

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
TO:

CITY OF COACHELLA
c/o JILL A. TREMBLAY
74-760 HIGHWAY 111, ST. 200
INDIAN WELLS, CA. 92210

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

DECLARATION OF LAND USE COVENANTS

APN 779-272-001 THROUGH 779-272-016, 779-301-001 THROUGH 779-301-007, 779-300-001 THROUGH 779-300-007, 779-271-039 THROUGH 779-271-052, 779-300-008 THROUGH 779-300-014, 779-301-008, 779-300-015 AND 779-301-009 (PARCEL 1); APNS 779-270-001 THROUGH 779-270-019, 779-271-001 THROUGH 779-271-036, 779-271-037 AND 779-271-038 (PARCEL 2); AND APNS 779-300-016 THROUGH 779-300-050, 779-301-010 THROUGH 779-301-022, 779-300-051, 779-300-052, 779-301-023 AND 779-301-024 (PARCEL 3)

City of Coachella, County of Riverside

THIS DECLARATION OF LAND USE COVENANTS ("Declaration") is made this ___ day of _____, 20__ by D.R. HORTON LOS ANGELES COMPANY, INC., a California corporation (hereinafter "Declarant"), with reference to the following facts:

A. The City of Coachella ("City") owns that certain 37.3-acre 155-lot single-family residential subdivision located at the southeast corner of Avenue 50 and Calhoun Street in the City of Coachella, County of Riverside, State of California, described as Lots 1-52 and Lots G and H of Tract 32074-2 as recorded in Book 394, Pages 24 through 27, inclusive (Parcel 1); Lots 1-55 and Lots G and H of Tract 32074-1 as recorded in Book 390, Pages 88 through 91, inclusive (Parcel 2); and Lots 1-48 and Lots F through I of Tract 32074 as recorded in Book 394, Pages 28 through 31, inclusive (Parcel 3) – all of Maps, Records of Riverside County, California, legally described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated by this reference (the "Property").

B. In connection and contemporaneous with the sale of the Property and pursuant to the provisions of the Surplus Land Act (Government Code § 54220 *et seq.*) (the "Act"), the City

Council approved Resolution No. 2021-27, which declared the Property “non-exempt surplus property” and approved the sale of the Property to Declarant, subject to this Declaration.

C. The Declarant has purchased the Property, subject to Section 54233 of the Act. To ensure continued compliance with the Act, the City has required the recordation of this Declaration.

D. Declarant acknowledges that the covenants contained in this Declaration are a material inducement to the City to approve the sale of the Property to Declarant.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by Declarant, Declarant hereby covenants and agrees as follows:

1. If ten (10) or more residential units are developed on the Property, not less than 15 percent of the total number of residential units developed on the property shall be sold or rented at affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code, or affordable rent, as defined in Section 50053 of the California Health and Safety Code, to lower income households, as defined in Section 50079.5 of the California Health and Safety Code.

2. Rental units shall remain affordable to and occupied by lower income households for a period of 55 years for rental housing and 45 years for ownership housing.

3. The initial occupants of all ownership units shall be lower income households, and the units shall be subject to an equity sharing agreement consistent with the provisions of paragraph (2) of subdivision (c) of 65915 of the California Government Code.

IN WITNESS WHEREOF, this Declaration is executed this ___ day of _____, 2021, at _____, California.

DECLARANT:

D.R. HORTON LOS ANGELES COMPANY,
INC., a California corporation

Date:

By:

[INSERT]

EXHIBIT A
Legal Description

EXHIBIT B
Site Map