

PUD-102-71

Recording requested by and Mail to

City Clerk
City of Garden Grove
11391 Acacia St.
Garden Grove, Calif. 92640

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

Min. // A.M. AUG 10 1971
Past
J. WYLIE CARLYLE, County Recorder

FREE
C7

PUD-102-71

RESOLUTION NO. 2499

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF GARDEN GROVE APPROVING
PLANNED UNIT DEVELOPMENT NO. PUD 102-71

WHEREAS, in the matter of Planned Unit Development 102-71, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Elliott R. Fine et al, as applicant.
2. The applicant requests change of zone from the R-1 zone to PUD zone and approval of a revised final development plan to permit the construction of seventeen (17) industrial use buildings in accordance with the provisions of Municipal Code Section 9213F (Planned Unit Development).
3. The subject property is zoned PUD and R-1, and is an unimproved freeway remnant.
4. Existing land use and zoning of property in the vicinity of the subject property have been reviewed.
5. Past cases affecting the subject property were considered and the Staff Report submitted by the City's Staff was reviewed.
6. Public testimony was heard.

WHEREAS, the Planning Commission findings are as follows:

1. That subject PUD 102-71 possesses characteristics that would indicate justification of the request for adoption, in accordance with the provisions of Municipal Code Section 9213F.7.
2. That in order to fulfill the purpose and intent of the Municipal Code and thereby promote the public health, safety, and general welfare, the following conditions of approval shall apply to the subject case:
 - a. Approval of this Planned Unit Development shall not be construed to mean any waiver of the applicable and appropriate zoning and other regulations.
 - b. Minor changes in the general development plan made a part of PUD 102-71 may be approved by the Building-Zoning Manager or the Zoning Administrator. If other than minor changes are made in the proposed development, a new PUD application shall be filed which reflects the revisions made.
 - c. Signing Standards:
 - (1) Signing area in the proposed development shall be computed as required in the Municipal Code for the M-1 Limited Industrial zone.
 - (2) Signing shall be uniform and shall be subject to Zoning Administrator approval.
 - (3) Appearance, location and number of signs shall be as shown on the exhibits submitted and made a part of PUD 102-71.
 - (4) Sign types permitted are mounted wall signs which do not project above the roof line of the building, and free-standing directory signs.
 - (5) Sign types not permitted are painted wall signs, roof signs, and mounted wall signs which project above the roof line of the building.
 - d. Lot Split: Application for a lot split should be made concurrently with the P.U.D. application processing. Lot split approval should be subject to PUD approval. Any building erected with a zero lot line setback shall have no openings on the exposure of the building adjacent to such lot line. Front yard setbacks shall be not less than 10 feet and shall be varied so as to average 12.5 feet.

- e. Parking. Parking standards shall be one space for every 500 square feet of building area. Parking standards based on industrial uses exclusively.
- f. Landscaping. Detailed Landscaping Plan to be submitted for approval by the Zoning Administrator, showing plant size, type and location, and method of sprinkling system. Mature landscaping to be installed along Trask Avenue and the Freeway. Zoning Administrator to approve any proposed changes in colors of buildings.
- g. Wall Requirement. A six foot high block wall fence shall be constructed adjacent to the westerly property line.
- h. Sidewalks. A five foot adjacent-to-curb walk shall be constructed for the frontage of the entire development. Parkway tree planting to be behind walk. Installation and bonding requirements to be the same as for sidewalks.
- i. Street Improvement. Any necessary street dedication shall be required for the full Trask Avenue and Taft Street frontages. All necessary curb, gutter and pavement to match existing roadway shall be installed prior to building occupancy.
- j. Lighting. All on-site lighting shall be low-level and directed away from adjacent single family residences.
- k. Trash Storage. All trash areas to be completely enclosed. Minimum size to be 9'6" by 6'. One trash area required for each building, or one double area for each two buildings.
- l. Roof visibility from Freeway.

All roof mounted mechanical equipment shall be screened.

- m. Applicable Municipal Code Requirements. Wherein not otherwise defined, all requirements of the City of Garden Grove Municipal Code shall be observed.
- n. Recommended Permitted Uses and Performance Standards. No use shall be permitted which does not comply with the following standards of industrial performance and which cannot be fully conducted within a completely enclosed building.

No use shall be permitted in the subject Planned Unit Development which involves any of the following effects:

- 1) Any noise or vibration, other than that related to temporary construction work, which is discernible without instruments at any lot line of the site;
- 2) The emission of radioactivity in dangerous amounts;
- 3) Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance;
- 4) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringelmann Chart, as specified in Information Circular 7718 of the United States Bureau of Mines, for more than three (3) minutes in any one hour;
- 5) Any direct or reflected glare or heat which is perceptible at any point outside of the building site;
- 6) The emission of odorous gases or matter in quantities such as to be perceptible at any lot line of the site;
- 7) The discharge into any sewer or stream or into the ground, except in accordance with standards approved by the State Department of Health, of any materials of such nature as to contaminate any water supply, interfere with bacterial processes and sewage treatment, or in any way cause the emission of dangerous or offensive elements.
- 8) No exterior storage of materials, supplies, equipment or machinery shall be permitted whether open or in tanks, bins or other container devices.

Resolution No. 2499

The following light industrial uses are permitted in the subject planned development providing compliance is made to the above stated standards of performance:

- 1) Laboratory, including research, testing, experimental or other types
- 2) Manufacturing, processing, packaging, treatment, fabrication of goods and merchandise excluding any use or class of uses elsewhere excluded herein
- 3) Publishing, printing, lithographing, engraving
- 4) Wholesale warehouse

The following uses are expressly prohibited:

- 1) Automotive vehicle and related vehicular equipment storage, salvaging, dismantling, etc.
- 2) Bottling plants and breweries
- 3) Concrete products manufacturing
- 4) Draying, freighting or trucking yards, or terminals
- 5) Fruit and vegetable canning, preserving and freezing
- 6) Fruit packing houses
- 7) Lumber yards
- 8) Poultry and rabbit slaughter
- 9) Storage space for transit and transportation equipment
- 10) Tire rebuilding, recapping and retreading
- 11) Truck steam cleaning equipment

Conditions, Covenants and Restrictions. As required by Section 9213 F.9 of the PUD Ordinance, the applicant shall submit to the City Attorney a draft of Covenants, Conditions and Restrictions which shall apply to the subject development and shall be concurrently recorded with the County Recorder along with the conditions of approval and map of the subject development. The CC & R's shall include a reciprocal Maintenance Agreement.

3. That construction of street improvements on the Taft Street frontage would leave that portion of Taft Street under the freeway overpass unimproved, which would not be in the best interests of community safety and welfare.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Garden Grove does hereby recommend approval of Planned Unit Development 102-71 subject to the conditions stated above, and does recommend to the City Council rezoning to the PUD zone, as indicated on the map attached hereto and made a part hereof; and does further recommend that the City of Garden Grove develop and improve the west side of Taft Street under the Freeway overpass at the same time street improvements are installed by the developer of PUD 102-71.

ADOPTED AND APPROVED this 25th day of February, 1971.

/s/ C. C. WOOLLEY
CHAIRMAN

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of Garden Grove which was held on February 25, 1971, and carried by the following vote, to wit:

AYES: COMMISSIONERS: BERNSTON, SHELTON, MC CLEARY, WOOLLEY, MOVIUS, SHEESTAD
 NOES: COMMISSIONERS: NONE
 ABSENT: COMMISSIONERS: NONE
 ABSTAIN: COMMISSIONERS: MC NAMARA

The foregoing instrument is a full, true and correct copy of the original on file in this office. *Development Review Dept.*

ATTEST: *May 14 1971*
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE
Ruby K. Silva, City Clerk

Recording requested by a. 11 to 8631

City Clerk
City of Garden Grove
11391 Acacia St.
Garden Grove, Calif. 92640 RESOLUTION NO. 4046-71

DED IN OFFICIAL RECORDS
ORANGE COUNTY, CALIFORNIA
/ Min. // A.M. AUG 10 1971
J. WYLLIE CASBY, County Recorder

FREE
C7

PUD-102-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD 102-71

WHEREAS, the applicant, Elliott R. Fine et al, requests change of zone from the R-1 zone to PUD zone and approval of a revised final development plan to permit the construction of seventeen (17) industrial use buildings in accordance with provisions of Municipal Code Section 9213F (Planned Unit Development), on an unimproved freeway remnant located at the southwest corner of Trask Avenue and Taft Street; and

WHEREAS, the City Planning Commission, pursuant to Resolution No. 2499, recommended approval of PUD 102-71 on February 25, 1971; and

WHEREAS, pursuant to legal notice, the City Council held public hearing on subject case on March 16, 1971; and

WHEREAS, the City Council gave due and careful consideration to the matter,

NOW, THEREFORE, BE IT RESOLVED:

That Planned Unit Development 102-71 is hereby approved pursuant to Planning Commission Resolution No. 2499, copy of which is attached hereto and incorporated herein by reference with the same force and effect as if set forth in full, with the added condition that the City Staff review driveway access on Taft Street.

That the City Staff is hereby directed to prepare the necessary ordinance to incorporate this amendment into the Municipal Code.

That the City Clerk is hereby directed to forward copies of this resolution to all pertinent parties.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE this 23rd day of March, 1971.

/s/ Reece Ballard
MAYOR OF THE CITY OF GARDEN GROVE

ATTEST:
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE
BY:

PATRICIA B. SCANLAN
DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, RUBY K. SILVA, City Clerk of the City of Garden Grove do hereby certify that the foregoing Resolution was introduced and adopted at a regular meeting of the City Council of the City of Garden Grove held on March 23, 1971, by the following vote, to wit:

AYES: COUNCILMEN: ADAMS, DEAN, LAKE, SCHMIT, BALLARD
NOES: COUNCILMEN: NONE
ABSENT: COUNCILMEN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Garden Grove this 23rd day of March, 1971.

RUBY K. SILVA
CITY CLERK OF THE CITY OF GARDEN GROVE
BY:

PATRICIA B. SCANLAN
DEPUTY CITY CLERK

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST: May 14 19 71
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE

Ruby K. Silva, City Clerk

Recording requested by and Mail to
City Clerk
City of Garden Grove
11391 Acacia St.
Garden Grove, Calif. 92640

8630

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA
/ Min. // A.M. AUG 10 1971
Past
J. WYLIE CARLYLE, County Recorder

FREE
C7.

PUD-102-71

ORDINANCE NO. 1192

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING THE GARDEN GROVE MUNICIPAL CODE AND PARTICULARLY ARTICLE IX THEREOF ENTITLED "LAND USE"

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1:

Article IX of the Municipal Code of the City of Garden Grove is hereby amended by the following addition:

Section 9203.20.152

Planned Unit Development No. PUD 102-71 is hereby adopted. Zone Map Part D-9 is hereby amended accordingly.

The amendment as provided by this Section shall be subject to all the conditions and provisions as set forth in City Council Resolution No. 4046-71 approving Planned Unit Development No. PUD 102-71.

SECTION 2:

This Ordinance shall take effect thirty (30) days after adoption and shall within fifteen days of adoption be published with the names of the Councilmen voting for and against the same in the Orange County Evening News, a newspaper of general circulation, printed, published and circulated in the City of Garden Grove.

The foregoing Ordinance was approved and adopted by the City Council of the City of Garden Grove on the 6th day of April, 1971.

REECE BALLARD

MAYOR OF THE CITY OF GARDEN GROVE

ATTEST:

RUBY K. SILVA

CITY CLERK OF THE CITY OF GARDEN GROVE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, RUBY K. SILVA, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance had its first reading on March 23, 1971, and had its second reading on April 6, 1971, and was passed by the following vote, to wit:

AYES: COUNCILMEN: ADAMS, DEAN, LAKE, SCHMIT, BALLARD
NOES: COUNCILMEN: NONE
ABSENT: COUNCILMEN: NONE

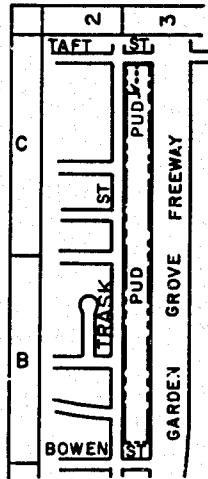
RUBY K. SILVA

CITY CLERK OF THE CITY OF GARDEN GROVE

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST: May 14 1971
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE

Ruby K. Silva, City Clerk



PUD 102-71
ZONE MAP
PART D-9

Recording requested by and Mail to
City Clerk
City of Garden Grove
11391 Acacia St.
Garden Grove, Ca 92640

8633

\$48.40

COVENANT AND AFFIDAVIT

9755 PAGE 819
RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA
1 Min. Past 11 A.M. AUG 10 1971
J. WYLIE CARLYLE, County Recorder

REGARDING ACCEPTANCE OF CONDITIONS OF APPROVAL FOR
PLANNED UNIT DEVELOPMENT NO. PUD-102-71

PUD-102-71

STATE OF CALIFORNIA) ss.
COUNTY OF ORANGE)

The undersigned represent that they are all of the owners of those certain parcels of real property situated in the city of Garden Grove, county of Orange, state of California, described as follows:

That portion of the South half of Section 5, Township 5 South, Range 10 West in the Rancho Las Bolsas, in the City of Garden Grove, County of Orange, State of California, as per map recorded in Book 51 Page 12 of Miscellaneous Maps, in the office of the County Recorder of said county, described as follows:

Beginning at the Northeast corner of Tract No. 2311 as per map recorded in Book 65 Pages 22 and 23 of said Miscellaneous Maps; thence South 0° 25' 15" West 211.30 feet along the East line of said tract; thence South 88° 36' 17" East 186.03 feet; thence South 89° 36' 31" East 999.48 feet; thence North 88° 28' 56" East 299.91 feet; thence North 88° 54' 19" East 600.51 feet; thence South 89° 45' 32" East 334.02 feet to a line parallel with and Westerly 20.00 feet from the East line of the Northwest quarter of the Southeast quarter of said section; thence North 0° 02' 35" West 95.71 feet along said parallel line to a line parallel with and Southerly 91.00 feet from the North line of said South half; thence North 89° 31' 35" West 180.00 feet along said parallel line to a line parallel with and Westerly 200.00 feet from said East line; thence North 0° 02' 35" West 91.00 feet along said parallel line to said North line; thence along said North line the following two courses and distances: North 89° 31' 35" West 1742.68 feet and North 89° 34' 29" West 496.17 feet to the point of beginning.

Except all minerals, oil gases and other hydrocarbons by whatsoever name known that may be within or under said land, without, however, the right to drill dig or mine through the surface, or the upper 500.00 feet thereof, as set forth in a deed recorded in Book 9386 Page 630, Official Records.

The North 91.00 feet of the East 200.00 feet of the Northwest quarter of the Southeast quarter of Section 5 Town 5 South Range 10 West in the Rancho Las Bolsas, City of Garden Grove, County of Orange, State of California, as per map recorded in Book 51 Page 2 of Miscellaneous Maps, in the office of the County Recorder of said county.

Except the Westerly 32.00 feet thereof.

LAW OFFICES OF
RIMEL, HARVEY & LOGAN
FOURTH FLOOR
1010 NORTH MAIN STREET
SANTA ANA, CALIFORNIA 92701
847-7388

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AUG 20 5 52 AM '71

which property is situated at the south side of Trask Avenue between Taft and Bowen Streets.

The undersigned in consideration of being granted approval of Planned Unit Development No. PUD 102-71 on the above described property do hereby promise, covenant and agree to and with the City of Garden Grove that they are aware of, and accept, all the conditions of said Planned Unit Development No. PUD 102-71 granted by the Planning Commission of the City of Garden Grove in Resolution 2499 on February 25, 1971 and by the City Council of the City of Garden Grove in Resolution No. _____ on _____, 1971.

The conditions of approval that apply to the subject case are as follows:

a. Approval of this Planned Unit Development shall not be construed to mean any waiver of the applicable and appropriate zoning and other regulations.

b. Minor changes in the general development plan made a part of PUD 102-71 may be approved by the building-zoning manager or the zoning administrator. If other than minor changes are made in the proposed development, a new PUD application shall be filed which reflects the revisions made.

c. Signing standards:

- 1) Signing area in the proposed development shall be computed as required in the municipal code for the M-1 limited industrial zone.
- 2) Signing shall be uniform and shall be subject to zoning administrator approval.
- 3) Appearance, location and number of signs shall be as shown on the exhibits submitted and made a part of PUD 102-71.
- 4) Sign types permitted are mounted wall signs which do not project above the roof line of the building, and free standing directory signs.
- 5) Sign types not permitted are painted wall signs, roof signs, and mounted wall signs which project above the roof line of the building.

d. Lot Split. Application for a lot split should be made concurrently with the PUD application processing. Lot split approval should be subject to PUD approval. Any building erected with a zero lot line setback shall have no openings on the exposure of the building adjacent to such lot line. Front yard setbacks shall not be less than 10 feet and shall be varied so as to average 12.5 feet.

e. Parking. Parking standards shall be one space for

every 500 square feet of building area. Parking standards based on industrial uses exclusively.

f. Landscaping. Detailed Landscaping Plan to be submitted for approval by the zoning administrator, showing plant size, type and location and method of sprinkling system. Mature landscaping to be installed along Trask Avenue and the freeway. Zoning administrator to approve any proposed changes in colors of buildings.

g. Wall Requirement. A six foot high block wall fence shall be constructed adjacent to the westerly property line.

h. Sidewalks. A five foot adjacent to curb walk shall be constructed for the frontage of the entire development. Parkway tree planting to be behind walk. Installation and bonding requirements to be the same as for sidewalks.

i. Street Improvement. Any necessary street dedication shall be required for the full Trask Avenue and Taft Street frontages. All necessary curb, gutter and pavement to match existing roadway shall be installed prior to building occupancy.

j. Lighting. All on-site lighting shall be low level and directed away from adjacent single family residences.

k. Trash Storage. All trash areas to be completely enclosed. Minimum size to be 9 foot 6 inches by six foot. One trash area required for each building, or one double area for each two buildings.

l. Roof Visibility from Freeway. All roof mounted mechanical equipment shall be screened.

m. Applicable Municipal Code Requirements. Wherein not otherwise defined, all requirements of the city of Garden Grove Municipal Code shall be observed.

n. Recommended Permitted Uses and Performance Standards. No use shall be permitted which does not comply with the following standards of industrial performance and which cannot be fully conducted within a completely enclosed building.

No use shall be permitted in the subject Planned Unit Development which involves any of the following effects:

- 1) Any noise or vibration, other than that related to temporary construction work, which is discernible without instruments at any lot line of the site;
- 2) The emission of radioactivity in dangerous amounts;
- 3) Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance;

- 4) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringelmann Chart, as specified in Information Circular 7718 of the United States Bureau of Mines, for more than three (3) minutes in any one hour;
- 5) Any direct or reflected glare or heat which is perceptible at any point outside of the building site;
- 6) The emission of odorous gases or matter in quantities such as to be perceptible at any lot line of the site;
- 7) The discharge into any sewer or stream or into the ground except in accordance with standards approved by the State Department of Health, of any materials of such nature as to contaminate any water supply, interfere with bacterial processes and sewage treatment, or in any way cause the emission of dangerous or offensive elements.
- 8) No exterior storage of materials, supplies, equipment or machinery shall be permitted whether open or in tanks, bins or other container devices.

The following light industrial uses are permitted in the subject planned development providing compliances made to the above stated standards of performance:

- 1) Laboratory, including research, testing, experimental or other types.
- 2) Manufacturing, processing, packaging, treatment, fabrication of goods and merchandise excluding any use or class of uses elsewhere excluded herein.
- 3) Publishing, printing, lithographing, engraving.
- 4) Wholesale warehouse.

The following uses are expressly prohibited:

- 1) Automotive vehicle and related vehicular equipment storage, salvaging, dismantling, etc.
- 2) Bottling plants and breweries.
- 3) Concrete products manufacturing.
- 4) Draying, freighting or trucking yards, or terminals.
- 5) Fruit and vegetable canning, preserving and freezing.
- 6) Fruit packing houses.
- 7) Lumber yards.
- 8) Poultry and rabbit slaughter.

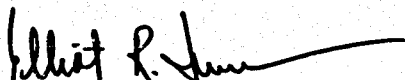
- 9) Storage space for transit and transportation equipment.
- 10) Tire rebuilding, recapping and retreading.
- 11) Struck steam cleaning equipment.

(i) Conditions, Covenants and Restrictions. As required by Section 9213 F. 9 of the PUD Ordinance, the applicant shall submit to the City Attorney a draft of Covenants, Conditions and Restrictions which shall apply to the subject development and shall be concurrently recorded with the County Recorder along with the conditions of approval and map of the subject development. The CC and Rs shall include a reciprocal maintenance agreement.

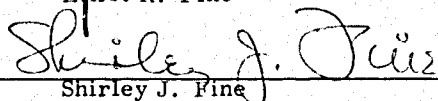
The undersigned further promise, covenant and agree that they will abide by all the conditions of said Planned Unit Development No. PUD 102-71 and will do so within the time specified.

This Covenant and Agreement shall run with the land and be binding upon all future owners, heirs, successors and assigns to such property.

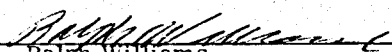
Dated this 26 day of June, 1971.



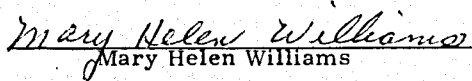
 Elliot R. Fine



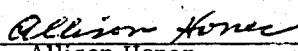
 Shirley J. Fine



 Ralph Williams



 Mary Helen Williams



 Allison Honer



 Richard C. Honer



 Donald A. Honer

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On this 18th day of June, 1971, before me, the undersigned, a Notary Public, in and for said State, duly commissioned, personally appeared ELIJOT R. FINE and SHIRLEY J. FINE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed same.

WITNESS my hand and official seal.



Pollie Minzer
Notary Public in and for said State

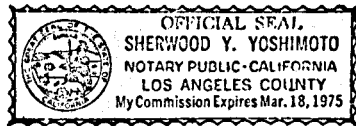
STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On this 23rd day of: JUNE, 1971, before me, the undersigned, a Notary Public, in and for said State, duly commissioned, personally appeared RALPH WILLIAMS and MARY HELEN WILLIAMS, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed same.

WITNESS my hand and official seal.

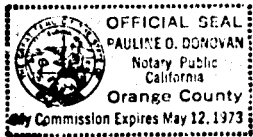
Sherwood Y. Yoshimoto
Notary Public in and for said State

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)



On this 10th day of June, 1971, before me, the undersigned, a Notary Public, in and for the said State, duly commissioned, personally appeared ALLISON HONER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same.

WITNESS my hand and official seal.



Pauline O. Donovan
Notary Public in and for said State

PUD-102-71

RECORDING REQUESTED BY:

City of Garden Grove

9755 PAGE 881

WHEN RECORDED MAIL TO:

8634

City Clerk
City of Garden Grove
11391 Acacia Street
Garden Grove, California 92640

\$6.00

RECORDED IN OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA		
/	Min. // A.M.	AUG 10 1971
-	J. WYLIE CARLYLE, County Recorder	

AUG 23 11 53 AM '71

DECLARATION OF RESTRICTIONS

This Declaration of Restrictions, made this 28 day of June, 1971 by ELLIOT R. FINE, SHIRLEY J. FINE, RALPH B. WILLIAMS and MARY HELEN WILLIAMS, co-owners of Parcel 1 of the below described real property, and ALLISON HONER, RICHARD C. HONER and DONALD A. HONER, co-owners of Parcel 2 of the below described real property, herein after referred to as "Declarant."

WHEREAS, Declarant is the owner of the below described real property:

That portion of the South half of Section 5, Township 5 South, Range 10 West in the Rancho Las Bolsas, in the City of Garden Grove, County of Orange, State of California, as per map recorded in Book 51 Page 12 of Miscellaneous Maps, in the office of the County Recorder of said county, described as follows:

Beginning at the Northeast corner of Tract No. 2311 as per map recorded in Book 65 Pages 22 and 23 of said Miscellaneous Maps; thence South 0° 25' 15" West 211.30 feet along the East line of said tract; thence South 88° 36' 17" East 186.03 feet; thence South 89° 36' 31" East 999.48 feet; thence North 88° 28' 56" East 299.91 feet; thence North 88° 54' 19" East 600.51 feet; thence South 89° 45' 32" East 334.02 feet to a line parallel with and Westerly 20.00 feet from the East line of the Northwest quarter of the Southeast quarter of said section; thence North 0° 02' 35" West 95.71 feet along said parallel line to a line parallel with and Southerly 91.00 feet from the North line of said South half; thence North 89° 31' 35" West 180.00 feet along said parallel line to a line parallel with and Westerly 200.00 feet from said East line; thence North 0° 02' 35" West 91.00 feet along said parallel line to said North line; thence along said North line the following two courses and distances: North 89° 31' 35" West 1742.68 feet and North 89° 34' 29" West 496.17 feet to the point of beginning.

Except all minerals, oil gases and other hydrocarbons by whatsoever name known that may be within or under said land, without, however, the right to drill dig or mine through the surface or the upper 500.00 feet thereof, as set forth in a deed recorded in Book 9386 Page 630, Official Records.

The North 91.00 feet of the East 200.00 feet of the Northwest quarter of the Southeast quarter of Section 5 Township 5 South Range 10 West in the Rancho Las Bolsas, City of Garden Grove, County of Orange, State of California, as per map recorded in Book 51 Page 2 of Miscellaneous Maps, in the office of the county recorder of said county.

Except the Westerly 32.00 feet thereof.

LAW OFFICES OF
RIMEL, HARVEY & LOGAN
FOURTH FLOOR
1010 NORTH MAIN STREET
SANTA ANA, CALIFORNIA 92701
847-7398

WHEREAS, Declarant intends to sell the above described property to Grove Industrial, a Joint Venture, restricting it in accordance with a common plan designed to preserve the value and industrial qualities of said land for the benefit of its future owners.

WHEREAS, by this Declaration of Restrictions, Declarant hereby revokes, rescinds, and terminates that certain statement of covenants, conditions and restrictions concerning Parcel 1 of the above described property dated May 4, 1970 and recorded on May 18, 1970 in Book 9292, Page 4, Official Records of Orange County, California. It is intended that this Declaration of Restrictions shall supersede and replace said statement of covenants, conditions and restrictions dated May 4, 1970.

NOW, THEREFORE, Declarant declares that the above described real property shall be held, transferred, encumbered, used, sold, conveyed, released, and occupied, subject to the covenants and restrictions hereinafter set forth expressly and exclusively for the use and benefit of said property and of each and every person or entity who now or in the future owns any portion or portions of said real property.

1. Definitions.

(a) Improvements: Shall mean and include buildings, out-buildings, parking areas, loading areas, fences, walls, landscaping, poles, signs, and structures of any type or kind.

(b) Sign: Shall include any structure, device or contrivance and all parts thereof which are erected or used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind is used, placed, posted, tacked, nailed, pasted or otherwise fastened or affixed.

(c) Site: Total land area within the above described real property.

(d) Declarant: The undersigned, who are the owners of all the above described real property, and their successors and assigns, or any of them.

2. Regulation of Operation and Uses.

(a) Permitted operations and Uses: All uses shall conform to the provisions of planned unit development No. 102-71 of the City of Garden Grove as prescribed and regulated by the laws and ordinances of the City of Garden Grove now and hereafter in effect.

(b) Nuisances: No portion of the property shall be used in any such way as to create a nuisance to adjacent site. Nuisances shall include, but not be limited to, vibration, sound, electromagnetic disturbance, radiation, air or water pollution, dust, emission of odorous, toxic or noxious matter. All lighting shall be shielded and confined within property lines.

(c) Maintenance and Cleanliness: Nowhere on the site shall there be any accumulation of refuse, debris, trash or other unsightly, hazardous or unsanitary materials of any description. Periodically, all such matters shall be removed leaving the property in a neat appearing, healthful and safe condition.

3. Regulation of Improvements.

(a) Minimum Setback Lines: No structure of any kind, and no part thereof, shall be placed on any site closer to a property line than herein provided on approved development plan of planned unit development 102-71 of the city of Garden Grove without prior written approval of the Declarant. The following structures and improvements are specifically excluded from the setback provisions:

- (i) Roof Overhang.
- (ii) Steps and walks.
- (iii) Paving and associated curbing.
- (iv) Fences (no fences shall be constructed other than those approved by the city of Garden Grove in planned unit development 102-71, unless specific prior written approval is given by Declarant).
- (v) Landscaping.
- (vi) Planters (not to exceed three feet in height).
- (vii) Displays identifying the lessee (all displays shall require the specific prior written approval of Declarant).

(b) Excavation: Excavations, other than in connection with construction of an improvement, shall be approved by Declarant. Upon completion of approved excavation, exposed openings shall be backfilled and disturbed ground shall be graded and compacted to 90% density.

(c) Signs: No signs shall be permitted other than the following:

- (i) Those identifying the name, business and products of the person or firm occupying the premises.
- (ii) Those by Declarant indicating offerings.

Signs shall conform to the setback lines and regulations of conditions of approval of planned unit development 102-71 of the city of Garden Grove unless specific approval is granted by Declarant and the city of Garden Grove.

Sign standards shall require that:

(i) Signs visible from the exterior of any building may be lighted but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink or move in any animated fashion.

(ii) Size, design and color shall be specifically approved by Declarant in writing.

(d) Parking Areas: It is the intent to eliminate the need for on street parking by providing off street parking to accommodate parking needs for employees, visitors and company vehicles. The parking requirements may be modified by the Declarant as to any particular site. In no event, however, can the required amount of parking be less than that required by applicable local and county ordinances and regulations, as required under planned unit development 102-71 of the city of Garden Grove.

(e) Storage and Loading Areas: No materials, supplies, or equipment shall be stored in any area on a site except within a closed building. No storage shall be allowed between the street curb line and the building line.

(e) Building Regulations: Any buildings erected on the property shall be of the following construction:

(i) Exterior walls shall be concrete or masonry unless otherwise agreed to by Declarant.

(ii) Exterior walls shall be painted or suitably treated in a manner acceptable to Declarant.

Any buildings or additions to buildings shall require amendment to the general development plan of planned unit development 102-71 of the city of Garden Grove.

4. Approval of Plans. No improvement shall be erected, placed, altered, maintained, or permitted to remain on any land subject to these restrictions until plans and specifications showing plot layout and all exterior elevations, with materials and colors therefor and structural design, signs and landscaping, shall have been submitted to and approved in writing by Declarant. Such plans and specifications shall be submitted over the signature of the owner or lessee of the site or his authorized agent for construction by Declarant. The Declarant shall not be liable in damages to anyone submitting plans to them for approval, or to any owner or lessee of land affected by this statement, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any such plans. Every owner of land or lessee who submits plans to Declarant for approval agrees, by submission of such plans, that he will not bring any action or suit against Declarant to recover any damages. Declarant will not unreasonably withhold approval or delay construction.

5. Reciprocal Maintenance Agreement: In the event of the failure of

any owner of any parcel of land within the real property subject to this Declaration of Restrictions shall fail to maintain the buildings, structures, and improvements, parking areas, etc. constructed on the said parcel of land in accordance with the provisions of this Declaration of Restrictions, then the owners of the remaining parcels of land within the property subject to this Declaration of Restrictions, or any of them, may enter onto the land of the offending owner and perform such maintenance and repairs at the cost of the offending landowner.

6. Enforcement: Violation or breach of any restriction herein contained shall give to Declarant, or any of them, the right to enter upon the property upon or as to which said violation or breach exists and to summarily abate and remove, at the expense of the owner or lessee thereof, any structure, thing or condition that may be or exist thereon contrary to the intent or meaning of the provisions hereof, or to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of these restrictions to enjoin or prevent them from doing so, to cause said violation to be remedied or to recover damages for said violation. Declarant, or any of them, may from time to time, at any reasonable hour, enter and inspect any property to ascertain compliance herewith. The failure of Declarant to enforce any restriction herein contained shall be in no event be deemed to be a waiver of the right to do so hereafter nor of the right to enforce any other restrictions, nor shall such failure to enforce any such restriction in the case of any owner of one parcel or lessee of one parcel entitle any other owner or lessee to similarly violate such restriction.

7. Assignment of Rights and Interest of Declarant: Any transfer of record title of any declarant herein of all of Declarant's interest in the property subject to this Declaration of Restrictions shall constitute an irrevocable assignment and transfer of all of that Declarant's rights and obligations under this Declaration of Restrictions. After such transfer of Declarant's interest in the title to said real property the transferring Declarant shall have no further rights or obligations under this Declaration of Restrictions. Any transferee of record title from a Declarant hereunder shall accept the title to such real property subject to the obligations undertaken by Declarants herein and shall exercise the rights granted to Declarant herein.

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Restrictions on the day and year first above written.

Elliot R. Pine
Elliot R. Pine

Shirley J. Pine
Shirley J. Pine

Ralph B. Williams
Ralph B. Williams

Mary Helen Williams
Mary Helen Williams

PWD-102-71

BOOK 9755 PAGE 886

STATE OF CALIFORNIA
COUNTY OF

ORANGE } ss.

On JUNE 10TH, 1971

before me, the undersigned, a Notary Public in and for said
County and State, personally appeared

ALLISON HONER

RICHARD C. HONER

DONALD A. HONER



OFFICIAL SEAL
PAULINE G. DONOVAN
Notary Public
California
Orange County

My Commission Expires May 12, 1973
SUBSCRIBED to the within instrument and acknowledged to me

that THEY executed the same.

WITNESS my hand and official seal.
(Seal) *Pauline G. Donovan*
Notary Public in and for said County and State.

Allison Honer
Allison Honer

Richard C. Honer
Richard C. Honer

Donald A. Honer
Donald A. Honer

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES ss.

On June 23, 1971 before me, the undersigned, a Notary Public in and for said State, personally appeared Ralph P. Williams and Mary Helen Williams, known to me to be the persons whos names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Sherwood Y. Yoshimoto



TO 447 C
(Individual)

STATE OF CALIFORNIA
COUNTY OF Los Angeles } ss.

On June 18, 1971 before me, the undersigned, a Notary Public in and for said State, personally appeared

ELLIOT R. FINE
SHIRLEY J. FINE

to be the person s whose name s are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.
Signature *Pollie Minzer*



Name (Typed or Printed)

(This area for official notarial seal)

6.