

Recorded at the request of:  
Contra Costa County  
Board of Supervisors  
Return to:  
Public Works Department  
Engineering Services Division  
Records Section

Area: Alamo

Subdivision: ~~7553~~ 91-07553

APN: 191-140-012, 015 & 020

**GRANT DEED OF DEVELOPMENT RIGHT  
RESTRICTIONS RELATING TO  
THE CREEK STRUCTURE SETBACK AREA**

To meet Condition of Approval Number 32.A.6 of Final Development Plan 3030-90 and Vesting Tentative Subdivision 7553 (the "**Subdivision**"), Alamo Land Investors, LLC, a California limited liability company, and Alamo 37, LLC, a California limited liability company (collectively, "**Owner**"), hereby grants to the **County of Contra Costa**, a political subdivision of the State of California ("**Grantee**") and governmental successor or successors of said county, the development rights defined below over portions of that real property known as Lots 13, 15, 16, 20 and 21 of Subdivision 7553, situated in the County of Contra Costa, State of California and more particularly described in Exhibit "A" (the "**Property**").

26 & 27

The development rights herein conveyed are intended to support a program of compliance with the provisions of Chapter 914-14 of the Contra Costa County Code concerning structure setback lines for unimproved earth channels. Such development rights shall exclusively mean and refer to Grantee's discretionary authority to approve or disapprove of any proposed construction, development or improvement within the areas marked on the Final Map for the Subdivision as "Creek Structure Setback Area;" provided, however, in no event shall the foregoing restrict Owner's right to (i) install, maintain, repair, and/or upgrade drainage facilities, utilities, access roads, keyways, and necessary structures and improvements (including all necessary grading activities and/or slide repair) within such restricted development areas, or (ii) conduct any activities necessary to implement or comply with the Fuel Management Plan currently on file with the Contra Costa County Development Department or other fire abatement program applicable to the Subdivision or otherwise required by a government agency or applicable law (as the same may be amended), all of which may be done without the prior approval of Grantee. This restriction shall be a form of covenant, which shall run with the Property and shall bind the current Owner and any future Owner of all or any portion of the Property. In the event of a disapproval of proposed construction by Grantee, or successor, said proposed construction shall not be performed. Grantee, or successor, may condition the approval of any proposed construction upon prior or subsequent performance of such conditions as Grantee, or successor, may deem appropriate.

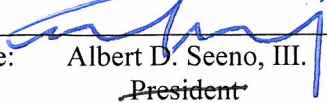
The undersigned executed this instrument on 12/14/09  
(Date)

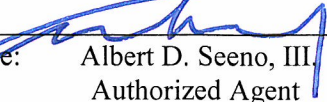
**ALAMO LAND INVESTORS, LLC,**  
a California limited liability company

By: DISCOVERY BUILDERS, INC.  
a California corporation  
Its: Managing Member

**ALAMO 37, LLC,**  
a California limited liability company

By: WEST COAST HOME BUILDERS, INC.,  
a California corporation  
Its: Managing Member

By:   
Name: Albert D. Seeno, III.  
Its: President  
AUTHORIZED AGENT

By:   
Name: Albert D. Seeno, III.  
Its: Authorized Agent

(See attached notary)

## ACKNOWLEDGMENT

State of California  
County of Contra Costa )

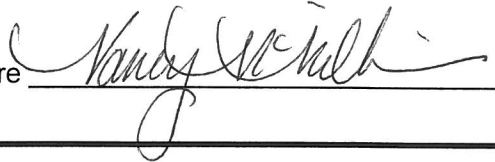
On December 14, 2009 before me, Nancy McMillin, Notary Public  
(insert name and title of the officer)

personally appeared Albert D. Seeno, III  
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



(Seal)



## EXHIBIT "A"

All that real property situated in the County of Contra Costa, State of California, described as follows:

~~26~~ <sup>27</sup>

Portion of Lots 13, 15, 16, 20 and 21<sup>V</sup> designated as "Creek Structure Setback Area" as shown on the final map of Subdivision 7553, on file at the County Recorder's Office as follows:

Date: \_\_\_\_\_

Book: \_\_\_\_\_

Page: \_\_\_\_\_