| | |
|---|---|
| **RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:**<br><br>Darrin W. Mercier, Esq.<br>Law Office Of Darrin W. Mercier<br>205 Lane Street<br>Yreka, California 96097 | |
| **MAIL TAX STATEMENTS TO:**<br><br>Shastina West, LLC<br>Post Office Box 305<br>Yreka, California 96097 | The undersigned grantor(s) declare(s)<br>Documentary Transfer Tax is: NONE<br>( ) Computed on full value of property conveyed; OR<br>( ) Computed on full value less value of liens and/or encumbrances remaining at time of sale.<br>(X) Unincorporated area: ( ) City of _____ |

**APNs: 020-071-320, 330, 450 & 460** **SPACE ABOVE THIS LINE FOR RECORDER'S USE**

# DECLARATION OF DEED RESTRICTION

Whereas, Shastina West, LLC, a California limited liability company ("Declarant"), is the owner of all that real property in the Unincorporated Area, County of **Siskiyou**, State of California, described in Exhibit A attached hereto and incorporated herein ("the Property").

Whereas, Declarant is encumbering the Property as a condition for the approval of the Shastina West subdivision map.

Now therefore,

1. The Property is subject to the deed restrictions identified in Exhibit B attached hereto and incorporated herein.

2. The restrictions under this Declaration shall be deemed restrictive covenants and shall run with the land, shall be a benefit and a burden to the Declarant, their successor and assigns and any person acquiring an interest in the Property, their grantees, successors, heirs, administrators, devises, or assigns.

3. All of the restrictions and covenants contained herein shall be construed together, but if it shall at any time be held by a court of competent jurisdiction that any one of such restrictions, covenants or conditions, or any portion thereof is invalid or for any reason becomes unenforceable, no other restriction, covenant, agreement or condition contained therein shall be affected or impaired thereby.

**Signature and Notary Acknowledgement on Following Page.*

In witness whereof, Declarant does hereby execute this Declaration to be effective as of the date of recording.

SHASTINA WEST, LLC

Dated: 10/27, 2026

By: Evan Chertkov
Title: Member

**ACKNOWLEDGMENT**

*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 )
)ss
COUNTY OF SISKIYOU )

On October 27, 2026 before me, Shea King, a notary public in and for the State of California, personally appeared Evan Chertkov, 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

SHEA KING
Notary Public - California
Siskiyou County
Commission # 2484605
My Comm. Expires Apr 13, 2028

# EXHIBIT A

PARCEL VIII:

All that portion of the Northwest quarter of the Southwest quarter and the South half of the Northwest quarter of Section 11, Township 42 North, Range 5 West, M.D.M. lying Southerly and Easterly of that land known as Dwinnell Reservoir and described generally as all land which would be submerged at any time if the water of said reservoir reached a point on Owner's Dam designated as Dwinnell Dam and located in Section 25, Township 43 North, Range 5 West, M.D.M., which is 2809 feet above sea level, U.S.G.S. datum.

Excepting therefrom that certain 60 feet strip of land described in deed recorded in Book 845, page 70 of Official Records of the County of Siskiyou.

PARCEL IX:

All that portion of the Northeast quarter of the Southwest quarter of Section 11 and that portion of the South half of the Northeast quarter and the North half of the Southeast quarter of Section 11, Township 42 North, Range 5 West, M.D.M, lying Southerly of the land shown on the map recorded in Record of Surveys, Book 9 at page 85 of Official Records of the County of Siskiyou, State of California, and lying Southerly of that tie line shown on said map having a bearing of North 73° 44' 13" West and a distance of 158.54 feet, also lying Westerly and Southerly of Tract No. 1000-7-3, recorded in Town Map Book 5, pages 69 through.77, inclusive, of Official Records of said County.

Excepting that portion granted to the County of Siskiyou by deed recorded in Book 845, page 69 of Official Records of the County of Siskiyou, State of California.

APNs: 020-071-320, 330,450 and 460

**EXHIBIT B**

DEED RESTRICTIONS
TO ACCOMPANY FINAL MAP NO. 2026-001
SHASTINA WEST SUBDIVISION
TRACT NO. 1198
LOCATED IN SECTION 11,
TOWNSHIP 42 NORTH, RANGE 5, WEST
OF THE MOUNT DIABLO MERIDIAN
SISKIYOU COUNTY, STATE OF CALIFORNIA.

1) PURSUANT TO STATE LAW, THE PROPERTY OWNER AND ANY SUCCESSORS OF INTEREST WHO BENEFIT FROM THE USE OF THE PRIVATE ROADS SHOWN ON THIS FINAL MAP INCLUDING JACKSON BLUFF ROAD SHALL PROVIDE THEIR PRO-RATA SHARE TO THE COSTS OF MAINTENANCE OF THESE ROADS, INCLUDING ANY NECESSARY REPAIRS AND SNOW REMOVAL UPON DEMAND OF OTHER USERS OF THE ROAD.

2) NO BUILDING, SIGN, FENCE OR ANY OTHER STRUCTURE OF ANY KIND SHALL BE ERECTED OUTSIDE OF THE DESIGNATED BUILDING ENVELOPES AND RIGHTS OF WAY FOR LOTS 16-23 SHOWN ON THIS FINAL MAP. UNLESS SUCH STRUCTURE REPLACES A REQUIRED PRE-EXISTING STRUCTURE OF SIMILIAR SIZE, BULK AND HEIGHT. A FENCE BUILDING EXCEPTION IS PROVIDED TO LOT 18 AND LOT 23 THOUGH. SAID LOTS 18 AND 23 ARE ALLOWED TO CONSTRUCT FENCES AND AGRICULTURAL BUILDINGS OUTSIDE OF THEIR DESIGNATED BUILDING AREAS SUBJECT TO CC&R RULES AND REGULATIONS.

3) AT TIME OF BUILDING PERMIT ISSUANCE FOR EACH LOT IN THE SUBDIVISION, A PAYMENT IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED DOLLARS ($1,500.00) SHALL BE PAID TO THE SISKIYOU COUNTY ROAD DEPARTMENT TO OFFSET IMPACTS OF THE DEVELOPMENT TO THE CONDITION OF DWINNELL WAY AND ITS LONG-TERM MAINTENANCE REQUIREMENTS. THE TIMING AND LEVEL OF MAINTENANCE SHALL BE AT THE DISCRETION OF THE COUNTY AND SHOULD THE FUTURE PROPERTY OWNERS DESIRE A HIGHER LEVEL OF MAINTENANCE THAN IS DETERMINED BY THE COUNTY, THE PROPERTY OWNERS CAN PAY FOR THE ENHANCED LEVEL OF MAINTENANCE THROUGH A MECHANISM APPROVED BY THE COUNTY.

4) ACCESS TO ALL LOTS SHOWN ON THIS MAP WILL BE FROM DWINNELL WAY. ACCESS FROM PALMER DRIVE AND COTTONWOOD DRIVE IS PROHIBITED.

5) ALL FUTURE OWNERS OF LOT 18 ARE REQUIRED TO CONNECT THEIR DRIVEWAY AND USE JACKSON BLUFF ROAD AS THEIR PRIMARY ACCESS ROAD.

6) THE EASTERN PORTION OF LOT 18, AS SHOWN ON THIS FINAL MAP, HAS BEEN DESIGNATED FOR AGRICULTURAL PURPOSES ONLY. THE LOCATION OF THE AGRICULTURAL BOUNDARY IS FURTHER DELINEATED ON PAGES 3 AND 5 OF THIS FINAL MAP.

7) EACH PROPERTY OWNER SHALL BE INDIVIDUALLY RESPONSIBLE FOR THE ROUTINE MAINTENANCE, UPKEEP, AND CLEAR OPERATION OF ANY PORTION OF A DRAINAGE EASEMENT, DRAINAGE DITCH, OR DETENTION POND SITUATED WITHIN THE BOUNDARIES OF THEIR RESPECTIVE LOT.

8) THERE SHALL BE NO EXCAVATION, DREDGING, OR REMOVAL OF LOAM, GRAVEL, SOIL, ROCK, SAND OR OTHER MATERIAL NOR ANY BUILDING OF ROADS NOR OTHER CHANGE IN THE GENERAL TOPOGRAPHY OF THE LAND OUTSIDE OF THE DESIGNATED BUILDING ENVELOPES AND RIGHTS OF WAY FOR LOTS 1-23 SHOWN ON THIS FINAL MAP, EXCEPTING THE MAINTENANCE OF EXISTING FOOT TRAILS OR ROADS.

9) THERE SHALL BE NO REMOVAL, DESTRUCTION OR CUTTING OF TREES, SHRUBS OR OTHER VEGETATION OUTSIDE OF THE DESIGNATED BUILDING ENVELOPES AND RIGHTS OF WAY FOR LOTS 16-23 SHOWN ON THIS FINAL MAP EXCEPT AS MAY BE NECESSARY FOR (1) A MINUMUM FIRE BREAK AS REQUIRED BY LAW, (2) THE MAINTENANCE OF EXISTING FOOT TRAILS OR ROADS, (3) THE PREVENTION OR TREATMENT OF DISEASE AND (4) OTHER GOOD HUSBANDRY PRACTICES.

10) NO OUTDOOR STORAGE OF EQUIPMENT, MATERIALS, VEHICLES, SUPPLIES, REFUSE, OR OTHER ITEMS SHALL OCCUR OUTSIDE OF DESIGNATED BUILDING ENVELOPE AREAS. USES OR ACTIVITIES WHICH CREATE UNSIGHTLY CONDITIONS VISIBLE FROM ADJACENT PROPERTIES OR PUBLIC ROADWAYS SHALL BE PROHIBITED.

11) ISSUANCE OF BUILDING PERMITS IN THE PROPOSED DEVELOPMENT SHALL BE PROHIBITED UNTIL THE APPLICANT CAN PROVIDE SATISFACTORY EVIDENCE FROM THE LAKE SHASTINA COMMUNITY DISTRICT (LSCSD) AND NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD THAT ADEQUATE CAPACITY AT THE LSCSD WASTEWATER TREATMENT FACILITY EXISTS TO SERVE THE INTENDED BUILDING AND USE. EVIDENCE OF ADEQUATE CAPACITY SHALL BE SUBMITTED TO THE SATISFACTION OF THE SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.

12) DEED RESTRICTION SPECIFIC TO LOT 23 ONLY; THE FOLLOWING DESCRIBED RESTRICTED PORTION OF LOT 23, WHERE BUILDING AREA 23-B IS LOCATED WITHIN, SHALL NOT BE FURTHER DEVELOPED UNTIL SUCH TIME AS ACCESS AND COMPATIBILITY ISSUES WITH THE ADJACENT CAMPGROUND CAN BE RESOLVED TO THE SATISFACTION OF THE COUNTY OF SISKIYOU. THIS RESTRICTION IS BEING

REQUIRED BECAUSE COUNTY STAFF HAS CONCLUDED RESIDENTIAL ACCESS TO THIS LOT IS INAPPROPRIATE USING THE SHARED CAMPGROUND ROAD.

NOTE: THE RESTRICTED PORTION OF LOT 23 IS THE AREA LYING NORTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT LOCATED AT THE NORTHEAST CORNER OF LOT 18, AS DEPICTED ON FINAL MAP NO. 2026-001, SHASTINA WEST SUBDIVISION, TRACT NO. 1198, THENCE S 90°00'00" W, 1807.92' TO A POINT LOCATED ON THE WESTERLY BOUNDARY OF LOT 23, AND THE TERMINUS OF THIS DESCRIPTION.