



Plumas County Clerk-Recorder

Restrictive Covenant Modification

California Government Code Section 12956 authorizes a person who holds an ownership interest of record in property that is the subject of a racially or otherwise unlawfully restrictive covenant to record a Restrictive Covenant Modification document to have the illegal language redacted.

THE PROCESS TO BE FOLLOWED TO RECORD A RESTRICTIVE COVENANT MODIFICATION IS OUTLINED BELOW:

1. Property owner submits to the Plumas County Recorder:
 - o Completed Restrictive Covenant Modification form with their signatures notarized.
 - o A complete copy of original Declaration of Covenants, Conditions and Restrictions (CC&R) containing the unlawfully restrictive covenant language with the unlawfully restrictive covenant language stricken.
2. Both documents will be submitted to County Counsel to determine whether the restrictive covenant is unlawfully discriminatory. County Counsel will notify our office with their determination within 5 business days.
3. If County Counsel agrees that the language is discriminatory, they will sign the Restrictive Covenant Modification.
4. Once signed by County Counsel, the Restrictive Covenant Modification is recorded for the \$75.00 SB2 Housing fee. Local recording fees are waived.
5. Regular copy fees apply \$3.00 per page. Conformed copy at no fee if copy of document is presented.

Typically, you receive a copy of your property's CC&R's from the title company when you purchase your home. If you recently purchased a home and did not receive a copy of your CC&R's, contact your title company or HOA.

If you have additional questions about recording a Restrictive Covenant Modification, contact the Plumas County Recorder's Office at 530-283-6218 or email at clerkrecorder@countyofplumas.com

Recording requested by:

When recorded return to:

(space above this line reserved for recorder)

RESTRICTIVE COVENANT MODIFICATION

I(We) _____ have an ownership interest of record in the property located at _____ that is covered by the document described below.

The following referenced document contains a restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry that violated state and federal fair housing laws and that restriction is void. Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of eliminating that restrictive covenant as shown on page(s)

_____ of the document recorded on _____ in Book _____ and Page _____, or Instrument Number _____ of the Official Records of the County of _____. A copy of the original document containing the restrictive language is attached hereto with the unlawfully restrictive language stricken.

This modification document shall be indexed in the same manner as the original document pursuant to Government Code Section 12956.2(e).

The effective date of the terms and conditions of this modification document shall be the same as the effective date of the original document referenced above.

Signature

Signature

Printed Name:

Printed Name:

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

State of California

County of _____

On _____ before me, _____ (insert name and title of the officer) personally appeared _____, 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 _____ (Seal)

Approved as to form:
Plumas County Counsel

By: _____ Date: _____
Deputy County Counsel

Recording requested by:

When recorded return to:

(space above this line reserved for recorder)

RESTRICTIVE COVENANT MODIFICATION

The following referenced document contains a restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry that violated state and federal fair housing laws and that restriction is void.

Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of eliminating that restrictive covenant as shown on page(s)

____ of the document recorded on _____ in Book _____ and
Page _____, or Instrument Number _____ of the Official Records
of the County of _____.

A copy of the original document containing the restrictive language is attached hereto with the unlawfully restrictive language stricken.

This modification document shall be indexed in the same manner as the original document pursuant to Government Code Section 12956.2(e).

The effective date of the terms and conditions of this modification document shall be the same as the effective date of the original document referenced above.

Signature

Printed Name:

Signature

Printed Name:

____ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, hereby states that it has determined that the original document referenced above contains an unlawful restriction and this modification may be recorded.

Or

____ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, finds that the original document does not contain an unlawful restriction, or the modification document contains modifications not authorized, and this modification may not be recorded.

Approved as to form:
Plumas County Counsel

By: _____ Date: _____
Deputy County Counsel