

DEPARTMENT OF INVESTMENT
DIVISION OF REAL ESTATE
OF THE
STATE OF CALIFORNIA
BURTON E. SMITH, Real Estate Commissioner

In the matter of the application of

HOLLY CORPORATION,
a Delaware corporation

for a final subdivision public report on

TRACT NO. 551

IMPERIAL COUNTY, CALIFORNIA

FINAL SUBDIVISION
PUBLIC REPORT

FILE NO. 2194-SD

ISSUED: JANUARY 15, 1959

4TH AMENDED: JUNE 7, 1962

RENEWED: OCTOBER 2, 1967

EXPIRES: OCTOBER 2, 1972

This Report Is Not a Recommendation or Endorsement of the Subdivision
But Is Informative Only.

Buyer or Lessee Must Sign That He Has Received and Read This Report.
This Report Expires on Date Shown Above or Upon a Material Change.

SPECIAL NOTES

A COMMUNITY SERVICES DISTRICT HAS BEEN CREATED TO PROVIDE CERTAIN MUNICIPAL-TYPE SERVICES. SUCH A DISTRICT MAY FINANCE ITS OPERATION BY THE SALE OF BONDS UPON THE APPROVAL OF THE RESIDENTS OF THE DISTRICT. ABSENTEE LAND OWNERS HAVE NO VOICE IN THE APPROVAL OF BOND ISSUES, ETC.

A COMMUNITY SERVICES DISTRICT MAY ALSO LEVY A PROPERTY TAX OF \$1.00 PER \$100.00 ASSESSED VALUATION IN ADDITION TO COUNTY TAXES AND TAXES LEVIED FOR THE PAYMENT OF GENERAL OBLIGATION BONDS.

THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE COACHELLA VALLEY COUNTY WATER DISTRICT AND IS SUBJECT TO ALL ASSESSMENTS AND TAXES LEVIED BY SAID DISTRICT.

THE DISTRICT HAS MANY TAX RATES DEPENDING UPON THE SPECIFIC IMPROVEMENT DISTRICT CONCERNED. THE TAX RATES FOR 1966-67 VARY FROM \$0.1826 TO \$10.8823. PURCHASERS MAY CHECK WITH THE DISTRICT FOR THE TAX RATE APPLICABLE FOR THEIR PROPERTY.

YOUR ATTENTION IS ESPECIALLY DIRECTED TO THE PARAGRAPHS BELOW HEADED:
(X) RESTRICTIONS, (X) CONDITIONS OF SALE OR LEASE, (X) SEWAGE DISPOSAL.

LOCATION AND SIZE: In Imperial County on the west side of Salton Sea and the East side of Highway 86, north of Marina Drive, approximately 30 miles southeast of Indio.

Approximately 130 acres divided into 286 parcels.

TITLE: A Preliminary Title Report shows title among other things to be subject to: Reservation of mineral, oil and gas rights with right of surface entry. This could mean that the owner of such rights may enter upon the land at some future date to develop same and could affect the landowner's ability to finance improvements;

Easements affecting certain lots for utilities, drainage, ingress and egress and other purposes. These easements as they affect individual lots may be determined by an examination of the title report and recorded tract map.

ZONING: Vacant lots are to be sold for residential purposes.

(X) RESTRICTIONS: Restrictions, recorded in Book 1012, page 540, January 7, 1959, as Document No. 19, Official Records of the Imperial County Recorder, among other

restrictions or limitations on use, contain the following provisions:

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the construction have been approved by the Committee of Architecture and a fee of \$5.00 has been paid;

All structures shall basically be of ONE LEVEL construction and no two-story structure shall be permitted unless, in the opinion of the "Committee of Architecture" such a structure conforms to the over-all design and pattern of development;

No person shall cause to be erected a sign, advertisement billboard or advertising structure of any kind on any of the unimproved residential lots, except that a temporary permit, limited to a ninety-day period, for signs for houses to be sold or exhibited be first obtained by application to the architectural committee. The architectural committee may approve the location of these signs within the front set-back of the lot. (This provision does not comply with Section 712 of the civil code of the State of California which states that provisions which purport to prohibit or restrict the right of the owner to display or have displayed on the property a sign of customary and reasonable dimensions advertising the property for sale is void.)

TAX ESTIMATES: Normally, for tax purposes, land and completed improvements are assessed at 25% of the fair market value. This value usually approximates the selling price. Taxes may be estimated by taking 25% of the sales price, dividing by 100 and then multiplying by the total tax rate.

The title company reports that this subdivision is located in tax code area 82-003, and that the latest available tax rate is \$9.7184 per \$100 of the assessed valuation. Any bonded debts or special district assessments approved after the above tax rate had been set could substantially increase the future tax rate. This information is for the 1966-67 fiscal year. The tax rate and assessed value may change in subsequent years.

(X) CONDITIONS OF SALE OR LEASE: Purchasers equitable interest will be transferred by a real property sales contract with installment payments. Prospective purchasers should read and understand the terms of the agreement. The Agreement for Sale and Purchase of Real Estate contains, among other provisions, the following:

1. Seller will not further encumber said property without buyers written consent.
2. Buyer will not transfer, assign or encumber this contract or any interest in same or interest in or right to the possession of said property without Seller's prior written consent. No such assignment or transfer shall be binding upon Seller until evidence thereof satisfactory to Seller has been filed with and accepted by Seller and the Seller's assignment fee paid therefor, together with any past due installment payments.

PURCHASE MONEY HANDLING WILL BE AS FOLLOWS: The subdivider has certified that all deposits or payments made by the purchaser under the contract of sale shall be deposited according to Section 11013.4(f) of the Business and Professions Code and Section 2814.5(1) of the Commissioner's Rules and Regulations ONLY UNTIL the following conditions have been met:

- (a) A signed land sales contract is delivered to the buyer which contract shall contain a provision precluding the vendor from subsequently encumbering the property without the written consent of the contract vendee.
- (b) The contract contains a provision precluding the vendor from undertaking any additional off-site improvements or performing any other work on the lot covered by such contract which may result in the creation of a me-

chanics lien subsequent to the date of the contract without the written consent of the buyer and without filing a surety bond with the city or county.

- (c) The contract states that in the event that such additional improvements or work are undertaken by the subdivider he will furnish the contractor a copy of the Final Subdivision Public Report.

FILLED GROUND AND SOIL CONDITIONS: The subdivider in his application for this report states that no lots are to contain filled ground.

STREETS: Have been offered for dedication for public use and have been accepted by the County for public use and maintenance.

FLOOD AND DRAINAGE: The subdivider's engineer advises:

"There can be no possible damage from inundation from rising waters of Salton Sea due to the fact that the elevations in this tract are far above any level generally accepted to which the sea may rise.

"A portion of this tract is traversed by Palm Wash, which carries drainage from a portion of the Santa Rosa Mountains west of this tract, and a sufficiently wide drainage easement has been set aside for the proper construction of channels to care for this flow, and upon the construction of these channels all lots in this tract will be reasonably free from flood hazards."

WATER: The Coachella Valley County Water District has agreed to furnish water to each lot in this tract.

- (x) SEWAGE DISPOSAL: Soil conditions are not favorable for septic tanks and cess-pools except on a temporary basis. This form of sewage disposal may not function properly as the area develops. Contracts have been entered into providing for the payment of certain monies by the subdividers to the Community Services District for the eventual installation of a community sewer system.

A Community Service District may levy assessments and have the sole and exclusive discretion as to time, location and design of the construction and installation of disposal treatment facilities which are to be installed.

UTILITIES: Note: Electricity and telephone lines have been brought into the area. The subdivider's firm has agreed to extension of power lines to any lot, without extension costs to purchasers, where approval for construction and necessary construction permits have been received by the purchaser. No public gas lines to the area are available.

ELECTRICITY: Imperial Irrigation District.

GAS: Indio Gas Company (Bottled gas only).

TELEPHONE: California Water & Telephone Company.

NOTE: Contact the above companies regarding extension rules and regulations, service connections and costs involved.

FIRE PROTECTION: The Salton Community Services District has agreed to furnish fire protection through the West Shores Volunteer Fire Department. Subdivider has agreed to install fire hydrants at 800 feet intervals.

MISCELLANEOUS: It is approximately:

30 miles to the high school;
15 miles to the grammar school; and
30 miles to Indio for complete shopping facilities.

School bus service is available to both schools. Available public transportation consists of bus at Highway 86 and Marina Drive, which is a flag stop.

DECLARATION OF RESTRICTIONS

TRACT 551

THIS DECLARATION, made this 7th day of January, 1959 by SALTON RIVIERIA, INC. a California corporation, having its principal place of business in the City of Azusa, Los Angeles County, California, hereinafter referred to as the Declarant.

WHEREAS the Declarant is the owner of that certain Tract No. 551, Imperial County, California, as per plat thereof recorded in Book, 5 Pages 68, records of said County, and

WHEREAS the Declarant is about to sell, dispose of or convey the lots in said Tract No. 551, above described, and desires to subject the same to certain protective covenants, conditions, restrictions (hereinafter referred to as "Conditions") between it and the acquirers and/or users of the lots in said Tract.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Declarant hereby certifies and declares that it has established and does hereby establish general plan for the protection, development and improvement of said Tract, that

THIS DECLARATION is designed for the mutual benefit of the lots in said Tract and Declarant has fixed and does hereby fix the protective conditions upon and subject to which all lots, parcels and portions of said Tract shall be held, leased, or sold, and/or conveyed by them as such owners, each and all of which is and are for the mutual benefit of the lots in said Tract and of each owner thereof, and shall run with the land and shall inure to and pass said Tract and each and every parcel of land therein, and shall apply to and bind the respective successors in interest thereof, and are and each thereof is imposed upon said Tract as a mutual, equitable servitude in favor in favor of each and every parcel of land therein as the dominant tenement or tenements.

SAID CONDITIONS ARE AS FOLLOWS:

That all of Block 6 and all of Block 7 shall be designated as C-2 and shall be improved, used, and occupied for commercial purposes under the conditions hereinafter set forth under ZONE C-2 REGULATIONS.

RESERVING THEREFROM:

All that portion of all the lots within Block 6 and Block 7 lying from the building setback line to the street and all that portion of the lots lying from the rear setback line to the rear lot line AS SHOWN ON THE RECORDED MAP, AN EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITIES, DRIVEWAYS, WALKWAYS, AND PARKING, TO BE USED IN COMMON WITH OTHERS.

That all of Block 1, lots 1 through 16 inclusive of Block 8, lots 1 through 3 inclusive, and lots 15 through 25 inclusive of Block 11, and lots 35 through 46 inclusive of Block 14 shall be designated as multiple residence lots and shall be improved, used, and occupied under the conditions hereinafter set forth under CLASS I - ZONE R-3 REGULATIONS.

That lots 17 through 27 inclusive of Block 8, lots 4 through 14 inclusive of Block 11, and lots 23 through 34 inclusive of Block 14 shall be designated as multiple residence lots and shall be improved, used, and occupied under the conditions as hereinafter set forth under ZONE R-2 REGULATIONS.

That all the remaining lots within this subdivision shall be designated as single residence lots and shall be improved, used, and occupied under the conditions hereinafter set forth under ZONE R-1 REGULATIONS.

II. GENERAL

A. No building, fence, patio, or other structure shall be erected, altered, added to, placed, or permitted to remain on said lots or any of them or any part of any such lot until and unless the plans showing floor areas, external design and the ground location of the intended structure along with a plot plan and a checking fee in the amount of \$5.00 have been first delivered to and approved in writing by any two (2) members of a "Committee of Architecture" which shall be initially composed of C. W. Burmood, George McCarthy, and August Damon, provided that any vacancy on such committee caused by death, resignation, or disability to serve shall be filled on the nomination of SALTON RIVIERA, INC. It shall be the purpose of this committee to provide for the maintenance of high standard of architecture and construction in such a manner as to enhance the aesthetic properties of the developed subdivision. Notwithstanding other requirements imposed, this committee shall require not less than twelve hundred (1,200) square feet of floor area for any single family residence INCLUDING carport, garage, covered porches, covered contiguous patios, etc., with a minimum floor area of eight hundred (800) square feet for living area in the dwelling portion of the structure. All structures shall basically be of ONE LEVEL construction and no 2-story structure shall be permitted unless, in the opinion of the Committee of Architecture such a structure conforms to the over-all design and pattern of development. On commercial structures submitted for approval, this committee may require changes, deletions, or revisions in order that the architectural and general appearance of all such commercial buildings and grounds be in keeping with the architecture of the neighborhood and such as not to be detrimental to the public health, safety, general welfare and architectural appearance effecting the property values of the community in which such use or uses are to be located.

B. It shall remain the prerogative and in the jurisdiction of the "Committee of Architecture" to review application and grant approvals for exceptions to this declaration. Variations from requirements and, in general other form of deviation and deviations do, in no way, detract from the appearance of the premises, not in any way be detrimental to the public welfare or the property of other persons located in the vicinity thereof, in the sole opinion of the Committee.

~~C. All buildings shall have a septic tank and leeching pit or pits, as may be required, installed in the rear yard, per specifications attached hereto and made a part hereof. In the event a lot is for multiple residence purposes and additional pits are found necessary to properly connected to that in the rear. The responsibility for determining the need for additional pits shall be vested in the Desert Shores Community Services District. The Community Services District is vested with the responsibility and authority for the enforcement of these provisions.~~

Under California Health and Safety Code (Section 5000) and California Government Code (Section 54300), all buildings shall connect with wastewater collection system where available. When wastewater collection system is unavailable, a leeching septic tank system may be until such time as the water wastewater collection system becomes available at which time connection will be mandatory.

COMMITTEE
OF
ARCHITECTURE

SEWAGE
DISPOSAL

III. RESIDENTIAL ZONES:

- A. As used in this declaration, "Residential Zones" means zones R-1, R-2, and R-3.
- B. A person shall not use any premises in any residential zone, which is deigned, arranged or intended to be occupied or used for any purpose, other than expressly permitted in this declaration.
- C. In any building project, during construction and sixty (60) days thereafter, property in a residential zone may be used for the storage of materials used in the construction of the individual buildings in project and for the contractor's temporary office. Said construction period shall not exceed ninety (90) days, unless specifically approved by the Committee of Architecture.
- D. A person shall not keep or maintain any live pig or hog, or livestock or goats, cows, or fowl of any age, in any residential zone, whether such animals are kept or maintained for the personal use of the occupants or otherwise.
- E. No person shall cause to be erected a sign, advertisement, billboard or advertising structure or any kind of any of the unimproved residential lots, except that a temporary permit, limited to a ninety-day period, for signs for houses to be sold or exhibited be first obtained by application to the architectural committee. The architectural committee may approve the location of these signs within the front set-back of the lot.
- F. No temporary buildings, basement, cellar, tent, shack, garage, barn or other outbuilding or structure shall, at any time, be used for human habitation, temporarily or permanently.
- G. A trailer may be used as a residence of the owner and his family during construction by such owner of a permanent residence, but only after approval has been gained from the architectural committee for such residence, but in no event shall said trailer be used longer than ninety days.
- H. The exterior portions of all buildings, which are constructed of wood, stucco or cement shall be painted or stained immediately upon completion or shall have color mixed in the final structural application.
- I. Residences shall have complete and approved plumbing installations before occupancy.
- J. A temporary Real Estate Tract Office, for the purpose of conducting the sale of property in the sub-division, upon which such office is located, for a period not to exceed one year, provided such tract office is not used for conducting a general real estate business. Any structure, used for such purpose, shall at the end of such one year period, be either removed or used for a purpose permitted in the zone in which it is located.
- K. The storage of tools, landscaping instruments, household effects, machinery or machinery parts, empty or filled containers, boxes, or bags, trash, materials or other miscellaneous items that shall, in appearance, detract from the aesthetic value of the property, shall be so placed and stored to be concealed from view from the public right of way. Trash for collection may be placed at the street line on regular collection days for a period not to exceed eighteen hours prior to pick up.

1. PROPERTY IN ZONE R-1 MAY BE USED FOR:

- A. A single family residence, together with outbuildings customary to such use, located on the same lot or parcel of land, including:
 - 1. A private garage with a capacity not to exceed three (3) automobiles.
 - 2. A boat repair or storage building for the personal use of the occupant.
 - 3. A children's playhouse.
 - 4. Lath or greenhouses.

5. Tool houses.
6. Hobby shops not used commercially.

B. Churches, temples, or other places used exclusively for religious worship shall be permitted within this zone upon approval of location and development plans by the "Committee of Architecture."

C. The following auxiliary uses, if they do not alter the character of the premises as single family residence:

1. One detached guest house on the same premises as and not less than twenty (20) feet from the main building for the use of temporary guests of the occupants of the premises, if such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling.
2. Fences, walls, or hedges may be erected, started, or maintained to a height of 72" above the adjacent grade when used as a property line or boundary separation, except that no fence, wall or hedge may be used for this purpose in the front setback of a lot in excess of 42" above the adjacent grade.

2. **BUILDING SETBACKS:**

A. Front yard setbacks shall conform to a minimum depth of thirty-five (35) feet from the front property line to the furthest structural projection, including eaves, overhangs, porches of any building, or structure.

B. A side yard shall be maintained of at least five (5) feet in depth from all side property lines to the building line of any structure, with a minimum clearance of 30" from eaves or other projections to the side property line, EXCEPT on corner lots which shall maintain a minimum setback of ten (10) feet or a maximum thirty-five (35) feet from the side street line. An attached garage, a detached garage, or other auxiliary buildings or structures, not intended to or us for human habitation, shall be located to provided a minimum 12" clearance from the side property line to eaves or other projections, when the auxiliary building or structure is a minimum of twenty (20) feet to the rear of the front wall of the residence nearest the street is attached, or forty (40) feet to the rear of the residence nearest the street if detached.

C. A rear yard. Shall be maintained of at least twelve (12) feet from the property line to the furthest structural projection, excepting fences, walls, and hedges when used as a boundary line separation which shall be ten (10) feet from the rear property line.

3. **VEHICLE STORAGE:**

Every dwelling or other structure in Zone R-1 designed for or intended to be used as a dwelling, shall have on the same lot or parcel of land, automobile storage space conveniently accessible from the street and not located at any place where the erection of a structure is prohibited. This space shall be of sufficient capacity so as to not exceed maximum vehicle storage requirements as outlined above.

4. **SUBDIVISION OF LOTS:**

No lot or parcel of land shall be divided into smaller lots or parcels under any conditions or circumstances whether for lease, sale, or rental purposes.

ZONE R-2 REGULATIONS

A. PROPERTY IN ZONE R-2 MAY BE USED FOR:

1. Any use permitted in Zone R-1 except that a private garage may have a capacity of five (5) automobile.

B. BUILDING SETBACKS:

Front yard, side yard, and rear yard setbacks shall conform to those imposed in Zone R-1.

C. VEHICLE STORAGE:

Vehicle storage shall conform to those requirements imposed in Zone R-1, except the vehicle capacity shall be sufficient to accommodate one (1) automobile for each family for the permanent housing of which each dwelling or structure on the property is designed.

D. SUBDIVISION OF LOTS:

Subdividing lots or parcels of land into smaller areas shall be prohibited for any purposes or uses, whether for sale, lease, or rent.

E. REQUIRED LAND AREA:

A person shall not erect, construct, occupy or use more than one (1) two-family residence or two (2) one-family residences on any parcel of land or lot.

F. REQUIRED BUILDING AREA:

Notwithstanding other requirements imposed by these restrictions under GENERAL, the "Committee of Architecture" shall in all two-family residences require not less than seven hundred (700) square feet of floor for each one bedroom unit including carport, garage, covered porches, covered contiguous patios, etc., with a minimum area of five hundred (500) square feet for living area in the dwelling portion of the unit, and shall require not less than eight hundred (800) square feet of floor area for each two bedroom unit including carports, garages, covered porches, covered contiguous patios, etc., with a minimum floor area of six hundred (600) square feet of living area in the dwelling portion of the unit.

G. BUILDING HEIGHT LIMITATIONS:

All structures shall be of ONE-LEVEL construction unless as otherwise provided for under GENERAL of these restrictions.

ZONE R-3 REGULATIONS

A. The following regulations shall apply in Zone R-3 Multiple Dwelling Districts:

1. CLASS I

- A. Any use permitted in Zone R-2.
- B. Multiple dwellings or three (3) one-family dwellings of a permanent nature on each lot.
- C. Hotels and Motel in which incidental business may be conducted for the convenience of the residents of the buildings.
- D. Apartment buildings.

2. CLASS II

The following uses shall be classified under this zoning and shall be permitted if use, location, and development plan is approved by the "Committee of Architecture."

- A. Trailer parks.
- B. Colleges and Universities
- C. Private schools.

B. BUILDING SETBACKS:

1. Front yard setbacks shall conform to a minimum depth of twenty (20) feet from the front property line, excluding structural projections, eaves, overhangs, and porches of any building or structure
2. Side yard setbacks shall conform to those required in Zone R-1, except the maximum setback from a side street shall be reduced to thirty (30) feet.
3. Rear yard setback shall conform to those as required in Zone R-1.

C. VEHICLE STORAGE:

Every dwelling, apartment house, or structure in Zone R-3 designed for or intended to be used as a dwelling or apartment house, shall have on the same lot or parcel of land, automobile storage space conveniently accessible from the street, and not located at any place where the erection of structures is prohibited, of sufficient capacity to accommodate one (1) automobile for each family for the permanent housing of which such dwelling, apartment house or other structure is designed.

D. SUBDIVISION OF LOTS:

No lot or parcel of land shall be divided into smaller lots or parcels under any conditions or circumstances whether for lease, sale, or rental purposes.

E. REQUIRED BUILDING AREA:

Notwithstanding other requirements imposed by these restrictions under GENERAL, the "Committee of Architecture" shall in all apartment buildings designed or intended to house three (3) or more families, require not less than five hundred (500) square feet of living area for each one bedroom unit, or not less than six hundred (600) square feet of living area for each two bedroom unit. In all buildings or establishments designed for, intended for, or used as Hotels or Motels, the "Committee of Architecture" shall require that each unit, room, suite, or apartment capable of, designed or intended to be rented, leased, or let as an individual accommodation shall contain two hundred fifty (250) square feet of living area including bathrooms and/or kitchens where included in the individual accommodation as outlined above. In such instances, where a common or shared bath or kitchen is present, only 50% of the area of such shared facilities can be contributed to the required floor area of two hundred fifty (250) square feet. In such instances where a public bathroom or toilet room or kitchen is present as the only such facilities available, the minimum required livable floor area of each individual accommodation shall contain two hundred (200) square feet.

F. BUILDING HEIGHT LIMITATIONS:

All structures shall be of ONE-LEVEL construction unless as otherwise provided for under GENERAL of these Restrictions.

ZONE C-1 REGULATIONS

The conditions for which the uses described and permitted in Zone C-1 are as follows:

1. That all goods, other than nursery stock, offered for sale shall be displayed within a building enclosed by a roof and all sides by walls.
2. That no commercial structure shall exceed a height of two stories, including the basement but excluding the cellar and advertising signs, which are part of the structure.
3. No enterprise is permitted, which produces or causes any dust, gas, smoke, noise, fumes, odors, or vibrations, which are or may be detrimental to other property in the neighborhood or to the welfare of the occupants thereof.
4. PROPERTY IN ZONE C-1 MAY BE USED FOR:
 - A. Any use permitted in Zone R-3.
 - B. Retail stores, shops or businesses, including, but not limited to those listed in the following:
 1. Antiques
 2. New automobiles
 3. Automobiles courts
 4. Automobiles parts
 5. Bakeries, retail
 6. Banks
 7. Bars (no dancing)
 8. Barber shop
 9. Cafes or restaurants (no dancing or entertainment)
 10. Clothing shops
 11. Clubs
 12. Cocktail lounge
 13. Comfort stations
 14. Drug stores
 15. Dyeing, retail dyeing and cleaning agency and pressing only
 16. Employment agency
 17. Escort bureaus
 18. Fine arts galleries
 19. Floors – the caring or retail sale of, or both of floors.
 20. Food market
 21. Furniture store, new only, retail
 22. Furrier shop
 23. Gasoline filling stations, providing that no garage or mechanical repair or tire re-building or automobile washing areas of more than five hundred (500) square feet is used.
 24. Greenhouses
 25. Hardware stores.

PROPERTY IN ZONE C-2 MAY BE USED FOR:

1. Any use permitted in Zone C-1, but not subject to any of the conditions listed in Zone C-1.
2. Sale, at retail only, of:
 - A. Feed
 - B. Grain
 - C. Monuments, tombstones, flagstone or any other architectural masonry, brick or tile.
3. Stores, or shops for the conducting of retail or wholesale business, including, but not limited to:
 - A. Auction house
 - B. Bird or pet shop
 - C. Plumbing shop, if outside storage of pipe or fixtures or both, if any, be enclosed with a solid fence, not less than six (6) feet in height.
 - D. Automobile trailer park
 - E. Billiard hall and/or bowling alley
 - F. Boxing or sports arena
 - G. Commercial carnival show operated at one particular location not longer than one week in any six-month period.
 - H. Frozen food locker
 - I. Furniture re-upholstering
 - J. Public garages
 - K. Gas distribution depot of a public utility or company selling and distributing gas
 - L. Glass etching, beveling and/or silvering in connection with the sale of glass
 - M. Gymnasium
 - N. Hospitals
 - O. Commercial laundries
 - P. Mortuaries
 - Q. Pool halls
 - R. Printer or publisher or both
 - S. Skating rinks
 - T. Tire re-treading
 - U. Trailer rentals
 - V. Truck or automobile rentals
 - W. Truck or transfer companies
 - X. Light manufacturing on the ground floor only, incidental to the retail sale of goods from the premises, providing:
 1. Seventy-five percent or more of the total ground floor area of the premises shall be used for retail sales, display of goods and office space.
 2. A commercial appearance shall be maintained by office or window display space or both, across all of the street frontage of the building.
 - Y. The manufacture of clothing, providing:
 1. Not more than one hundred (100) individuals are employed therein.
 2. Adequate area for street parking is provided for all employees.
 3. A commercial appearance shall be maintained by office or window display space or both, across all of the street frontage of the building.

- 4. Off-street loading and unloading space is provided and so located that there will be no interference with the free flow of traffic on any street, highway or alley.
- Z. The manufacture of ceramics, if the total volume of the kiln space does not exceed sixteen (16) cubic feet.
- AA. Automobile repair garages, if all operations are conducted within a building.
- BB. Other similar enterprises or businesses falling within this category but not specifically mentioned, shall be subject to the approval of the Committee of Architecture

These conditions shall run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 1968, at which time said Conditions and Covenants shall be automatically extended for successive periods of ten (10) years, unless by vote of the owners of a majority of the lots in said Tract, it is agreed to change said Conditions in whole or in part.

PROVIDED, FURTHER, that if any paragraph, section, sentence, clause, or phrase of the restrictions, conditions, and covenants herein contained shall be or become illegal, null, or void, for any reason or shall be held by any court of competent jurisdiction to be illegal, null, or void, the remaining paragraphs, sections, sentences, clauses or phrases herein contained shall not be affected thereby. It is hereby declared that these restrictions, conditions, and covenants herein contained would have been and are imposed and each paragraph, section, sentence, clause or phrase thereof, irrespective to the fact that any one or more other paragraphs, sections, sentences, clauses or phrases are or shall become or be illegal, null or void.

PROVIDED FURTHER, that if any owner of any lot is said property or his heirs, or assigns, shall violate or attempt to violate any of the conditions, covenants and/or restrictions herein, it shall be lawful for any other person or persons owning any other lots in said property to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such conditions, covenants, and/or restrictions and either to prevent him or them from so doing or to recover damages or other dues for such violation.

PROVIDED FURTHER, that a breach of any of the foregoing conditions, covenants, and/or restrictions shall not defeat or render invalid the lien of any mortgage, or deed of trust in good faith, and for value, as to said property or any part thereof, but such conditions, covenants, and/or restrictions shall be binding upon and effective against any owner of any lot or lots in said property whose title is acquired by foreclosure, trustee's sales, or otherwise.

IN WITNESS WHEREOF, SALTON RIVIERA, INC. has caused its corporate name and seal to be hereunto affixed by its officers thereunto duly authorized this 7th day of January, 1959.

(Owner) SALTON RIVIERA, INC.

BY _____
President

BY _____
Asst. Secretary