

RECORDING REQUESTED BY:

Gene Belk Fruit Packers
10380 Alder Avenue, P. O. Box 217,
Bloomington, CA 92316

Recorded in Official Records, County of
San Bernardino, Larry Walker, Recorder
15.00
Doc No. 20010287766
3:40pm 07/17/01

WHEN RECORDED MAIL TO:

205 40282564 01 16

Curtis E. Belk, General Manager
Gene Belk Fruit Packers
P. O. Box 217,
Bloomington, CA 92316

Project: Brine Pond Cap

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PG	FEE	APF	GRMS	PH CPY	CRY CPY	ADD NM	PEN PR	PCUR	
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DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS is made and entered into this 17th day of June, 2001 by Gene Belk Fruit Packers, a California "S" corporation, ("Belk") with reference to the following facts:

- A. Gene Belk Fruit Packers is the owner of the real property ("Property") in the County of San Bernardino, California described as follows:

That portion of property located in the County of San Bernardino, State of California, described as follows:

Being a portion of the North 1/2 of Lot 143, Marygold Acres, located in the Southeast 1/4 of Section 20, Township 1 South, Range 5 West, San Bernardino Base & Meridian, as per plat recorded in Book 19, Page 15, of Maps, records of said county and state, described as follows:

Commencing at the southwest corner of said North 1/2 of said Lot 143; thence easterly along the south line of said parcel, N 88° 46' 21" E, a distance of 25.00 feet; thence northerly, along a line parallel to the west line of said parcel, N 00° 30' 33" W, a distance of 15.00 feet to the true point of beginning.

Thence continuing northerly, along said parallel line, N 00° 30' 33" W, a distance of 110.00 feet; thence easterly along a line parallel to the south line of said parcel, N 88° 46' 21" E, a distance of 250.00 feet; thence southerly, along a line parallel to the west line of said parcel, S 00° 30' 33" E, a distance of 110.00 feet; thence westerly, along a line parallel to the south line of said parcel, S 88° 46' 21" W, a distance of 250.00 feet to the true point of beginning.

Said parcel consists of 0.63 Acres.

- B. In accordance with plans approved by the California Regional Water Quality Control Board, Santa Ana Region ("Board"), soil beneath the former brine pond area on the

Property identified above hereto containing elevated levels of salts, primarily sodium chloride (brine soils), was capped by Belk.

- C. Belk seeks to comply with conditions imposed on Belk by Board that if the former brine pond area is to be modified in any way in the future, the Board will be notified well in advance of the nature of such modification.

NOW, THEREFORE, Belk hereby declares that the Property described above shall be modified, developed, improved, held, sold, or conveyed subject to the following restrictions which are for the purpose of complying with a requirement imposed on Belk by Board as a part of the required procedures for the remediation of brine soils on the Property.

1. Pavement has been placed over the former brine pond area. The brine pond cap shall be inspected and maintained regularly to direct flow of surface runoff away from the former brine pond area, to prevent ponding, and to prevent cracks which may facilitate infiltration of rain water and surface flow.
2. In the future, if any on-site liquid-bearing pressurized piping is installed beneath the brine pond cap or beneath buildings/structures constructed on the brine pond cap, they must consist of double walled pipe with a leak detection system.
3. The former brine pond area shall not be irrigated. Landscaping, if desired, will be limited to planter boxes with protective liners to prevent leakage.
4. The brine pond cap shall not be modified unless and until the Board's Executive Officer has been notified in writing of the nature of the modification(s) and has been given a reasonable opportunity to comment on, or reasonable approved or disapprove of, the proposed modifications.
5. Upon transfer of the Property, Belk Promises to take all necessary steps to make this Declaration of Restrictions a covenant running with the land, valid and enforceable under California real property law. Belk will remain fully responsible for enforcing the terms and conditions of the Declaration of Restrictions until a valid covenant running with the land is established that binds, Belk's heirs, successors and assigns to the terms and conditions of the Declaration of Restrictions.

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

Gene Belk Fruit Packers

By: 
Curtis E. Belk

Title: Secretary

CALIFORNIA NOTARY ACKNOWLEDGMENT

State of California }
County of San Bernardino } §

On July 17, 2001, before me, Shannon Lopez personally appeared Curtis E. Belk personally known to me (or 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.

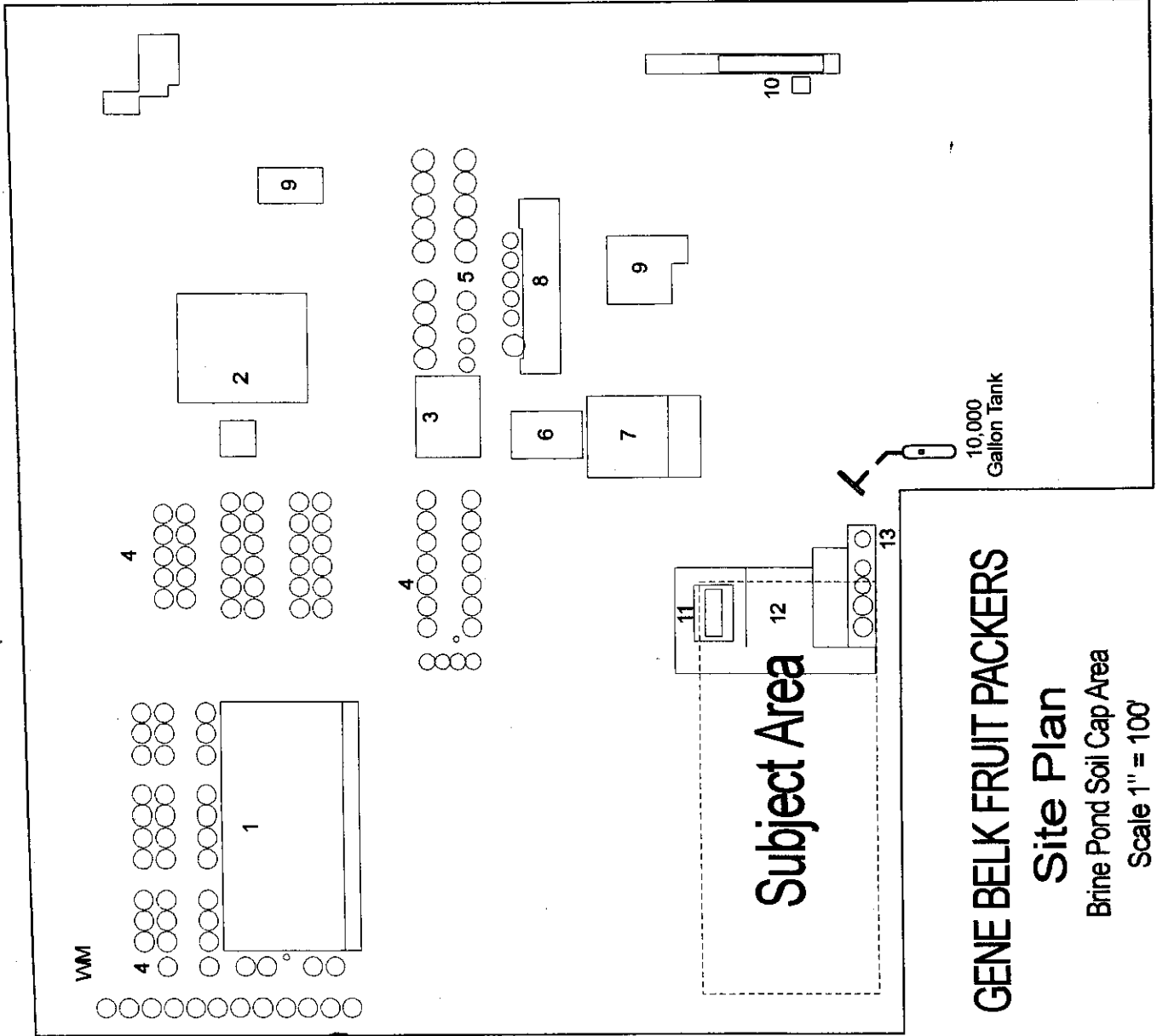
WITNESS my hand and official seal

Shannon Lopez



(This area for official notarial seal)

Southern Pacific Railroad



LEGEND

- 1 - Vegetable Processing Building
- 2 - Citrus Dicing Building
- 3 - Citrus Weightout and Packaging Area
- 4 - Vegetable Tank Storage Area
- 5 - Citrus Curing Tank Area
- 6 - Maintenance Shop
- 7 - Vehicle Maintenance Shop
- 8 - Main Office
- 9 - Storage Areas
- 10 - Truck Scale
- 11 - Fuel Tank
- 12 - Waste Management Area
- 13 - Waste Collection Sump
- WMI - 4" Water Main



Subject Area

GENE BELK FRUIT PACKERS

Site Plan

Brine Pond Soil Cap Area

Scale 1" = 100'