

**PERFORMANCE GUARANTY TO INSTALL STREET IMPROVEMENTS
COVENANT RUNNING WITH THE LAND**

This COVENANT is made by _____ hereinafter referred to as
“OWNER”.

WHEREAS OWNER is the owner of that certain real property located in the City of
National City, County of San Diego, State of California, describe as follows:

WHEREAS, said owner desire a deferral from the legal requirements to install the
following street improvements

NOW, THEREFORE, in consideration for the granting of a deferral by the City
Council

of the City of National City to install said improvements, said owner covenants for itself
and its heirs, successors, assigns, executors and administrators as follows:

1. The owner will not protest the installation of nor assisment for any of the
required improvements under 1913-1915 Improvement Act Program, whether
initiated by the property owners or the City.
2. The owner agrees it will install said improvements in conjunction with an overall
improvement program of the area, whether initiated by the property owners or the
City, or will install the required improvements within 30 (Thirty) days of a written
demand to do so by the City Engineer. If the owner fails to comply, the City may
install the monuments at the owners expense, the costs of which shall be a lien
upon the property described above, and may be collected through means of an
easement with the County Assessors Office or by means of a repayment plan at
the City’s option.

3. The owner acknowledge that this agreement shall be recorded in the real property records of the County of San Diego, and shall be the covenant running with the land and binding on the owner and all assigns, transfers and successors interest .

Date: _____

Engineering Department No. _____

By: _____

