

# COVENANT AND AGREEMENT INSTRUCTIONS

City of Vernon

The City of Vernon may request that a Covenant and Agreement be obtained prior to the issuance of a building permit for parking requirements and or truck and automobile access, side yards, drainage or any other reason requiring a neighboring property to be encumbered in order to obtain compliance with city codes or regulations.

A Covenant & Agreement will require that two or more properties or portion of properties be held as one parcel. The agreement will run with the land and may not be released without approval by the city and evidence is provided that it is no longer required by law.

## **The following documents are required in order to process a Covenant & Agreement:**

1. Complete application (Attachment 1) and \$375 review fee.
2. Provide a completed covenant & agreement form. Refer to Attachment 2 for a covenant & agreement sample. Covenant & agreement form must be in a recordable format and signed and notarized by the appropriate officers of the entity. Refer to Attachment 3 "Signature Requirements for City Agreements" for the required signatures.
3. When only one signature is provided, proof of the person's authorization in his sole capacity to bind the corporation or partnership shall be supplied to the City. Provide City with "Articles of Organization" or "Statement of Partnership Authority".
4. Provide the property deed(s) showing current ownership of all properties involved.
5. Provide title report(s) showing current ownership of all properties involved.
6. Submit a legal description prepared and wet stamped by a Land Surveyor, registered in the state of California, of the area to be deeded. Document shall be labeled "Exhibit A", "Page 1 of 2".
7. Provide recorded documents referenced in legal description.
8. Provide Closure Calculations to support metes and bounds description.
9. Submit a drawing attached to the legal description, with bearings and distances to scale and marked "Exhibit B" and "Page 2 of 2". The drawing shall be prepared and wet stamped by a Land Surveyor, registered in the State of California.

**APPLICATION FOR COVENANT & AGREEMENT**

Owner of Parcel \_\_\_\_\_

Address of Owner \_\_\_\_\_

Assessors Parcel Number (APN) \_\_\_\_\_

Address of Parcels \_\_\_\_\_

**THIS REQUEST FORM SHALL BE ACCOMPANIED BY THE FOLLOWING:**

- Covenant & agreement form
- "Article of Organization" or "Statement of Partnership Authority"
- Property grant deed for all properties involved
- Title report for all properties involved
- Legal description of each parcel ("Exhibit A")
- Recorded documents referenced in legal description
- Closure calculations (for metes and bounds description)
- Legal drawing of each parcel ("Exhibit B")

Applicants full name (printed or typed) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ Fax Number: \_\_\_\_\_

Surveyors Name \_\_\_\_\_ Business Name \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ Fax Number \_\_\_\_\_

RECORDING REQUESTED BY  
AND MAIL TO:

CITY OF VERNON  
4305 SANTA FE AVENUE  
VERNON, CALIFORNIA 90058

ATTN: CITY CLERK'S OFFICE

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

THE PROPERTY IS LOCATED IN THE CITY OF VERNON

**COVENANT AND AGREEMENT**

The undersigned hereby certify that we are the owners of real property located in the City of Vernon, State of California that is located at and is known by the following address:

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

THIS COVENANT AND AGREEMENT ("Covenant and Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2006 by Owner's name and approved by the City of Vernon a California municipal corporation (the "City of Vernon").

WHEREAS, Owner's name, is the owner of the real property located in the City of Vernon, County of Los Angeles, State of California, that is located and known by the following address: (the "Property"), as more particularly described on **Exhibit A** and shown on **Exhibit B** attached hereto and incorporated herein; and

NOW, THEREFORE, Owner's name hereby agrees and covenants with the City of Vernon to Purpose of Covenant.

THIS Covenant and Agreement shall run with the Property and shall be binding upon Owner's name, future owners of the Property, encumbrancers, and their respective successors, heirs and assigns and shall continue in effect until released by the authority of the Director of the Department of Community Services and Water for the City of Vernon ("Director") or such successor governmental officials lawfully acquiring the duties of the Director, which shall be released upon submittal of request, applicable fees and evidence that this Covenant and Agreement is no longer required by applicable law.

PROPERTY OWNER'S NAME

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008

BY: _____	BY: _____
<i>Name</i>	<i>Name</i>
_____	_____
<i>Title</i>	<i>Title</i>
_____	_____
(signature)	(signature)

**SIGNATURES MUST BE NOTARIZED**

APPROVED BY: \_\_\_\_\_ DATED \_\_\_\_\_, 2008  
Samuel Kevin Wilson  
Director of Community Services & Water

State of \_\_\_\_\_ }

County of \_\_\_\_\_ }

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(Insert Name of Notary Public and Title)

personally appeared \_\_\_\_\_

\_\_\_\_\_

personally known to me (or proved to me 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.

WITNESS my hand and official seal.

\_\_\_\_\_  
(Notary Signature)

(NOTARY SEAL)

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**EXHIBIT "B"**

**SITE PLAN**

**CITY OF VERNON  
SIGNATURE REQUIREMENTS FOR CITY AGREEMENTS**

TYPE OF ENTITY	FIRST SIGNATURE	SECOND SIGNATURE	REFERENCE
Corporation	chairman of the board, president, any vice president	corporate secretary, assistant secretary, chief financial officer, any assistant treasurer  (Note: A person can hold more than one corporate office; e.g., a vice-president can also be a secretary. That person can sign the agreement twice, if both capacities are identified.)	Corp. Code sec. 313 Corp. Code sec. 5214
Limited Liability Company ("LLC")	if managed by members – by any member  if managed by manager – by a manager  (Note: A member or manager may have a title such as president or vice-president)	if managed by <i>members</i> – not required unless otherwise provided in governing documents  if managed by <i>manager(s)</i> – by a second manager (unless articles of organization state there is only one manager)	Corp. Code sec. 17157
Partnership	any partner, unless authority restricted in "statement of partnership authority" recorded in County Recorder's Office (for real property transactions) or filed with secretary of state (for contracts, etc.)	not required, unless "statement of partnership authority" provides otherwise	Corp. Code sec. 16301 Corp. Code sec. 16303
Limited Partnership	a general partner, subject to same exceptions for partnership	same as partnership	Corp. Code sec. 15509
Limited Liability Partnership ("LLP")	same as partnership	same as partnership	Corp. Code sec. 16955.5
Sole Proprietorship	sole proprietor	not required	n/a

Parties executing an Agreement or Contract that are not identified above must also send a copy of the corporate minutes giving such person(s) the authority to sign on behalf of the corporation.