

Recording requested by:
Dennis I. Carlson
WHEN RECORDED, RETURN TO:
City Clerk
City of Redlands
P. O. Box 280
Redlands, CA 92373

83-239803



RECORDED IN
OFFICIAL RECORDS

1983 OCT 12 PM 3:05

SAN BERNARDINO
CO., CALIF.

83-239803

AGREEMENT FOR
SUBDIVISION EXEMPTION
FROM PROPOSITION R

1. PARTIES AND DATE. The parties to this agreement are the City of Redlands, a municipal corporation, hereinafter called "City", and Dennis I. Carlson, a Sole Owner, hereinafter called "Subdivider". The date of this agreement is Sept. 26, 1983.

2. SUBDIVIDER REPRESENTATIONS. Subdivider hereby warrants to City that its planned subdivision denominated Tract Map #9894 and filed with the City on May 27, 1977 will be a lot sale subdivision, and neither subdivider nor any of subdivider's agents, contractors, heirs or assigns will construct on the lots there created more than 4 dwelling units.

3. CITY RELIANCE. In reliance upon this warranty and representation, City agrees that Subdivider is not subject to the competitive evaluation for quality established in 1978 for subdivision residential developments by Proposition R, and may therefore proceed with the subdivision approval process as if Proposition R did not exist.

4. SUBDIVIDER LIQUIDATED DAMAGES. Subdivider understands that if it fails to carry out its warranties and representations herein, obtains final approval of Tract Map #9894, sells some, all, or no lots therein, and builds

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directly or indirectly more than four dwelling units there-
in, the consequences and potential damage to the City and
its present and prospective residents will be substantial.
City law would thereby be violated, and other projects
seeking and receiving development approvals would be com-
promised and themselves placed in legal jeopardy. For
this reason, Subdivider and City agree that liquidated
damages are reasonable under these circumstances pursuant
to California Civil Code §1671(b), and that the sum of
\$4000 per lot approved without such competitive evaluation
shall be paid by Subdivider to City upon the direct or
indirect construction by Subdivider or its agents, contractors,
heirs or assigns of the fifth dwelling unit within the sub-
division denominated Tract Map .

5. ATTORNEYS FEES. If either party commences
litigation against any other party to enforce this agree-
ment or for a declaration of the respective rights and
duties of the parties hereunder, the prevailing party or
parties in such litigation shall be entitled to receive
from the losing party or parties an award of attorney fees
in an amount determined by the court to be reasonable together
with costs and disbursements.

ATTEST:

Janice Rogers
Clerk

CITY OF REDLANDS

SUBDIVIDER *

Norman A. Carlson

STATE OF CALIFORNIA)
COUNTY OF _____) ss.

On _____, before me, the undersigned, a Notary Public in and for
said State, personally appeared _____ and
_____, personally known to me (or proved to me on the
basis of satisfactory evidence) to be the persons who executed the within instrument as _____
_____, President and _____ Secretary, on behalf of _____

the corporation therein named, and acknowledged to me that
such corporation executed the within instrument pursuant to its
by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature _____

(This area for official notarial seal)

* CORPORATE
SUBDIVIDER

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STATE OF CALIFORNIA)
COUNTY OF San Bernardino) ss.

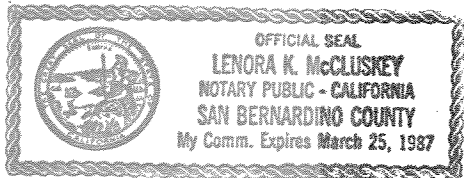
On September 26, 1983, before me, the undersigned, a Notary Public in and for
said State, personally appeared Dennis I. Carlson - - - - -

personally known to me (or proved to me on the basis of satis-
factory evidence) to be the person(s) whose name(s) is/are sub-
scribed to the within instrument and acknowledged to me that
he/she/they executed the same.

WITNESS my hand and official seal.

Signature Lenora K. McCluskey

(This area for official notarial seal)



* INDIVIDUAL
SUBDIVIDER

STATE OF CALIFORNIA)
COUNTY OF _____) ss.

On _____, before me, the undersigned, a Notary Public in and for
said State, personally appeared _____

personally known to me (or proved to me on the basis of satis-
factory evidence) to be the person that executed the within
instrument as _____ partner(s),
on behalf of _____

_____, the partnership
therein named and acknowledged to me that the partnership
executed it.

WITNESS my hand and official seal.

Signature _____

(This area for official notarial seal)

* PARTNERSHIP
SUBDIVIDER