

**2018-014094**

RECORDING REQUESTED BY:  
Fidelity National Title

Recorded - Official Records  
Humboldt County, California  
Kelly E. Sanders, Recorder  
Recorded by: FIDELITY NATIONAL TITLE COMP

WHEN RECORDED, RETURN TO:  
Town of Scotia Company, LLC  
P.O. Box 245  
Scotia, CA 95565

Pages: 5  
Recording Fee: \$ 24.00  
Tax Fee: \$0  
Clerk: sc Total: \$24.00  
Aug 01, 2018 at 10:02:55  
\*\*\* CONFORMED COPY \*\*\*

**DECLARATION OF ANNEXATION  
OF  
TOWN OF SCOTIA SUBDIVISION  
(PHASE 2)**

THIS "DECLARATION OF ANNEXATION OF TOWN OF SCOTIA SUBDIVISION (PHASE 2)" (hereinafter referred to as "Annexation") is made on July 31, 2018, by Town of Scotia Company, LLC, a Delaware limited liability company (hereinafter referred to as "Declarant"), with reference to the following facts:

A. A "Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements of Town of Scotia Subdivision" (hereinafter referred to as "Declaration") was recorded on May 9, 2017, as Instrument No. 2017-008339 of the Official Records of Humboldt County California, covering all that real property described on Exhibit "A" of the Declaration (hereinafter referred to as "Phase 1 Property").

B. Said Declaration provides that Declarant may annex to the Project all or a portion of the property described on Exhibit "C" of the Declaration, thereby making said annexed property subject to the Declaration. Exhibit "C" of the Declaration is attached also to this Annexation for clarity.

C. Declarant is the owner of the real property described on Exhibit "A" of this Annexation, which property is a part of the property described on Exhibit "C" of the Declaration (hereinafter referred to as "Phase 2 Property"). Declarant now desires to annex the Phase 2 Property to the Project pursuant to Article 11.1 of the Declaration, thereby making it subject to the terms, conditions and restrictions of the Declaration.


NOW, THEREFORE, Declarant hereby declares the following:

1. Pursuant to the terms of the Declaration, Declarant as Owner, hereby declares that the Phase 2 Property is hereby annexed to and made a part of the Project. Said Phase 2 Property shall be held, sold, leased, transferred, occupied and conveyed subject to the terms, provisions, covenants, conditions, restrictions and easements of the Declaration, as amended, or as hereafter amended.

2. The Phase 2 Property shall include 75 residential lots, all as defined in the Declaration.
3. Unless otherwise specified in this Declaration of Annexation, all terms used herein shall have the same meaning as set forth in the Declaration.
4. Declarant expressly reserves the right at any time prior to conveyance of a Lot in the Phase 2 Property, to withdraw the Phase 2 Property from the Project, from subjection to the Project Documents and to nullify the effect of this Annexation.
5. No amendment, addition, change or deletion in this Annexation shall be deemed to alter or amend the general scheme of the Project created by the Declaration, nor affect the provisions of the Declaration as covenants running with the land or as equitable servitudes.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Annexation on the day and year first above written.

TOWN OF SCOTIA COMPANY, LLC,  
a Delaware limited liability company

By:   
Title: president

A notary public or other officer completing this certificate verifies only the identify 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 Humboldt

On July 31, 2018 before me, K. A. Spiers, a  
Notary Public, personally appeared Frank Shaw Bacik

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 by his/her/their signatures(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   
K. A. Spiers



Name (type or printed), Notary Public in  
and for said County and State.

(seal)

EXHIBIT "A"

All that certain real property situated in the unincorporated area of Humboldt County, State of California, more particularly described as follows:

Lots 73, 74, 75, 76, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 103, 104, 106, 107, 109, 110, 111, 112, 113, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 219, 221, 222, 223, 224, 225, 227, 228, 230, 233, 234, 235, 236, 237, 238, 239 and 240 as shown on that certain map entitled "Tract No. 654, Town of Scotia Subdivision, Phase 2", which map was filed for record in the Office of the Humboldt County Recorder July 26, 2018, in Book 25 of Maps, at Pages 79-95.

EXHIBIT "C"

DESCRIPTION OF ANNEXABLE PROPERTY

All that certain real property situated in the unincorporated area of the County of Humboldt, California described as follows:

All those lands described as "Property Description for Resultant Parcel 4" in Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded November 12, 2010 as Instrument No. 2010-24819-17, Humboldt County Official Records.

Said lands being also shown as Parcel 4 as shown on Record of Survey filed September 10, 2010 in Book 68 of Surveys, Pages 16, 17, 18, 19 and 20, Humboldt County Records.

EXCEPTING THEREFROM, Lots 34, 36, 40 through 55, inclusive, 57 through 70, inclusive, 77 through 80, inclusive and 82 through 85, inclusive, as shown on the Map entitled "Tract No. 0649 Town of Scotia Subdivision Phase 1", which Map recorded in the Office of the Humboldt County Recorder, November 15, 2016, in Book 25 of Maps, at Page 54-65.