MARIPOSA COUNTY -- AGENDA ACTION FORM  AGENDA ITEM NO. 10
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SPECIAL INSTRUCTIONS: 1) Submit Original of Action Form. 2) Submit eleven (11) copies of entire item unless exception authorized by Clerk. 3) Number all pages, list the attachments, and prepare all Exhibits.
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DEPT: BOARD OF SUPERVISORS  BY: ARTHUR G. BAGGETT  PHONE: 966-3222
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RECOMMENDED ACTION AND JUSTIFICATION:
Discussion and Action regarding Bower Cave covenants and restrictions.
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BACKGROUND AND HISTORY OF BOARD ACTIONS:
Not Applicable.
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LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Not Applicable.
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LIST ATTACHMENTS:
None
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COST: (x ) None  SOURCE: ( ) 4/5's Vote Required
A. Bud/current FY $ ________ A. Other Budget's Funds $
B. Tot/Antcp Cost $ ________ B. Unantcp'd revenues $
C. Req/Add'l Fund $ ________ C. Reserve for contngcy $
D. Source: __________________ __________ D. Other: __________________
Balance in Reserve for Contingency if approved: $
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CLERK'S USE ONLY:  Resolution No. 89-576
Ordinance No. ______________________
Vote:  Ayes: 5  
Noes: 
Absent: 
Abstained: 
Approved ( ) Denied ( ) Minute Order Attached
Date: \11\21-89
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The foregoing instrument is a correct copy of the original on file in this office.
ATTEST: 
MARGIE WILLIAMS
Clerk of the Board of Supervisors
By Deputy: ______________________
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Rev. 6/15/89
AMENDMENT

DECLARATION OF RESTRICTIVE COVENANTS FOR BUCK MEADOWS

This amendment to Declaration of Restrictive Covenants is entered into on the date or dates last below written by and between the County of Mariposa, a political subdivision of the State of California, and Linkletter Properties, a general partnership, and the Jack and Barbara Linkletter Revocable Trust.

WITNESSETH

WHEREAS, a Declaration of Restrictive Covenants relative to real property described on Exhibit "A" attached hereto and by this reference incorporated herein, was recorded in the County of Mariposa on August 24, 1981 in Volume 229, Page 367 of official records, and

WHEREAS, the Declaration of Restrictive Covenants requires agreement by and between the above-named Parties in order to amend the Declaration of Restrictive Covenants, and

WHEREAS, Paragraph B(2) of the Declaration of Restrictive Covenants prohibits all development on real property in the immediate vicinity of Bower Cave on Lot 2, and

WHEREAS, the Mariposa County Planning Commission prior to the execution of the Declaration of Restrictive Covenants required the following restriction "no development is to occur in the immediate vicinity of Bower Cave without prior Planning Commission review and approval.", and

WHEREAS, the Parties hereto desire to amend the Declaration of Restrictive Covenants to remove Paragraph B(2) and insert in its stead a new Paragraph B(2);

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter contained, the Parties hereto agree as follows:

1. The language which exists in the Declaration of Restrictive Covenants as above described under Section B(2) is hereby rescinded in its entirety.

2. In the place of the prior existing language Paragraph B(2) shall be amended to read in its entirety as follows:
"No development is to occur in the immediate vicinity of Bower Cave without prior Planning Commission review and approval."

3. All other portions of the Declaration of Restrictive Covenants shall remain unchanged.

COUNTY OF MARIPOSA:

[Signature]
GERTRUDE R. TABER, Chairman
Board of Supervisors

Date: December 5, 1989

STATE OF CALIFORNIA
COUNTY OF MARIPOSA

On this the 5th day of December, 1989, before me, Catherine Broomfield, the undersigned Notary Public, personally appeared GERTRUDE R. TABER, 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 that she executed it.

WITNESS my hand and official seal.

[Signature]
Notary's Signature

SEAL
OFFICIAL SEAL
CATHERINE BROOMFIELD
Notary Public-California
MARIPOSA COUNTY
LINKLETTER PROPERTIES:
a general partnership

DATE: 11-28-89

STATE OF CALIFORNIA
COUNTY OF MARIPOSA

On this the 28th day of November, 1989, before me, Debbie Ann Wilkinson, the undersigned Notary Public, personally appeared Jack Linkletter, X personally known to me, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is is subscribed to the within instrument, and acknowledged that he executed it.
WITNESS my hand and official seal.

Notary's Signature

JACK AND BARBARA LINKLETTER:
a general partnership

DATE: 11-28-89

STATE OF CALIFORNIA
COUNTY OF MARIPOSA

On this the 28th day of November, 1989, before me, Debbie Ann Wilkinson, the undersigned Notary Public, personally appeared Jack Linkletter, X personally known to me, proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.
WITNESS my hand and official seal.

Debbie Ann Wilkinson
Notary's Signature

SEAL