

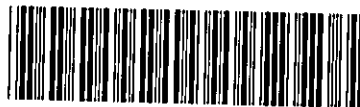
Recording Requested By

First American Title

Escrow No. ~~4771-24004-035~~

DOCUMENT: 20612713

Pages: 4



Fees	24 00
Taxes	
Copies	
AMT PAID	24 00

Recording Requested by  
and  
When Recorded mail to:  
City of San José  
Housing Department  
200 East Santa Clara Street, 12<sup>th</sup> Floor Tower  
San José, California 95113-1905  
Attn: Loan Management  
Re: #1034

REGINA ALCOMENDRAS  
SANTA CLARA COUNTY RECORDER  
Recorded at the request of  
First American Title Company

RDE # 024  
2/17/2010  
8:00 AM

**NOTICE OF AFFORDABILITY RESTRICTIONS ON TRANSFER OF  
PROPERTY**

The Notice of Affordability Restrictions dated as of February 1, 2010 ("Notice") and the 45-year Affordability Restriction dated as of (date of restrictions) February 1, 2010 ("Restrictions") are being recorded concurrently herewith in the Official Records of County of Santa Clara as required under Health and Safety Code Section 33334.3 (f).

A. The City is providing a loan of **\$71,780** (the "Loan") to Stephanie Barrientos, a single woman, ("Borrower" or "Owner") for the acquisition of the property located at (street address) 115 Muller Place, in the City of San José, County of Santa Clara, California as more particularly set forth in **EXHIBIT A** attached hereto (the "Property").

B. Pursuant to an agreement between the City and the Redevelopment Agency of the City ("Agency"), the City is acting as agent of the Agency in Health and Safety Code Sections 33000, et. seq. (the "Community Redevelopment Law"), to increase the supply of housing affordable to low- and moderate-income households.

C. Health and Safety Code Section 33334.3(f) requires a covenant or restriction be recorded against all units constructed or substantially rehabilitated with the assistance of 20% Funds, restricting such units to remain available at "affordable housing costs" (as defined in Health and Safety Code Sections 50052.5 and 50053, as amended from time to time) ("Affordable Housing Costs") to Persons and Families of Lower or Moderate Income and Very Low-Income Households. Any property assisted with 20% Funds assessed in merged redevelopment project areas must be restricted for a period as set forth in Health and Safety Code Sections 33334.3(f) and 33487. The restrictions or covenants must be enforceable against the

successors in interest pursuant to Health and Safety Code Section 33334.3(f).

D. In general, the Restrictions will require that the Property be restricted as follows: The property shall be income-restricted for a period of 45 years to a low- or moderate-income household. The Agency may permit the sale of the owner-occupied unit prior to the affordability period provided that the loan principal and a pro-rated portion of the accrued equity in the property ("excess proceeds") are returned to the City's Low- and Moderate-Income Housing Fund, or other applicable funding source from which the acquisition loan was made.

The City of San José Department of Housing must be notified and give written permission prior to any junior or senior mortgage liens being placed on this property so as not to unreasonably adversely affect the City's equity position in this property.

E. The term of the Restrictions shall be from February 1, 2010 (date loan is made)..... and shall continue through March 1, 2055 (date 45 years out), inclusive.

BORROWER:

  
\_\_\_\_\_  
Stephanie Barrientos

Attach Notary-

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara }

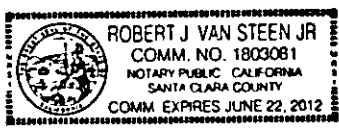
On Feb 10, 2010 before me, Robert Van Steen Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Stephanie Barrientos  
Name(s) of Signer(s)

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.



Place Notary Seal Above

Signature [Handwritten Signature]  
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: \_\_\_\_\_

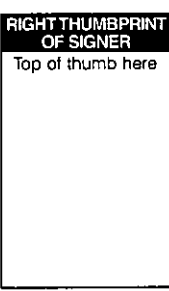
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

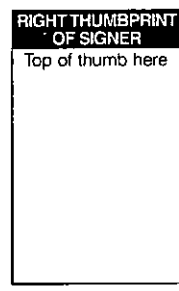
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

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



Signer Is Representing: \_\_\_\_\_

# EXHIBIT A

## LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

A Condominium consisting of the following:

Parcel One:

Unit 35, as shown on the Condominium Plan recorded August 30, 2007 as Instrument No. 19570233, of Official Records ("Plan") and described and defined in the Declaration of Covenants, Conditions and Restrictions recorded August 9, 2007, as Instrument No. 19544153, of Official Records together with any amendments, modifications, or annexations thereto, as may occur from time to time ("Declaration"), being a portion of Lot 8 as shown on the map entitled, Tract 9884, Village Square, filed April 11, 2007 in Book 812 of Maps, at page 49, Santa Clara County Records.

Parcel Two:

An equal undivided interest in and to the Building Common Area in which the unit in Parcel One above is situated, and is shown, described and defined in the Plan and the Declaration.

Reserving therefrom, exclusive easements appurtenant to each unit for the use, occupancy, and possession of the exclusive use common areas which are shown on the plan, as said easements are provided for in the Declaration.

Parcel Three:

Exclusive easement(s) appurtenant to Parcel One above, for the use, occupancy and possession of the exclusive use common areas shown on the plan, as said easements are provided for in the Declaration.

Parcel Four:

Nonexclusive easements appurtenant to Parcel One above for ingress, egress, encroachment, repair, drainage, support, and other purposes as said easements are provided for in the Declaration.

APN: 274-46-056