

EXHIBIT D

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6367 Hillmont Drive (APN: 037A2772 00900)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Nancy S. Sidebotham Trust is the record owner ("Owner") of 6367 Hillmont Drive, Oakland, California (APN: 037A2772 00900) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Nancy S. Sidebotham Trust
Owner(s) of 6367 Hillmont Drive (APN: 037A2772 00900)

8/29/08

Date

6367 Hillmont

Escrow No.: 07-20201413-CE
Locate No.: CATT0720-0720-0020-0020201413
Title No.: 07-20201413

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 305, HILLMONT FILED AUGUST 5, 1924, MAP BOOK 4, PAGES 44 AND 45, ALAMEDA COUNTY RECORDS.

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573(DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

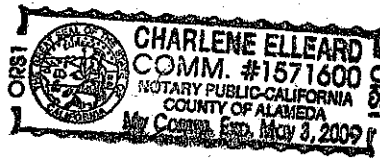
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Nancy S Sidebotham

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Nancy S Sidebotham
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605


Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6375 Hillmont Drive (APN: 037A2772 01000)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Nancy S. Sidebotham Trust is the record owner ("Owner") of 6375 Hillmont Drive, Oakland, California (APN: 037A2772 01000) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Nancy S. Sidebotham Trust
Owner(s) of 6375 Hillmont Drive (APN: 037A2772 01000)

8/27/08
Date

6375
Hillmont

Escrow No.: 07-20201412-CE
Locate No.: CATT0720-0720-0020-0020201412
Title No.: 07-20201412

ADN 037A277 201000

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 306 OF MILLSMONT ACCORDING TO THE MAP THEREOF, FILED AUGUST 5, 1924 IN THE OFFICE OF THE COUNTY RECORDER OF SAID ALAMEDA COUNTY AND OF RECORD IN MAP BOOK 4 AT PAGES 44 AND 45.

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

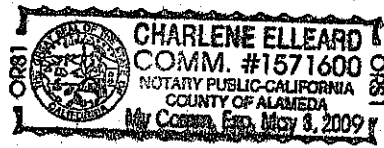
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Nancy S Sidebottom

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Nancy S Sidebottom
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

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Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

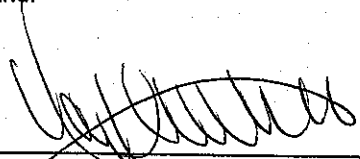
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6383 Hillmont Drive (APN: 037A2772 01100)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Nancy S. Sidebotham Trust is the record owner ("Owner") of 6383 Hillmont Drive, Oakland, California (APN: 037A2772 01100) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Nancy S. Sidebotham Trust
Owner(s) of 6383 Hillmont Drive (APN: 037A2772 01100)

8/27/08
Date

Order No. 3686540

Borrower : Nancy Sidebotham

LEGAL DESCRIPTION

Exhibit A

The land referred to herein is situated in the State of CA, County of ALAMEDA, City of Oakland and described as follows:

Lot 307, Millsmont, filed August 5, 1924, map book 4, Page 44, Alameda County records.

Assessor's Parcel No: 037A-2772-011
Street Address: 5235 Hillmont Drive
Oakland, CA, 94605

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared
Nancy S. Sederbootham

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

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- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Nancy S. Sederbootham
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6391 Hillmont Drive (APN: 037A2772 01200)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Nancy S. Sidebotham Trust is the record owner ("Owner") of 6391 Hillmont Drive, Oakland, California (APN: 037A2772 01200) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



8/29/08

Nancy S. Sidebotham Trust
Owner(s) of 6391 Hillmont Drive (APN: 037A2772 01200)

Date

6391 Hillmont

Description:

The land referred to herein is situated in the State of California, County of Alameda, City of Oakland, and is described as follows:

LOT NO. 308, AS SAID LOT IS DELINEATED AND SO DESIGNATED UPON THAT CERTAIN MAP ENTITLED, "HILLSMONT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 24, 1924 IN BOOK 4 OF MAPS AT PAGES 44 AND 45, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

APN 037A-2772-012-00

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

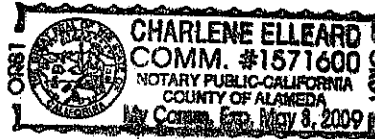
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Nancy S Sidebottom

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
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- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Nancy S Sidebottom
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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AND WHEN RECORDED MAIL TO:

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6375 Hillmont Drive
Oakland, California 94605

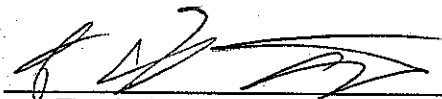
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6417 Hillmont Drive (APN: 037A2773 00400)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Timothy David Peters is the record owner ("Owner") of 6417 Hillmont Drive, Oakland, California (APN: 037A2773 00400) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Timothy David Peters
Owner(s) of 6417 Hillmont Drive (APN: 037A2773 00400)

9-4-08
Date

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA, CITY OF OAKLAND. AND IS DESCRIBED AS FOLLOWS:

LOT 311, MILLSMONT, FILED AUGUST 5, 1924, MAP BOOK 4, PAGE 44, ALAMEDA COUNTY RECORDS.

[REDACTED]

Dated: April 22, 2005

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

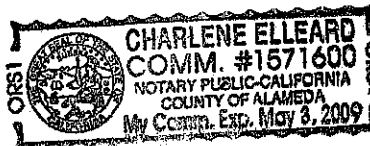
On 9/4/08 before me, Charlene Ellead, Notary Public, personally appeared Timothy David Peters

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

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- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Timothy David Peters
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6433 Hillmont Drive (APN: 037A2773 00600)

The undersigned declared, acknowledges, agrees and confirms the following:

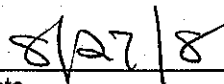
1. Leroy Burnett Trust is the record owner ("Owner") of 6433 Hillmont Drive, Oakland, California (APN: 037A2773 00600) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
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In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Leroy Burnett Trust

Date



Owner(s) of 6433 Hillmont Drive (APN: 037A2773 00600)

Lot 313 of Millsmont, according to the map thereof, filed August 5,
1924, in the office of the County Recorder of Alameda County, and of
record of Map Book 4, pages 44 and 45.

Assessor's Parcel Number: [REDACTED]

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No. 0107-2970573 (DC)

APN No. 1037-046

STATE OF California)SS

COUNTY OF Alameda

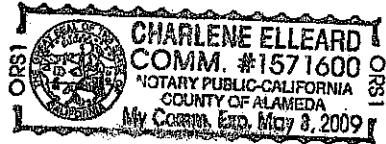
On 8/27/08 before me, Charlene Elleard, Notary Public, personally appeared Leroy Burnett

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Leroy Burnett
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6441 Hillmont Drive (APN: 037A2773 00700)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Grace Simonds is the record owner ("Owner") of 6441 Hillmont Drive, Oakland, California (APN: 037A2773 00700) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
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In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Grace Simonds 8/27/08

Grace Simonds Date
Owner(s) of 6441 Hillmont Drive (APN: 037A2773 00700)

Lot 314, as delineated upon that certain Map entitled "Map of Millsmont", filed for record in the Office of the Recorder of the County of Alameda, State of California, on August 5th, 1929 in Book 4 of Maps, at Pages 44 and 45.

Assessor's Parcel No. [REDACTED]

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2978573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

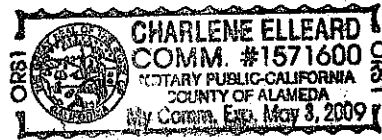
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Grace Simmons

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Grace Simmons
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6509 Hillmont Drive (APN: 037A2773 00800)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Alison J. Hardy is the record owner ("Owner") of 6509 Hillmont Drive, Oakland, California (APN: 037A2773 00800) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Alison J. Hardy

Alison J. Hardy

Owner(s) of 6509 Hillmont Drive (APN: 037A2773 00800)

8/27/08

Date

EXHIBIT "A"

LEGAL DESCRIPTION

LOT 315, MILLSMONT, FILED AUGUST 5, 1924, MAP BOOK 4, PAGE 44,
ALAMEDA COUNTY RECORDS, THE STATE OF CALIFORNIA.

057A-27715-008
6509 MILLSMONT DR. OAKLAND, CA 94605-2244

4936100 / 127278264
12720628/E

HARDY
12720628 CA
FIRST AMERICAN LENDERS ADVANTAGE
DEED OF TRUST

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Aleson J. Hardy

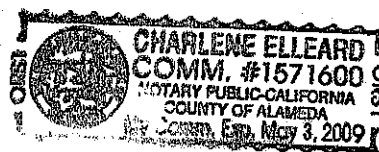
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Aleson J. Hardy
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

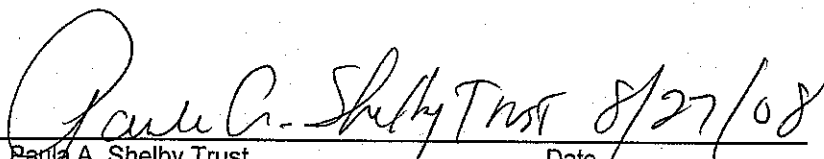
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6515 Hillmont Drive (APN: 037A2773 00900)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Paula A. Shelby Trust is the record owner ("Owner") of 6515 Hillmont Drive, Oakland, California (APN: 037A2773 00900) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

 8/27/08

Paula A. Shelby Trust
Owner(s) of 6515 Hillmont Drive (APN: 037A2773 00900)

Date

County, CALIFORNIA described below, and all rights and interest in it Grantor ever gets:
LOT 316, MILLSMONT, FILED AUGUST 5, 1924, MAP BOOK 4, PAGE 44, ALAMEDA COUNTY RECORDS.

Tax Parcel Number: [REDACTED]

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

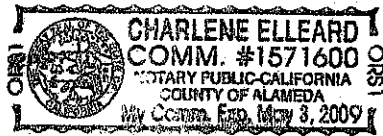
On 8/27/08 before me, Charlene Elleard, Notary Public, personally appeared Paula A Shelby

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Paula A. Shelby
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6525 Hillmont Drive (APN: 037A2773 01000)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Hector M. Cavallari is the record owner ("Owner") of 6525 Hillmont Drive, Oakland, California (APN: 037A2773 01000) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Hector M. Cavallari
Owner(s) of 6525 Hillmont Drive (APN: 037A2773 01000)

8/30/08
Date

6525 Hillmont

WORLD SAVINGS BANK, F.S.B.

EXHIBIT "A"
LEGAL DESCRIPTION

LOAN NO. 0021087159

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF ALAMEDA
STATE OF CALIFORNIA * * * * *, DESCRIBED AS FOLLOWS:

Lot 317 of Millsmont, according to the Map filed August 5, 1924, in the office of the County Recorder of
Alameda County and of record in Map Book 4, Pages 44 and 45.

ENCLOSURE 2773-010

PR: None

CP430A1 102.15.11/1-01) R26A

REV. 107.16.01/1-01)

CA

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

On 8/13/08 before me, Charlene Elleard, Notary Public, personally appeared Hector M. Cavallari

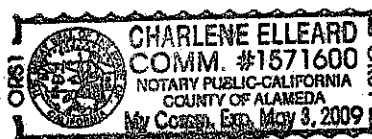
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Hector M. Cavallari
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

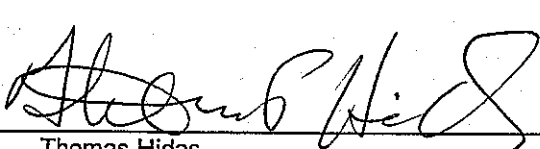
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DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3822 Nairobi Place (APN: 037A2787 02202)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Thomas Hidas is the record owner ("Owner") of 3822 Nairobi Place, Oakland, California (APN: 037A2787 02202) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

 8/28/08

Thomas Hidas
Owner(s) of 3822 Nairobi Place (APN: 037A2787 02202)

Date

#:185545

EXHIBIT "A"

Order No. 202293

The land referred to in this Report is situated in the State of California, City of Oakland, County of Alameda, and is described as follows:

A portion of Lots 141 and 142. Map of "Chimes Terrace", filed December 3, 1925, Map Book 5, Page 3, Alameda County Records, described as follows:

Beginning at a point on the Western line of Nairobi Place, distant thereon North 17° 22' 20" East 72.54 feet from the Eastern extremity of that certain curve having a radius of 30.00 feet, which connects the said line of Nairobi Place, with the Northeastern line of Oakdale Avenue, as said place, curve and avenue are shown on said Map; running thence along the said line of Nairobi Place, North 17° 22' 20" East 107.17 feet to a point on the Northern line of said Lot 142; thence along the said last mentioned line and its direct production, North 72° 37' 40" West 80.00 feet to a point on the Western line of said Lot 141; thence along the said last mentioned line South 17° 22' 20" West 107.17 feet until intersected by a line drawn North 72° 37' 40" West from the point of beginning; thence along the line so drawn South 72° 37' 40" East 80.00 feet to the point of beginning.

Assessors Parcel No. ~~007A-2022-02~~

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DE)
APN No: 1037-046

STATE OF California)
COUNTY OF Alameda)SS

On 8/28/08 before me, Charlene Ellead, Notary Public, personally appeared Thomas Hidas

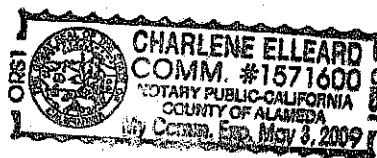
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Thomas Hidas
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

3801 Delmont

Order ID: 2785737

Loan No.: 995082442209020

**EXHIBIT A
LEGAL DESCRIPTION**

The following described real property in the City of Oakland, County of Alameda, State of California:

Lot 332 of Millsmont, according to the map thereof, filed August 5, 1924, in the Office of the County Recorder of Alameda County and of record of Map Book 4, Pages 44 and 45.

WITH THE APPURTENANCES THERETO.

APN: 037A-2772-001

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

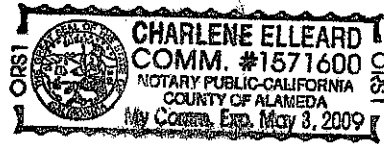
On 8/27/08 before me, Charlene Elleard Notary Public, personally appeared Famores Kempbrich, Jr. + Glenda D Limbrick who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the 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

Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

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- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Famores Kempbrich, Jr.
Name of Person or Entity

Glenda D Limbrick
Name of Person or Entity

OPTIONAL SECTION

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TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605


Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3805 Delmont Avenue (APN: 037A2772 02000)

The undersigned declared, acknowledges, agrees and confirms the following:

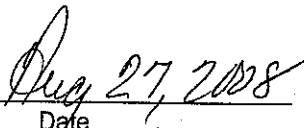
1. De lonne duPlessis is the record owner ("Owner") of 3805 Delmont Avenue, Oakland, California (APN: 037A2772 02000) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



De lonne duPlessis

Owner(s) of 3805 Delmont Avenue (APN: 037A2772 02000)



Date

3805 Delmont

Exhibit A

All that certain real property situate in the County of Alameda, State of California, described as follows:

(City of Oakland)

Lot 331, Map of Millsmont, filed August 5, 1924, Map Book 4, Pages 44 and 45, Alameda County Records.

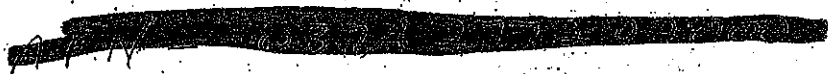


EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

On 8/27/08 before me Charlene Elleard, Notary Public, personally appeared

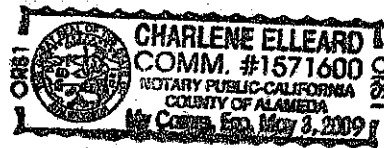
Deanne deBlasis
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument 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

Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Deanne deBlasis
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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TITLE OR TYPE OF DOCUMENT: _____

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SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3809 Delmont Avenue (APN: 037A2772 01900)

The undersigned declared, acknowledges, agrees and confirms the following:

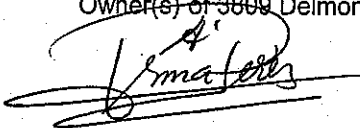
1. Irma Perez and Magdalena Navarro is the record owner ("Owner") of 3809 Delmont Avenue, Oakland, California (APN: 037A2772 01900) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Irma Perez and Magdalena Navarro
Owner(s) of 3809 Delmont Avenue (APN: 037A2772 01900)

9/2/08
Date



9/4/08

3809 Del Norte

Order No.: 3270893c
Reference No.: PEREZ/NAVARRO
Escrow Officer: ALMA PRINCE
Escrow Number: 2728574

EXHIBIT A

DESCRIPTION

All that certain land situated in the State of California, County of ALAMEDA, City of OAKLAND, described as follows:

LOT 330, AS SAID LOT IS SHOWN ON THE MAP OF "MILLSMONT OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 05, 1924 IN BOOK 4 OF MAPS, PAGES 44 AND 45, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

APN No: 037A-2772-019

All that certain land situated in the State of California,
County of Alameda, City of oakland, described as follows:

Lot 330, as said lot is shown on the map of
"millsmont oakland, Alameda County, California"
filed August 5, 1924 in Book 4 of Maps, pages 44
and 45, in the office of the County Recorder
of Alameda County.

~~APN 037A-2772-019~~

Page

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF _____)

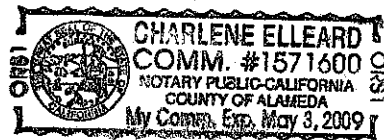
On _____ before me, _____, Notary Public, personally appeared

Laura Perez & Magdalena Navaro
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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Laura Perez
Name of Person or Entity

Magdalena Navaro
Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3815 Delmont Avenue (APN: 037A2772 01800)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Johnny Lau is the record owner ("Owner") of 3815 Delmont Avenue, Oakland, California (APN: 037A2772 01800) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Johnny Lau Date
Owner(s) of 3815 Delmont Avenue (APN: 037A2772 01800)

3815 Delmont

Exhibit A (Legal Description)

ALL THAT PARCEL OF LAND IN CITY OF OAKLAND, ALAMEDA COUNTY, STATE OF CALIFORNIA, AS MORE FULLY DESCRIBED IN DEED DOC: # 78-012520, ID# [REDACTED] BEING KNOWN AND DESIGNATED AS LOT 329, HILLSMONT, FILED IN PLAT BOOK 4, PAGES 44 & 45 RECORDED 08/05/1925.

BY THE SIMPLE DEED FROM TIMOTHY T. WILLIAMS AND GLENN FRIEDA WILLIAMS AS SET FORTH IN DOC # 78-012520 DATED 01/18/1978 AND RECORDED 01/23/1978, ALAMEDA COUNTY RECORDS, STATE OF CALIFORNIA.

Illegible Notary Seal Declaration (Government code 27361.7) I declare under penalty of perjury that the notary seal on the document to which this statement is attached, reads as follows
Name of Notary Public: *Patricia J Kwan*
Commission Number: *1428262*
Commission expires: *712107*
Notary Public State: *CA* County: *Alameda*
Signature of Declarant: *[Signature]*
Print name of Declarant: *Arlio Singon*
City and State of execution: *Oakland, CA*
Date signed *116104*

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

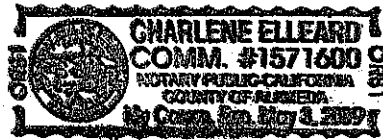
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared

Johnny Lee
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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Johnny Lee
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

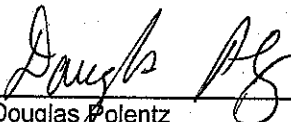
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3819 Delmont Avenue (APN: 037A2772 01700)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Douglas Polentz is the record owner ("Owner") of 3819 Delmont Avenue, Oakland, California (APN: 037A2772 01700) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Douglas Polentz
Owner(s) of 3819 Delmont Avenue (APN: 037A2772 01700)

10/3/08
Date

3819 Delmonte

EXHIBIT "A"

LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, AND STATE OF CALIFORNIA, TO WIT:

REAL PROPERTY IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 328, MILLSMONT, OAKLAND, FILED AUGUST 5, 1924, MAP BOOK 4, PAGE 44, ALAMEDA COUNTY RECORDS.

TAX ID #: 



U28838454-01HM17

**REFINANCE DOT
LOANS 8187280138
US Recordings**

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (002)
APN No: 1037-046

STATE OF California)
COUNTY OF Alameda)SS

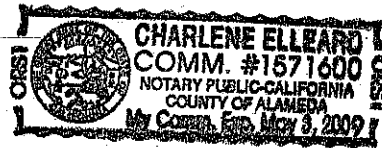
On 10-3-08 before me, Charlene Ellearo, Notary Public, personally appeared Doris Polentz

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 Charlene Ellearo



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Doris Polentz
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3825 Delmont Avenue (APN: 037A2772 01600)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Wi Kian Tang is the record owner ("Owner") of 3825 Delmont Avenue, Oakland, California (APN: 037A2772 01600) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Wi Kian Tang 9/1/08
Wi Kian Tang Date
Owner(s) of 3825 Delmont Avenue (APN: 037A2772 01600)

the following described real property in the city of Oakland ✓
County of Alameda State of California:
LOT 327, MILLSMONT, FILED AUGUST 5, 1924, MAP BOOK 4 PAGE 44, ALAMEDA COUNTY
RECORDS.

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

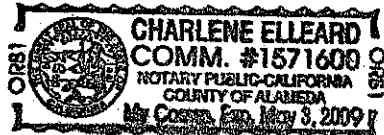
On 9/1/08 before me, Charlene Ellead, Notary Public, personally appeared Wickie Long

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Wickie Long
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605


Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3829 Delmont Avenue (APN: 037A2772 01500)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Steven B. Leikin and Chiye Azuma is the record owner ("Owner") of 3829 Delmont Avenue, Oakland, California (APN: 037A2772 01500) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

 8/27/08
Steven B. Leikin and Chiye Azuma Date
Owner(s) of 3829 Delmont Avenue (APN: 037A2772 01500)

3829 Delmont

Order No. : 365384-AY

EXHIBIT "A"

The land referred to is situated in the State of California, County of Alameda, City of Oakland, and is described as follows:

Lot 326, Map Entitled "Millsmont", filed August 5, 1924, Map Book 4, Page 44, Alameda County Records.

Assessor's Parcel No. ~~037A-2772-073~~

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

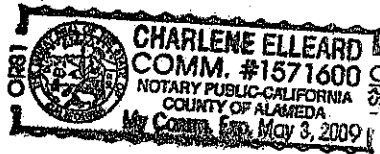
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Steven B. Leekin + Cheira Azuma

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Steven Leekin
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605


Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3835 Delmont Avenue (APN: 037A2772 01400)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Nancy G. Peterson is the record owner ("Owner") of 3835 Delmont Avenue, Oakland, California (APN: 037A2772 01400) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Nancy G. Peterson
Owner(s) of 3835 Delmont Avenue (APN: 037A2772 01400)

9/1/08
Date

3435 Delmont

Order No. 1121823

EXHIBIT "ONE"

Lot 325, Map Entitled Millsmont, filed August 5, 1924, Map Book 4, Page 44, Alameda County Records.

Assessor's Parcel No: **037A 2772014**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

On 9-1-08 before me, Charlene Ellead, Notary Public, personally appeared

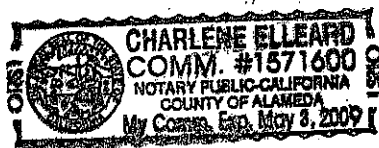
Nancy B Peterson

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 Charlene Ellead



This area for official notarial seal.

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Nancy B Peterson
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

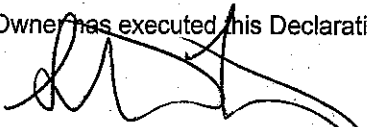
DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3839 Delmont Avenue (APN: 037A2772 01300)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Steve and Annie Luntz is the record owner ("Owner") of 3839 Delmont Avenue, Oakland, California (APN: 037A2772 01300) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

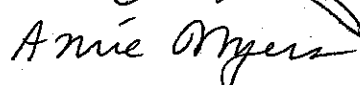
In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

STEVE LUNTZ:



8/27/08

Annie Myers:



8/27/08

~~Steve and Annie Luntz~~ Date
Owner(s) of 3839 Delmont Avenue (APN: 037A2772 01300)

3839 Delmont

H334FZKZ

SCHEDULE A

THE FOLLOWING DESCRIBED PROPERTY IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA:

LOT 324, MAP OF MILLSMONT, FILED 08/05/1924, IN MAP BOOK 4, PAGE(S) 44, ALAMEDA COUNTY RECORDS.

PROPERTY ADDRESS: 3839 DELMONT AVE

PARCEL ID: 037A-2772-013-00

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)
COUNTY OF Alameda)SS

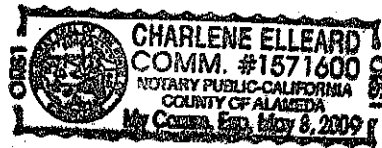
On 8/27/08 before me Charlene Elleard, Notary Public, personally appeared Steve Leantz and Annie Myers

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Steve Leantz
Name of Person or Entity

Annie Myers
Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3845 Delmont Avenue (APN: 037A2773 00100)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Albert Moreno is the record owner ("Owner") of 3845 Delmont Avenue, Oakland, California (APN: 037A2773 00100) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Albert Moreno

09-04-2008

Albert Moreno
Date
Owner(s) of 3845 Delmont Avenue (APN: 037A2773 00100)

3845 Delmont

81-154467

Order No: 905588
Page 3

LEGAL DESCRIPTION

REAL PROPERTY in the City of Oakland, County of Alameda, State of California,
described as follows:

LOT 323, as said lot is delineated and so designated upon that certain map
entitled, "Hillsmont, Oakland, Alameda County, California, June 1924", filed
August 5, 1924 in Liber 4 of Maps, Pages 44 and 45, in the office of the
County Recorder of Alameda County.

A.P. No: XXXXXXXXXX

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (De)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

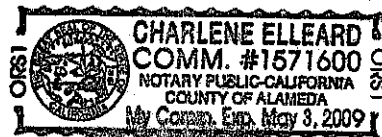
On 9/4/08 before me Charlene Elleard Notary Public, personally appeared
Albert E. Moreno

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Albert E. Moreno
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

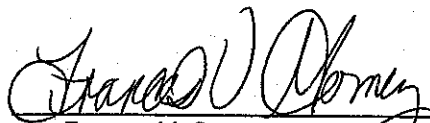
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3849 Delmont Avenue (APN: 037A2773 01500)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Frances V. Gomez is the record owner ("Owner") of 3849 Delmont Avenue, Oakland, California (APN: 037A2773 01500) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Frances V. Gomez
Owner(s) of 3849 Delmont Avenue (APN: 037A2773 01500)



Date

384.9 Delmont

Order No. 1118525

EXHIBIT "ONE"

Lot 322 as said lot is shown upon that certain map entitled, Millsmont Oakland Alameda County, California, filed August 5, 1924 in Book 4 of Maps, page 45 in the office of the County Recorder of Alameda County.

Assessors Parcel No: ~~001A 2175 015~~

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

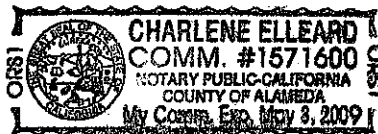
On 8/28/08 before me, Charlene Ellead, Notary Public, personally appeared Frances V. Gomez

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Frances V. Gomez
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

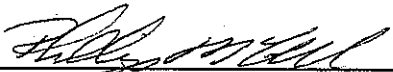
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3855 Delmont Avenue (APN: 037A2773 01400)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Phillip McGill is the record owner ("Owner") of 3855 Delmont Avenue, Oakland, California (APN: 037A2773 01400) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated 0827, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Phillip McGill
Owner(s) of 3855 Delmont Avenue (APN: 037A2773 01400)

082708

Date

A.P.N. 0377024004

the following described real property in the City of Oakland, County of Alameda, State of California:

LOT 321, AS SAID LOT IS SHOWN ON THE MAP OF MILLSMONT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA, FILED AUGUST 5, 1924, IN BOOK 4 OF MAPS, PAGE 45, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF ALAMEDA.

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

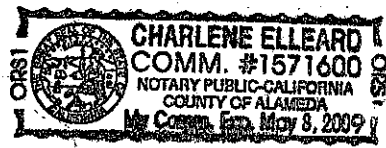
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Shelley McGill

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Shelley McGill
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

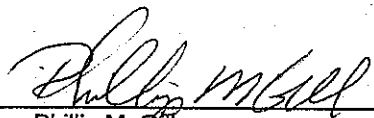
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DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3859 Delmont Avenue (APN: 037A2773 01300)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Phillip McGill is the record owner ("Owner") of 3859 Delmont Avenue, Oakland, California (APN: 037A2773 01300) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated 08 27, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Phillip McGill
Owner(s) of 3859 Delmont Avenue (APN: 037A2773 01300)

08 27 08
Date

Legal Description
Property Information
Transaction History

Legal Description

| | |
|---------------------------|-----------|
| In the County of: ALAMEDA | State of: |
|---------------------------|-----------|

Assessed Owner: PHILLIP A MCGILL and TAMRA J MCGILLHUSBAND/WIFE, COMMUNITY PROPERTY
Legal Description: A PARCEL OF LAND LOCATED IN THE STATE OF CA, COUNTY OF ALAMEDA,
WITH A SITUS ADDRESS OF 3859 DELMONT AVE, OAKLAND CA 94605-2230 C019 CURRENTLY
OWNED BY MCGILL PHILLIP A & MCGILL TAMRA J HAVING A TAX ASSESSOR NUMBER OF
037A-2773-013 .

Property Information

LOCATION INFORMATION

| | |
|------------------------|---------------------|
| Subdivision: HILLSMONT | Legal Block/Bldg: |
| Legal Book/Page: | Legal Lot/Unit: 320 |

Assessor's Parcel Number: 037A-2773-013

ADDRESS

Property Address: 3859 DELMONT AVE
OAKLANDCA94605-2230

Mailing Address: 3859 DELMONT AVE
OAKLAND CA94605-C019

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

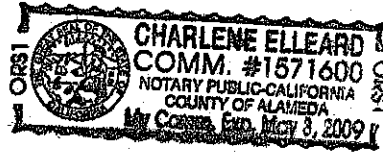
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Phillip Mc Hill

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Phillip Mc Hill
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3865 Delmont Avenue (APN: 037A2773 01201)

The undersigned declared, acknowledges, agrees and confirms the following:

1. David M. Lyons is the record owner ("Owner") of 3865 Delmont Avenue, Oakland, California (APN: 037A2773 01201) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
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In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

David M. Lyons 8-28-08

David M. Lyons Date
Owner(s) of 3865 Delmont Avenue (APN: 037A2773 01201)

2965 Delmont

E254A236
3328

EXHIBIT A

THE LAND REFERRED TO IN THIS DESCRIPTION SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA, CITY OF OAKLAND AND IS DESCRIBED AS FOLLOWS:

PORTION OF LOT 318 AND ALL OF LOT 319, MAP OF MILLSMONT, FILED AUGUST 5, 1924, MAP BOOK 4, PAGE 44, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERN LINE OF DELMONT AVENUE, AS SAID AVENUE IS SHOWN ON SAID MAP, WITH THE NORTHWESTERN LINE OF SAID LOT 319; THENCE ALONG THE SAID LINE OF DELMONT AVENUE, SOUTHEASTERLY ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 648.00 FEET, AN ARC DISTANCE OF 66.93 FEET AND SOUTH 56°43'20" EAST, TANGENT TO THE SAID LAST MENTIONED ARC, A DISTANCE OF 0.50 OF A FOOT; THENCE NORTH 48°47'10" EAST 97.85 FEET TO A POINT ON THE NORTHEASTERN LINE OF SAID LOT 318; THENCE ALONG SAID NORTHEAST LINE AND ITS DIRECT PRODUCTION NORTH 40°22'45" WEST 65.00 FEET TO A POINT ON THE NORTHWESTERN LINE OF SAID LOT 319; THENCE ALONG SAID NORTHWEST LINE, SOUTH 49°10'45" WEST, 113.45 FEET TO THE POINT OF BEGINNING.

TITLE HELD BY: DAVID M LYONS, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

APN / PARCEL #: 017-012-011

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

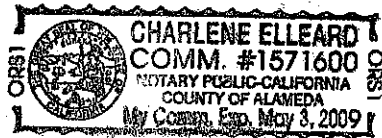
On 8/28/08 before me Charlene Ellead, Notary Public, personally appeared David M. Lyons

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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

David M. Lyons
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 3873 Delmont Avenue (APN: 037A2773 01101)

The undersigned declared, acknowledges, agrees and confirms the following:

1. David M. Lyons is the record owner ("Owner") of 3873 Delmont Avenue, Oakland, California (APN: 037A2773 01101) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

David M. Lyons 8-28-08
David M. Lyons Date

Owner(s) of 3873 Delmont Avenue (APN: 037A2773 01101)

3873 Delmont

Escrow No.: 07-58504359-KM
Locate No.: CACTI7701-7701-5585-0058504359
Title No.: 07-58504359-BQ

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A portion of Lot 318, according to the Map of "Millsmont", filed August 5, 1924, in the office for the County Recorder of Alameda County and of record in Map Book 4, Pages 44 and 45, bounded as follows:

Beginning at the point of intersection of the northeastern line of Delmont Avenue, as said avenue is shown on said map, with the southeastern of said Lot 318; running thence along the said line of Delmont Avenue, North $56^{\circ} 43' 20''$ West 77.57 feet; thence North $48^{\circ} 47' 10''$ East 97.83 feet to a point on the northeastern line of said Lot 318; thence along the said last mentioned line South $40^{\circ} 22' 45''$ East 78.24 feet to a point on the southeastern line of said Lot 318; thence along the said last mentioned line South $51^{\circ} 25' 05''$ West 76.05 feet to the point of beginning.

APN: ~~037A-277B-0111-011~~

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No. 0107-2970573 (DC)
APN No. 1037-046

STATE OF California)SS
COUNTY OF Alameda

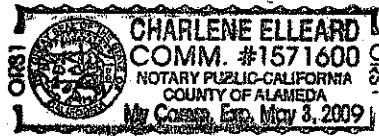
On 8/28/08 before me Charlene Elleard, Notary Public, personally appeared David M. Lyons

who 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 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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

David M. Lyons
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6217 Hillmont Drive (APN: 037A2787 01900)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Lynne M. Rice is the record owner ("Owner") of 6217 Hillmont Drive, Oakland, California (APN: 037A2787 01900) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.


Lynne M. Rice


Date

Owner(s) of 6217 Hillmont Drive (APN: 037A2787 01900)

10217 Hillmont

APN ~~037A-2787-19~~

[ASSESSOR'S PARCEL NUMBER (APN) 37A-2787-19 ⁶
THE NORTHWESTERN 46 FEET, FRONT AND REAR MEASUREMENTS, OF LOT, 146, "CHIMES TERRACE", FILED
DECEMBER 3, 1926, MAP BOOK 6, PAGE 3, ALAMEDA COUNTY RECORDS ³

which has the address of 6217 HILLMONT DRIVE, OAKLAND CA 94606

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

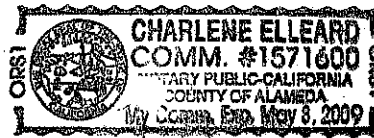
On 8/22/08 before me, Charlene Ellear, Notary Public, personally appeared

Lynne M. Rice
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 Charlene Ellear



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Lynne M. Rice
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

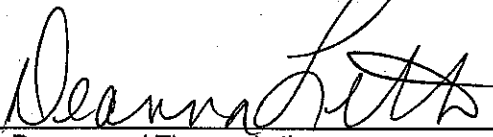
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6233 Hillmont Drive (APN: 037A2787 02100)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Deanna and Thomas Leth is the record owner ("Owner") of 6233 Hillmont Drive, Oakland, California (APN: 037A2787 02100) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Deanna and Thomas Leth
Owner(s) of 6233 Hillmont Drive (APN: 037A2787 02100)

Date

8/27/08



10233 Hillmont

Order No. 717844

EXHIBIT "ONE"

Lot 143, Chimes Terrace, filed December 3, 1925, Map Book 5, Page 3, Alameda County Records.

Assessor's Parcel No: ~~057A 2787 021~~

EXHIBIT / _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

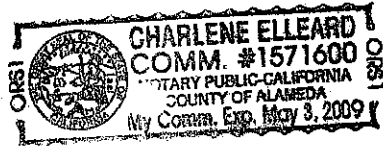
On 8/27/08 before me, Charlene Elleard, Notary Public, personally appeared Thomas Keth and Deanna Keth

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Thomas Keth
Name of Person or Entity

Deanna Keth
Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6251 Hillmont Drive (APN: 037A2772 00201)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Mayford and Donald Dare is the record owner ("Owner") of 6251 Hillmont Drive, Oakland, California (APN: 037A2772 00201) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Mayford Dare Donald Dare 8/28/08

Mayford and Donald Dare Date
Owner(s) of 6251 Hillmont Drive (APN: 037A2772 00201)

ORDER NO. 12675

102427

EXHIBIT "A"

CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA

LOT 298 AND A PORTION OF LOT 299, AS SAID LOTS ARE SHOWN ON THE MAP OF "HILLMONT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 5, 1924, IN BOOK 4 OF MAPS, AT PAGE 44, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERN LINE OF HILLMONT DRIVE, FORMERLY HILLSMONT AVENUE, AS SAID DRIVE IS SHOWN ON SAID MAP, WITH THE NORTHWESTERN LINE OF SAID LOT 299, RUNNING THENCE ALONG THE NORTHWESTERN LINE OF SAID LOT 299 SOUTH $36^{\circ} 42' 45''$ WEST 35 FEET, THENCE SOUTH $7^{\circ} 39' 08''$ EAST 19.825 FEET, THENCE SOUTH $33^{\circ} 10' 10''$ WEST 48 FEET, THENCE SOUTH $38^{\circ} 14' 45''$ WEST 42 FEET TO THE SOUTHWESTERN LINE OF SAID LOT 299, THENCE ALONG SAID LAST NAMED LINE AND ALONG THE SOUTHWESTERN LINE OF SAID LOT 298 NORTH $62^{\circ} 34' 55''$ WEST 43.41 FEET TO THE SOUTHEASTERN LINE OF HAIROBI PLACE, AS SAID PLACE IS SHOWN ON SAID MAP, THENCE ALONG SAID LAST NAMED LINE NORTH $17^{\circ} 22' 20''$ EAST 122.65 FEET, THENCE TANGENT WITH THE LAST NAMED COURSE EASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 20 FEET, A DISTANCE OF 35.92 FEET TO THE SOUTHWESTERN LINE OF SAID HILLMONT DRIVE, AND THENCE ALONG SAID LAST NAMED LINE SOUTHEASTERLY ON A COMPOUND CURVE TO THE RIGHT WITH A RADIUS OF 670 FEET, A DISTANCE OF 51.40 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. ~~0111-1111-001-011~~

6251
Hillmont

~~REPRODUCED FROM ORIGINAL RECORDS OF THE COUNTY RECORDER OF ALAMEDA COUNTY, CALIFORNIA~~

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970873 (PC)
APN-No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

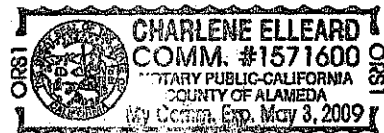
On 8/28/08 before me, Charlene Ellead, Notary Public, personally appeared

Maynard Dore & Donald Dore
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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Maynard Dore
Name of Person or Entity

Donald Dore
Name of Person or Entity

OPTIONAL SECTION

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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6261 Hillmont Drive (APN: 037A2772 00202)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Ronald L. Fleming is the record owner ("Owner") of 6261 Hillmont Drive, Oakland, California (APN: 037A2772 00202) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Ronald L. Fleming *8-27-08*

Ronald L. Fleming Date
Owner(s) of 6261 Hillmont Drive (APN: 037A2772 00202)

241000

EXHIBIT "A"

Portion of Lot 299, as said lot is shown on the Map of Millsmont, Oakland, Alameda County, California, filed August 5, 1924 in Book 4 of Maps, at page 44, in the office of the County Recorder of Alameda County, described as follows.

Beginning at the intersection of the Southwestern line of Hillmont Drive, as shown on said Map with the Southeastern line of said Lot 299; and running thence along said line of Hillmont Drive Northwesterly on a curve to the left with a radius of 1570 feet, a distance of 46.01 feet; thence continuing along the last named line Northwesterly on a compound curve to the left with a radius of 670 feet, a distance of 3.99 feet to the Northwestern line of said Lot 299; thence along the last named line South $36^{\circ} 42' 45''$ West 35 feet; thence South $7^{\circ} 59' 08''$ East 19.825 feet; thence South $33^{\circ} 10'$ West 48 feet; thence South $38^{\circ} 14' 45''$ West 42 feet to the Southwestern line of said Lot 299; thence along the last named line South $62^{\circ} 34' 55''$ East 31 feet to the Southeastern line of said Lot 299; and thence along the last named line North $38^{\circ} 14' 45''$ East 134.85 feet to the point of beginning.

10261 Hillmont

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

On 8/27/08 before me, Charlene Elleard, Notary Public, personally appeared
Ronald L. Fleming

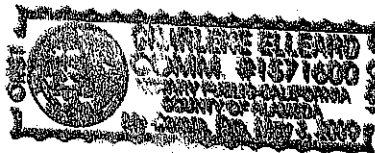
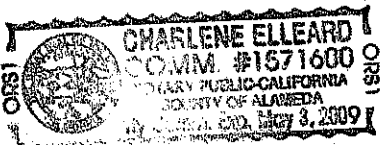
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Elleard



This area for official notarial seal.

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
 CORPORATE OFFICER(S) TITLE(S)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

CHARLENE ELLEARD
COMM. #1571600
Notary Public-California
County of Alameda
Comm. Exp May 3, 2009

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____

DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

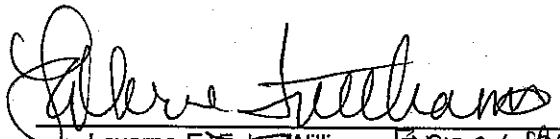
Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6269 Hillmont Drive (APN: 037A2772 00400)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Laverne E. ^{Forney} ~~Foley~~ Williams is the record owner ("Owner") of 6269 Hillmont Drive, Oakland, California (APN: 037A2772 00400) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

 9/29/08

Laverne E. ~~Foley~~ Williams ^{Forney} ~~Williams~~ Date
Owner(s) of 6269 Hillmont Drive (APN: 037A2772 00400)

6269 Hillmont Dr.

APN: 037 A277200400

the following real property in the city of Oakland
county of Alameda, state of California:

All that certain real property situate in the City of Oakland, County of Alameda, State of California, described as follows:

Lot 300 of Millsmont, filed August 5, 1924, Map Book 4, Pages 44 and 45, Alameda County Records.

EXHIBIT 1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

On 8/28/08 before me, Charlene Ellear, Notary Public, personally appeared Laverne E. Forney Williams

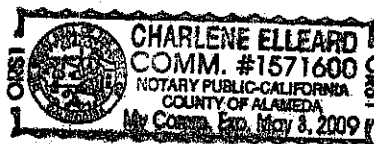
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Ellear



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Laverne E. Forney Williams
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6301 Hillmont Drive (APN: 037A2772 00501)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Diana M. Barrett Trust is the record owner ("Owner") of 6301 Hillmont Drive, Oakland, California (APN: 037A2772 00501) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



8/27/08

Diana M. Barrett Trust
Owner(s) of 6301 Hillmont Drive (APN: 037A2772 00501)

Date

6301 Hillmont

A.P.N. ~~037A 2772 005 01~~

File No.: 54702-707180 (jm)

EXHIBIT A

LOT 301, MILLSMONT FILED AUGUST 5, 1924, IN BOOK 4, PAGE 44 OF MAPS ALAMEDA COUNTY RECORDS

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS

COUNTY OF Alameda

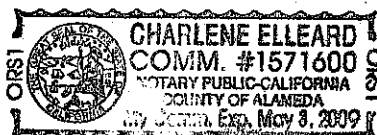
On 8/27/08 before me, Charlene Ellead, Notary Public, personally appeared Diana M Barrett

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 Charlene Ellead



This area for official notarial seal.

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
 CORPORATE OFFICER(S) TITLE(S)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

SIGNER IS REPRESENTING:

Diana M. Barrett
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6311 Hillmont Drive (APN: 037A2772 00602)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Ali Fuad is the record owner ("Owner") of 6311 Hillmont Drive, Oakland, California (APN: 037A2772 00602) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Ali Fuad

8-28-08

Ali Fuad
Date
Owner(s) of 6311 Hillmont Drive (APN: 037A2772 00602)

60311 Hillmont

~~07-1145632-1700002~~
Escrow No.: 07-9006009-GC
Locate No.: CAFNT0901-0938-0007-0001145632
Title No.: 07-1145632-RD

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lot 302 of "Millmont, Oakland, Alameda Co., California, June 1924", filed August 5, 1924, in Book 4 of Maps, Page 44, records of said County.

EXHIBIT /

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)

APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

On 8/28/08 before me, Charlene Ellead, Notary Public, personally appeared Fuad Ali

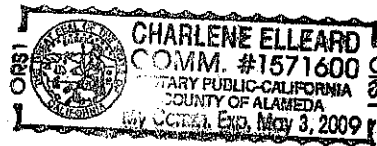
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), 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

Charlene Ellead



This area for official notarial seal.

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
 CORPORATE OFFICER(S) TITLE(S)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER

SIGNER IS REPRESENTING:

Fuad Ali
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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SIGNER(S) OTHER THAN NAMED ABOVE _____

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>RECORDING REQUESTED BY:</p> <p>Michael Neary Public Works Agency City of Oakland 250 Frank Ogawa Plaza Oakland, CA 94612</p> <p>WHEN RECORDED MAIL TO:</p> <p>Millsmont Homeowners Association 6375 Hillmont Drive Oakland, CA 94605</p> | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

Space above this line for Recorder's Use

**DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6351 Hillmont Avenue (APN: 037A2772 00700)**

The undersigned declares, acknowledges, agrees and confirms the following:

1. Christian Gomez and Patricia Sanchez are the record owner ("Owner") of 6351 Hillmont Avenue, Oakland, California (APN: 037A2772 00700), which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and is subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.

Christian Gomez and Patricia Sanchez 10/3/08
 Christian Gomez and Patricia Sanchez Date
 Owner(s) of 6351 Hillmont Avenue (APN: 037A2772 00700)

6351 Hillmont

Order No.: 2733480c
Reference No.: Mann
Escrow Officer:
Escrow Number: 2733480-BB

EXHIBIT A

DESCRIPTION

All that certain land situated in the State of California, County of **ALAMEDA**, City of **OAKLAND**, described as follows:

LOT 303, AS SAID LOT IS SHOWN ON THE MAP OF THE "MILLSMONT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED AUGUST 5, 1924, IN BOOK 4 OF MAPS, PAGE 44, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

APN No. ~~0137A-0772-007~~

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda)

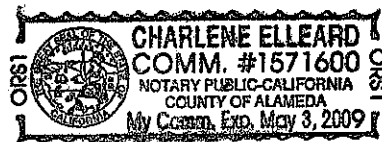
On 10-3-08 before me, Charlene Ellead, Notary Public, personally appeared

Christian Gomez and Patricia Sanchez
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 Charlene Ellead



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

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- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Christian Gomez
Name of Person or Entity

Patricia Sanchez
Name of Person or Entity

OPTIONAL SECTION

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NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECORDING REQUESTED BY:

Michael Neary
Public Works Agency
City of Oakland
250 Frank H. Ogawa Plaza
Oakland, CA 94612

AND WHEN RECORDED MAIL TO:

Millsmont Homeowners Association
6375 Hillmont Drive
Oakland, California 94605

Space Above this Line for Recorder's Use Only

DECLARATION OF COVENANTS RUNNING WITH THE LAND
AFFECTING: 6359 Hillmont Drive (APN: 037A2772 00800)

The undersigned declared, acknowledges, agrees and confirms the following:

1. Renee Beck is the record owner ("Owner") of 6359 Hillmont Drive, Oakland, California (APN: 037A2772 00800) which is more specifically described in the attached Exhibit 1 and hereafter called the "Property."
2. The Property is located near Chimes Creek, Oakland, California and subject to a Consent Decree ("Decree"), dated _____, 2008, including the Chimes Creek Access Agreement ("Access Agreement") that is Exhibit C to the Decree, between Millsmont Homeowners Association ("MHA"), DeSilva Gates Construction, L.P. ("DeSilva"), the City of Oakland ("City"), and the Homeowners identified in Exhibit A to the Decree. A copy of the Decree is attached as Exhibit 2 to this Declaration of Covenants.
3. The Decree benefits the Owner and the Owner's Property, and also benefits Owner's successors in interest to the Property. In consideration for these benefits, the Decree imposes certain obligations on Owner and Owner's successor in interest including but not limited to releasing the City and DeSilva from claims described in Paragraph 8(a)-(d) of the Decree, and provides for access to the Property as described in the Access Agreement. Because the Decree benefits Owner and Owner's successor in interest, the Decree constitutes covenants running with the land and the Decree shall be binding on Owner, and Owner's successors in interest to the Property.

In Witness Whereof, the undersigned Owner has executed this Declaration of Covenants Running with the Land.



Renee Beck
Owner(s) of 6359 Hillmont Drive (APN: 037A2772 00800)

8-27-08

Date

63.59 Hillmont

DESCRIPTION

Order No. 37303240 -

CITY OF OAKLAND

LOT 304, MILLSMONT, FILED AUGUST 5, 1924; BOOK 4, PAGE 44 OF MAPS, ALAMEDA COUNTY RECORDS.

ASSESSORS PARCEL NUMBER: ~~03VA-2772-008~~

(M)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 0107-2970573 (DC)
APN No: 1037-046

STATE OF California)SS
COUNTY OF Alameda

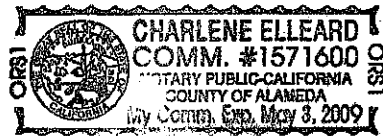
On 8/27/08 before me, Charlene Elleard, Notary Public, personally appeared Renee Beck

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 Charlene Elleard



This area for official notarial seal.

**OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- INDIVIDUAL
- CORPORATE OFFICER(S) TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER

SIGNER IS REPRESENTING:

Renee Beck
Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

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SIGNER(S) OTHER THAN NAMED ABOVE _____