by and expressly makes binding upon its successors and assigns, to wit:

No building shall be erected, placed or altered on said property until the elevation plans thereof have been approved in writing by a majority of a committee composed by Robert B. McLain, Kenneth Q. Volk, Jr. and Ralph O. Arnesen, or their authorized representatives for conformity and harmony of external design with existing and planned structures in the area and as to location of the buildings with respect to the property and building set-back lines. In the case of the death of any members of said committee, the surviving members shall have authority to approve or disapprove such design or location. Elevation plans shall be delivered personally or sent by certified mail to 7727 Amador Valley Boulevard, San Ramon Village, Dublin, California, and if the aforesaid committee or their authorized representatives fail to approve or disapprove such elevation plans within thirty (30) days after plans have been submitted to it, such approval will not be required.

The breach of any of the said conditions or covenants, or any re-entry by reason of such breach, shall not defeat or affect the lien of any mortgage or Deed of Trust made in good faith, for value, upon said land, provided, however, that the breach of any of said conditions may be enjoined, abated or remedied by appropriate proceedings, notwithstanding the lien or existence of such Trust Deed or mortgage but, nevertheless, each and all of said conditions and covenants, shall remain at all times in full force and effect as against, and shall be binding upon, and shall be part of the estate acquired by anyone, and the successors and assigns of anyone acquiring title under or through any such Deed of Trust or mortgage, and a forfeiture and re-entry may be enforced following any breach by them or any of them.

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