

PLEASE COMPLETE THIS INFORMATION.

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Planning Division
City of Escondido
201 North Broadway
Escondido, CA 92025-2798

DOC # 2007-0545363



AUG 15, 2007 3:43 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 27.00
PAGES 3



THIS SPACE FOR RECORDER'S USE ONLY

LOT TIE AGREEMENT (Case # **2007-11-SP/PO/DA**)

THIS AGREEMENT entered into at Escondido, California, this 24th day of July, 2007, by and between CITY PLAZA AT ESCONDIDO, LLC, hereinafter referred to as "OWNER(S)" and the CITY OF ESCONDIDO, hereinafter referred to as "CITY":

W I T N E S S E T H:

WHEREAS, OWNER(S) own(s) all of the hereinafter described property in the City of Escondido, County of San Diego, State of California, more particularly described as:

APN: 233-142-01, -02, -03, -04,

and further described as:

LOTS 12 THROUGH 16, INCLUSIVE, IN BLOCK 96 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886,

and with property address(es) at:

328 South Escondido Boulevard, Escondido, California 92025; and

241 West 3rd Avenue, Escondido, California 92025;

WHEREAS, there is a mixed use development proposed on said real property, including but not limited to, access, paved parking and landscaping, trash chute enclosure(s), and four (4) story mixed use building;

WHEREAS, it is the intent and desire of OWNER(S) that said five (5) lots constitute one (1) parcel on which said mixed use building(s) be situated and used, and

WHEREAS, OWNER(S) intend that the covenants herein set out run with the above described land, and


WHEREAS, pursuant to Article(s) 19 of the Escondido Zoning Code, the City is a party to this declaration and is hereby authorized to enforce the terms and conditions of this declaration in the same manner as any owner,

NOW, THEREFORE, in consideration of their mutual promises and other valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. OWNER(S) agree that each of the lots described above herein shall be considered "tied" as to constitute one (1) parcel.
2. OWNER(S) agree that no part of the above described real property may be split, by parcel map or otherwise, into separate lots so long as this agreement exists.
3. This agreement is for the mutual benefit of OWNER(S) and the CITY.
4. The CITY agrees the OWNER(S) may construct upon the above described real property improvements pursuant to and in accordance with the plans and specifications filed with the CITY and hereinafter approved by the CITY.

THIS AGREEMENT and all benefits and obligations of the covenants herein shall run with the land and shall bind the respective parties hereto, their heirs, legal representatives, successors and assigns.

DATED: 7-24-07

BY: 
OWNER
CITY PLAZA AT ESCONDIDO, LLC
BY: NATHAN ADLER – IT'S MANAGER

DATED: 8/15/07

BY: 
CITY OF ESCONDIDO

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Jeffrey R. Epp, City Attorney

By 
Tara Cheever, Deputy City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SANDIEGO } ss.

On 7-24-07, before me, Judy Weichers, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared NATHAN Adler
Name(s) of Signer(s)

personally known to me

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.



Place Notary Seal Above

WITNESS my hand and official seal.

Judy Weichers
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
 Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
 Top of thumb here

Signer Is Representing: _____