

CITY OF LOS ALTOS
1 N. SAN ANTONIO RD
LOS ALTOS, CA. 94022
ATTN: CAROL HOFFMAN

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PREAMBLE

This is an irrevocable offer of grant of a conservation easement for protection and preservation of Adobe Creek.

RECITALS

WHEREAS, the City of Los Altos has granted approval to a certain development known as Trojan Properties, Inc. "Tract No. 7822", for the purpose of a planned residential development consisting of 11 residential units, together with certain common area subject to certain conditions under File No. 85-PUD/Cluster I.

WHEREAS, pursuant to Condition 5 of 85-PUD/Cluster I and Ordinance 86-155, an offer of dedication for a conservation easement is required;

NOW, THEREFORE, the undersigned property owner (Grantor) hereby tenders an offer of grant of conservation easement to the City of Los Altos for the protection of the health and safety of the residents of the City of Los Altos, State of California, over that certain property depicted as Lot 12 in Exhibit "A" and described in Exhibit "B" attached hereto.

1. Irrevocable Offer of Grant. Grantor hereby tenders an irrevocable offer of grant of conservation easement for the protection and preservation of Adobe Creek in accord with the terms of Ordinance Number 86-155 of the City of Los Altos, State of California. Said grant shall become effective upon acceptance by the City of Los Altos.
2. Location and Description of Easement. The subject conservation easement is located and described as follows: See Exhibits "A" and "B" attached hereto.
3. Covenants and Restrictions. Said offer of grant of conservation easement shall impose upon the land the following covenants and restrictions which shall be binding on its owners, successors, and assigns as follows: **No structures, grading, paved areas, water containing facilities, fences disturbance of subsoil, or any other man-made construction nor any dumping use of herbicides or pesticides or removal of vegetation, except as permitted by Ordinance 86-155 of the City of Los Altos, shall be permitted within Adobe Creek and the easement of 80 feet as described on Exhibits "A" and "B" except pathways, access roads, utilities, bridges, and fire and flood control measures. Further, all construction within Adobe Creek and the conservation area shall be subject to Section 10-2.2725 of the Los Altos Municipal Code. Any structures existing on the effective date of the Ordinance, which is July 24, 1986, shall be deemed lawful, nonconfirming structures.**
4. Rights of Access. Upon dedication to and acceptance by the City of Los Altos, the Grantor's rights of access to, over, and across said property by this document shall be no different than those of the general public except for specific utilities serving Tract 7822.
5. Offer Binding Upon Owners, Successors and Assigns. This offer of grant and each and every term, condition, restriction and covenant contained herein shall bind Grantor and its successors and assigns, and each and all of them, and shall run with the land.