

RECORDING REQUESTED BY:

**County of San Mateo
Department of Public Works**

WHEN RECORDED MAIL TO:

**County of San Mateo
Department of Public Works
555 County Center, 5th Floor
Redwood City, CA 94063**

Attn: Mark Chow (PONY: DPW-155)

**Covenant Regarding Sewage Ejector Pump System
California Civil Code §§ 1457 *et seq.*
603 PARK ROAD
EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT**

We, STEVEN T. STABEN and LEANNA R. STABEN, the undersigned, hereinafter called "Owners", hereby certify that we are the owners of or have some right, title or interest in and to the real property commonly known as 603 PARK ROAD, REDWOOD CITY, CA, 94062, and identified in the records of the Assessor of San Mateo County as of the date of this Covenant as Assessor Parcel Number 057-163-190, and legally known as that real property situated in the COUNTY OF SAN MATEO, State of California, more particularly described in Exhibit "A" hereto attached and made a part hereof by reference, hereinafter called "Property"; and that we are the only persons whose consent is necessary to pass clear title to said property; and that we consent to the making and recording of this Covenant.

We, STEVEN T. STABEN and LEANNA R. STABEN, hereby state the following to be true:

- A. The Property, on the date this Covenant was executed, was identified in the records of the San Mateo County Assessor as Assessor's Parcel Number 057-163-190. Exhibit "A" contains a legal description of said parcel.
- B. The EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT, hereinafter called "District", a special district of the County of San Mateo, provides sanitary sewer service to the Property.
- C. The Pump System serves a building which has a finished floor elevation lower than the elevation of the existing District owned sanitary sewer system providing sanitary sewer service to the Property; and the Pump System exists to transport sewage from the building to sanitary sewer facilities owned and maintained by the District.

- D. The Pump System was constructed by the District in the easement acquired from previous owners of the property to meet United States Environmental Protection Agency requirement (40 CFR §35.935-3 (b)(3)) in receiving grant funding for the construction of the Emerald Lake Hills Wastewater Treatment Facilities.
- E. The responsibilities of the District to maintain and operate the Pump System shall be transferred to the Owners in exchange of a quitclaim deed of the easement by the District.

For the benefit of the land described herein, and in consideration of the foregoing, we, STEVEN T. STABEN and LEANNA R. STABEN, do hereby covenant and agree as follows, and agree that successive owners of the land shall be bound by said Covenant:

1. The Owners hereby accept sole responsibility for the ownership, operation, maintenance and repair of the Pump System.
2. The Owners hereby release the District and the County of San Mateo from any obligation whatsoever to replace, reconstruct, or repair, or to pay for the replacement, reconstruction, or repair of any of the structures or facilities of any kind damaged as a result of the operation of the Pump System described in this Covenant.
3. The Owners hereby release and hold harmless the District, the County of San Mateo, their officers, employees, agents, representatives and insurance carriers from any and all rights, claims, demands, suits or actions of every name, kind and description and damages of any kind, existing or arising in the future, resulting from or relating from or relating to any and all property damage arising from any aspect of the operation of the Pump System described in this Covenant. The Owners agree that this obligation to release and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code.
4. The Owners hereby further release and hold harmless the District, the County of San Mateo, their officers, employees, agents, representatives and insurance carriers from any and all rights, claims and demands of any third persons due to any aspect of the operation of the Pump System described in this Covenant. The Owners agree that this obligation to release and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code.

This Covenant is for the benefit of the land described herein, is specifically intended to run with the land pursuant to California Civil Code §§1457 *et seq.*, and shall be binding upon the undersigned, their heirs, executors, administrators, successors, transferees and assignees, with respect to said above described property.

Executed this 20th day of FEB., 2024, at Redwood City, California.



Owner Signature




Owner Signature

Please See
Acknowledgement
From Notary Public

Please See Attached
Acknowledgement
From Notary Public

EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT

 3/20/2024

Ann M. Stillman, Director of Public Works
Authorized Representative of Emerald Lake Heights Sewer Maintenance District

EXHIBIT "A"

Legal Description for 603 PARK ROAD, REDWOOD CITY, CA – APN 057-163-190

LOT 1, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "EMERALD LAKE PARK MAP NO. 3", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON SEPTEMBER 5, 1919 IN BOOK 10 OF MAPS, AT PAGE 24.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo)

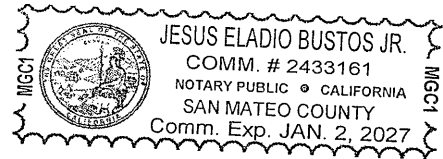
On 02/20/2024 before me, Jesus Eladio Bustos Jr., Notary public
(insert name and title of the officer)

personally appeared Steven and Leanna Staber,
who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jesus Eladio Bustos Jr. (Seal)



CALIFORNIA CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Mateo)

On March 20, 2024 before me, Bobbie Jo Cervantes, Notary Public
(here insert name and title of the officer)

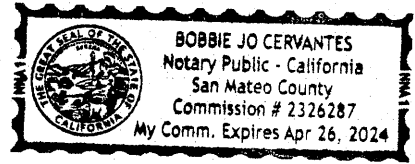
personally appeared Ann M Stillman, Director of Public Works

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Bobbie Jo Cervantes



(Seal)

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Covenant - 1003 Park Road Emerald Lake Heights Sewer Maintenance District. containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- Individual(s)
Attorney-in-Fact
Corporate Officer(s)
Guardian/Conservator
Partner - Limited/General
Trustee(s)
Other:

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information
Method of Signer Identification
Proved to me on the basis of satisfactory evidence:
Notarial event is detailed in notary journal on:
Notary contact:
Other