APN: 074-1356-023

AFFORDABLE HOUSING COVENANT

This Affordable Housing Covenant ("**Covenant**") dated _____, is made by the City of Alameda, a municipal corporation ("**Owner**"), the fee owner of the real property and the housing development improvements on the property located at ____ Fifth Street, Alameda, CA 94501, Alameda County, State of California, as more particularly described on **Exhibit A** attached hereto and incorporated herein by reference ("**Property**").

Owner, for itself and any successors-in-interest, transferees and assigns of the Property, hereby declares and covenants that the Property is restricted to the development and use as an "**Affordable Housing Development**", as described in **Exhibit B**, attached hereto and incorporated herein by reference, as well as uses ancillary to such affordable housing.

The restrictions set out herein shall be covenants or restrictions running with the land and shall be enforceable against Owner and successors-in-interest, transferees and assigns who violate or continue a violation of this Covenant. Said restrictions shall be recorded as a lien against the Property in first position, and shall remain in first position, over all other agreements, covenants, or other matter of record on the Property for the duration of this Covenant. Said restrictions shall further be for the benefit of, and enforceable by, the California Department of Housing and Community Development.

This Covenant shall be binding, effective and enforceable commencing upon its recordation with the recorder of the County of Alameda and continuing for fifty-five (55) years from such date of recordation**.**

Date: _____

The City of Alameda, a municipal corporation

By: _____

_____

City Manager

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT "B"

AFFORDABLE HOUSING DEVELOPMENT

<mark>[ATTACHED CHART FROM EXHIBIT "A" IN THE STANDARD AGREEMENT</mark>