

RECORDING REQUESTED BY:

City of Merced, A California charter
municipal corporation

WHEN RECORDED MAIL TO:

City of Merced
City Clerk
678 West 18th Street
Merced, California 95340

**Exempt Recording Per Gov't Code
Section 6103**

(Above for Recorder's Use Only)

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

**In Respect of the
CITY OF MERCED
acting solely as the Housing Successor Agency to the
Merced Redevelopment Agency**

**(Childs and B Street Transit Oriented Development ("TOD") Affordable Housing
Project)**

NOTICE: Restrictions have been recorded restricting the price and terms at which the real property described below in this Notice ("Property") may be sold or rented. These affordability restrictions may limit the sales price or rents of the Property to an amount that is less than the fair market value of such amounts for the Property and limit the persons and households who are permitted to purchase or rent the Property to persons or households with certain income levels.

Recorded Document Containing Affordability Restrictions ("Affordability Restrictions")
recorded (check one):

☐ as document No. _____ official records of
Merced County on _____; or

☒ Regulatory Agreement and Declaration of Restrictive Covenants (the
"Regulatory Agreement") relating to the Housing Successor Loan, recorded
concurrent with this Notice, official records of Merced County.

Name of Agency: City of Merced, acting solely as Housing Successor Agency to the Merced
Redevelopment Agency

Name of Property Owner: Merced CA Apartments, L.P.

Property Legal Description: See Attached legal Description

Property Street Address: 1137 "B" Street, Merced, California 95341

Property Assessor's Parcel Number: 035-010-071

Affordability Restrictions Summary (check as applicable):

☒ The Affordability Restrictions Restrict the amount of rent that may be charged for rental housing units on the Property, as follows:

As such terms are defined in the Regulatory Agreement, adjusted for Family Size Appropriate for the Units, rent charged to tenants of the Extremely Low-Income Units shall not exceed one-twelfth (1/12) of thirty percent (30%) of thirty percent (30%) of Area Median Income ("AMI"), and for Very Low-Income Units the rents shall not exceed one-twelfth (1/12) of thirty percent (30%) of fifty percent (50%) of AMI. AMI is published from time to time by the United States Department of Housing and Urban Development ("HUD") pursuant to Section 8 of the United States Housing Act of 1937, and by the State of California Department of Housing and Community Development ("HCD"). Should the annual AMI differ between HUD and HCD in a given year, the Developer shall adhere to the more restrictive (lower) income limits.

☐ The Affordability Restrictions restrict the sales price that may be charged for sale of one or more housing units on the-Property, as follows: _____

☒ The Affordability Restrictions restrict the income level of tenants or purchasers of the Property, as follows:

At least twenty-eight (28) units shall be restricted for occupancy by households with incomes at or below fifty percent (50%) of the AMI. An additional thirty (30) units shall be restricted as Public Supportive Housing Units for occupancy by those who are homeless or at risk of homelessness with incomes at or below thirty percent (30%) of the AMI.

☒ The Affordability commence on the date the issuance of the final certificate of occupancy for the Property and terminates after fifty-five (55) years from the date a certificate of occupancy is issued for the property.

This Notice is recorded pursuant to and in compliance with Health and Safety Code Section 33334.3 (f)(3) and (4) and California Government Code Section 27287. This Notice is conjoined with CA AB 382, Chapter 596.

[Signatures on Next Page]

CITY OF MERCED, A California charter
municipal corporation, acting as the
Housing Successor Agency to the City of
Merced Redevelopment Agency

BY: _____
Mayor/Chair of the Board

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.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of _____

}

On _____

Date

before me, _____

Here Insert Name and Title of the Officer

personally appeared _____

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.

Signature

Place Notary Seal Above

Signature of Notary Public

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.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of _____

}

On _____ before me, _____,

Date

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Signature of Notary Public

Exhibit A – LEGAL DESCRIPTION

EXHIBIT A

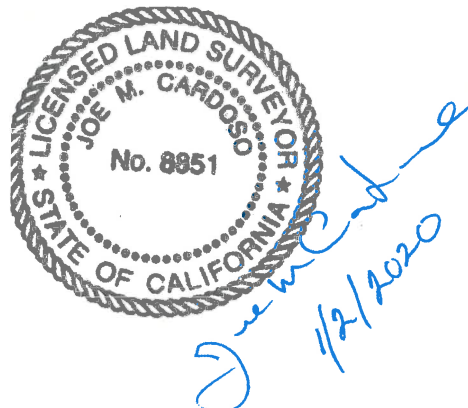
A parcel of land situated in the Southeast One Quarter (SE1/4) of Section 30, Township 7 South, Range 14 East, M.D.B. & M., City of Merced, County of Merced, State of California, said parcel of land being a portion of Parcel A, as said Parcel A is delineated on that certain map entitled "PARCEL MAP FOR RAYMOND A. BESSEMER M.D.", filed for record on March 2, 2000, in the office of the County Recorder of Merced County, in Book 86 of Parcel Maps, at Pages 22-23, said parcel of land being more particularly described as follows:

All of said Parcel A, EXCEPTING THEREFROM the following real property:

BEGINNING at the southwest corner of said Parcel A; thence N24°39'01"E, along the west line of said Parcel A, a distance of 211.87 feet; thence S65° 21' 00" E, to the easterly line of said Parcel A, a distance of 320.00 feet; thence S24°39'01"W, along said easterly line, a distance of 63.21 feet to the beginning of a tangent curve concave to the northwest, having a radius of 15.00 feet; thence southwesterly along said curve, through a central angle of 66°33'00", an arc distance of 17.42 feet to a point of tangency on the south line of said Parcel A; thence N88°48'00"W, along said south line, a distance of 338.97 feet to **POINT OF BEGINNING.**

The above-described parcel of land is delineated on Exhibit B, attached hereto, and made a part hereof.

The above-described parcel of land contains 4.01 acres, more or less, is subject to any liens, encumbrances, covenants, restriction, and rights-of-way or easements of record or legally acquired.



PARCEL 2
94 P.M. 33

PARCEL 1
94 P.M. 33

COUNTY OF MERCED
GRANT DEED
2009-061427, M.C.R.

4.01 ACRES
174,683 Sq. Ft.

PARCEL A
86 P.M. 22

15 R.S. 11

MERCED CEMETERY
DISTRICT

COUNTY OF MERCED



SCALE: 1"= 100'

N24°39'01"E 757.80'

S65°19'58"E 320.00'

S24°39'01"W 609.06'

B STREET

S65°21'00"E 320.00'

1.05 ACRES
45,570 Sq. Ft.

N88°48'00"W 338.97'

CHILDS AVENUE

Lt O.P. 24

DELTA = 66°33'00"
RAD. = 15.00'
LEN. = 17.42'
TAN. = 9.84'



City of Merced
DEVELOPMENT SERVICES
ENGINEERING PROJECTS AND STANDARDS
678 W. 18th Street (209) 385-6846

EXHIBIT B

DR. BY: CARDOSO
DATE: 4/19/16
CH. BY:
DATE:
File No.
SCALE: 1"=100'