TO: Plan Check Applicants

FROM: Building and Safety/Land Development Division

INSTRUCTIONS FOR THE PREPARATION OF OFF-SITE COVENANTS

Whenever a developer proposes to do work outside his property or to do work which affects the adjoining property, the developer may be required to make a declaration of covenant to perform certain work and must obtain written permission from the adjoining property owner(s) in the form of a covenant which contains the following items:

1. A statement that the signer is the owner of the offsite property.

2. A description of the offsite property (for tract grading plans, each offsite grading area should be referenced to the subdivision lots or parcels to which it is adjacent).

3. Acknowledgment that the offsite owner or applicant has reviewed the plans and that he consents to the proposed work. Prints of these plans are to be dated and signed by the offsite owner or applicant and one (1) set of prints shall be maintained in the office of the Building and Safety/Land Development Division. Any significant changes in the scope of the offsite work shown on subsequent plans will require the submittal of a new covenant.

4. If necessary, a statement by the offsite owner affirming that he will irrigate planted slopes and maintain slopes and drainage devices within his property.

5. A statement by the owner, or developer, his heirs or successors, holding the County of Los Angeles free and clear of any liability for damages due to the proposed work must be copied verbatim from the sample document.

SUBMIT the Covenant to the plan checker for approval as to form prior to obtaining signatures.

COVENANTS MUST BE SIGNED, NOTARIZED, AND RECORDED. Two (2) signed and notarized copies of the covenant and one (1) signed and dated set of prints of the plans shall be submitted to the plan checker for approval prior to recording the Covenant. Once approved, the Covenant must be recorded prior to approval of the plans.

RECORDATION is the responsibility of the applicant. The Recorder’s Office is located at 12400 Imperial Highway, Norwalk, CA 90650. A conformed copy will be stamped by the County Recorder, if necessary, for immediate plan approval. Otherwise, the original should be returned to the designated section by the County Recorder in approximately three (3) weeks. Information for the County...
Recorder’s Office can be obtained on the Internet at http://regrec.co.la.ca.us/main.htm or by calling (562) 462-2125.

Sample of map used in lieu of property description for Offsite Covenants.

Refer to legal description for subject offsite property such as a portion of lot, tract, ranch, etc.
One or more of the following covenants will be required, as checked, from the offsite property owners and/or the owners of the development, prior to approval of the plans for _______________________________________.

I. Outlet facilities (Discharge of Flows and Earthwork on Offsite Property)

A. Maintained by Owner of Development
   Sample No. 1 – Signed by Owner of Development
   Sample No. 2 – Signed by Offsite Property Owner
   Sample No. 3 – Signed by Offsite Property Owner

B. Maintained by Offsite Property Owner
   Sample No. 4 – Signed by Owner/Developer
   Sample No. 5 – Signed by Offsite Property Owner
II. Inlet Facilities (Acceptance of Flows from and Earthwork on Offsite Property)

A. Maintained by Owner of Development
   Sample No. 1 – Signed by Owner of Development
   Sample No. 2 – Signed by Offsite Property Owner

B. Maintained by Offsite Property Owner
   Sample No. 4 – Signed by Owner of Development
   Sample No. 5 – Signed by Offsite Property Owner
III. Drainage Device (Conveyance of Flows Through Adjacent Offsite Property and Earthwork on Offsite Property)

A. Maintained by Owner of Development

Sample No. 1 – Signed by Owner of Development (for Property "B")
Sample No. 2 – Signed by Offsite Property Owner “B”

B. Maintained by Offsite Property Owner

Sample No. 4 – Signed by Owner of Development (for Property "B")
Sample No. 5 – Signed by Offsite Property Owner “B”
IV. Concentrated and/or Increased Flows – Outlet within Development

![Diagram: Development to Offsite Property via Drainage Device or Street]

Sample No. 3 – Signed by Offsite Property Owner

V. Offsite Grading Per Appendix 33

![Diagram: Development to Offsite Property with Grading, slope or other earthwork]

A. Must be maintained by the Offsite Property Owner per Appendix 33, Section 3307, of the Building Code.

Sample No. 5 – Signed by Offsite Property Owner
1. DECLARATION OF COVENANT BY OWNER OF DEVELOPMENT

OFFSITE COVENANT BY OWNER OF DEVELOPMENT    TR/PM________________________

In consideration for the granting of permission to enter and construct
________________________________________________________, in accordance with plans
dated ____________________ and filed with the Office of the Director of Public Works,
County of Los Angeles, in, upon, and across ________________________________

(property description)

(location of improvements by

property description)

(as shown on attached map)

hereinafter referred to as the offsite property,

(name of owner of development)

as owner of ________________________________ has examined said plans

(property description of development)

and hereby covenants and, agrees for himself, his heirs, successors, and assigns to
indemnify, defend and safe harmless the County, its agents, officers and employees,
and the owners of said offsite property from and against any and all liability, expense,
including defense costs and legal fees, and claims for damages of any nature
whatsoever, including, but not limited to, bodily injury, death, personal injury, or property
damage arising from or connected with the construction or maintenance of said
drainage facility(s).
The undersigned also agrees on behalf of himself, his heirs, successors, and assigns to maintain said drainage facility(s) in good condition unless discharged of this obligation by the County of Los Angeles.

(Name if other than an individual)

/s/ ________________________________
(Name if an individual)

/\s/ ________________________________
(Title if other than an individual)

STATE OF CALIFORNIA, COUNTY OF ________________________________ on ______, 20__ before me, ___________________________ personally appeared ___________________________, who proved to me 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 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 ________________________________
(Signature of Notary Public)

FOR DEPARTMENT USE ONLY:

MUST BE APPROVED BY COUNTY OF LOS ANGELES BUILDING AND SAFETY DIVISION PRIOR TO RECORDING.

APPROVED BY: ____________________________ (Signature) Date ____________

(Print Name)
2. **DECLARATION OF COVENANT BY OFFSITE PROPERTY OWNER**

**OFFSITE COVENANT BY OFFSITE PROPERTY OWNER**  TR/PM_______________

___________________________________________, as owner of ____________________, hereby gives permission shown on attached map) 

to __________________________________, hereinafter referred to as “DEVELOPER”, (name of developer) 

'to construct ____________________________________________ in accordance with (description of work)

plans dated __________________ and filed with the Office of Director of Public Works, County of Los Angeles, and examined by the undersigned, in, upon, and across

___________________________________________

(LOCATION OF IMPROVEMENTS BY PROPERTY DESCRIPTION) 

(as shown on the attached map)

The undersigned also covenants and agrees for himself, his heirs, successors, and assigns to indemnify, defend and save harmless the County, its agents, officers and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including but not limited
to, bodily injury, death, personal injury, or property damage arising from or connected with the construction or maintenance of said facility(s) and grants permission to DEVELOPER, his heirs, successors, and assigns to maintain said drainage facility(s) in good condition unless discharged of this obligation by the County of Los Angeles.

(Name if other than an individual)

/\s/ __________________________________________

(Name if an individual)

(Title if other than an individual)

/\s/ __________________________________________

(Title if other than an individual)

STATE OF CALIFORNIA, COUNTY OF __________________________ on __________, 20__ before me, __________________________ personally appeared __________________________, who proved to me 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 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 ______________________________________

(Signature of Notary Public)

FOR DEPARTMENT USE ONLY:
MUST BE APPROVED BY COUNTY OF LOS ANGELES BUILDING AND SAFETY DIVISION PRIOR TO RECORDING.
APPROVED BY: ___________________________ (Print Name) ___________________________ (Signature) Date __________

Page 2 of 2

10/03
RECORDING REQUESTED BY AND MAIL TO:

County of Los Angeles
Department of Public Works

- Building and Safety – Drainage and Grading Section
- Land Development – Drainage and Grading Section
- Land Development – Road/Sewer & Water Section

P.O. Box 1460
Alhambra, California 91802-1460

Space above this line is for Recorder’s use

3. ACCEPTANCE OF DRAINAGE BY ADJACENT PROPERTY OWNER

DRAINAGE ACCEPTANCE COVENANT

TR/PM_______________________

______________________________________________, as owner of

(DESCRIPTION OF PROPERTY)

(AS SHOWN ON ATTACHED MAP)

(surface waters emanating from _________________________________

(property description of development)

plans dated ________________and filed with the Office of the Director of Public Works, County of Los Angeles, and examined by the undersigned, with full knowledge of any alteration in drainage patterns from the natural condition provided by said plans, and hereby agrees for himself, his heirs, successors, and assigns to indemnify, defend and save harmless the County, its agents, officers and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damage of any nature whatsoever, including but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with

said alterations.

________________________________
(Name if other than an individual)

/s/ ________________________________
(Name if an individual)

/SD/ _______________________________
(Title if other than an individual)

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, COUNTY OF ____________________________ on _______, 20__ before me, ______________________________________________________, who proved to me 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 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 ________________________________

(Signature of Notary Public)

FOR DEPARTMENT USE ONLY:

MUST BE APPROVED BY COUNTY OF LOS ANGELES BUILDING AND SAFETY DIVISION PRIOR TO RECORDING.

APPROVED BY: ________________________________ Date ________

(Print Name) (Signature)
4. DECLARATION OF COVENANT BY OWNER OF DEVELOPMENT

OFFSITE COVENANT BY OWNER OF DEVELOPMENT   TR/PM_________________

In consideration for the granting of permission to enter and construct

☐ Grading      ☐ Road ___________________________, in accordance with

☐ (description of work)

plans dated ________________ and filed with the Office of Director of Public Works, County of Los Angeles, in, upon and across ________________________________

☐ (location of improvements by ___________________________, as owner of ___________________________, has examined said plans and hereby covenants and agrees

☐ Offsite grading
☐ Slope banks
☐ Pavement transition from Sta ______ to Sta ______
☐ Other

☐ (as shown on the attached map)

_________________________________, as owner of ___________________________, for himself, his heirs, successors, and assigns to indemnify, defend and save harmless the County, its agents, officers and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature
whatsoever, including but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with the construction or maintenance of said work.

The undersigned also covenants and agrees for himself, his heirs, successors, and assigns to indemnify, defend, and save harmless the owners of

☐ (description of offsite property)
☐ (as shown on attached map)

against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with the construction of said work.

(Name if other than an individual)

/s/ ______________________________
(Name if an individual)
(Title if other than an individual)

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, COUNTY OF _______________ on _______, 20____,
before me, ___________________________ personally appeared ___________________________, who proved to me the
(Name and Title of the Officer) (Name of Signer)
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 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 of Notary Public)

FOR DEPARTMENT USE ONLY:
MUST BE APPROVED BY COUNTY OF LOS ANGELES BUILDING AND SAFETY DIVISION PRIOR TO RECORDING.

APPROVED BY: ___________________________ (Signature) Date ___________
(Print Name)
RECORDING REQUESTED BY AND MAIL TO:

County of Los Angeles
Department of Public Works

- Building and Safety – Drainage and Grading Section
- Land Development – Drainage and Grading Section
- Land Development – Road/Sewer & Water Section

P.O. Box 1460
Alhambra, California 91802-1460

5. DECLARATION OF COVENANT BY OFFSITE PROPERTY OWNER

OFFSITE COVENANT BY OFFSITE PROPERTY OWNER  TR/PM____________________

______________________________, as owner of ____________________________
(name of owner of affected offsite property) (description of property)

______________________________ hereby gives permission to
(as shown on attached map)

______________________________, hereinafter referred to as “DEVELOPER”, to
(name of owner of development)
enter and construct ____________________________, in accordance with
(description of work)
plans dated __________________ and filed with the Office of Director of Public Works,
County of Los Angeles, and examined by the undersigned, in, upon and across

(location of improvements by property description)

______________________________ for the
(as shown on the attached map)

- Offsite grading
- Slope banks
- Pavement transition from Sta ______ to Sta ______
- Other

The undersigned also covenants and agrees for himself, his heirs, successors, and
assigns, to indemnify, defend, and save harmless the County, its agents, officers and
employees from and against any and all liability, expenses, including defense costs and
legal fees, and claims for damages of any nature whatsoever, including but not limited
to, bodily injury, death, personal injury, or property damage arising from or connected
with the construction of said work.

10/03
The undersigned also covenants and agrees on behalf of himself, his heirs, successors, and assigns to

- maintain said work in good condition unless discharged of this obligation by the County of Los Angeles
- irrigate planted slopes and to maintain slopes and drainage devices located on his property
- permit the County to enter upon the premises to do such maintenance work as may be required;

(Name if other than an individual)

/\s/ ________________________________
(Name if an individual)
(Title if other than an individual)

/\s/ ________________________________
(Title if other than an individual)

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, COUNTY OF ___________________________ on ______, 20__ before me, ___________________________ personally appeared ________________________, who proved to me 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 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 of Notary Public)

FOR DEPARTMENT USE ONLY:
MUST BE APPROVED BY COUNTY OF LOS ANGELES BUILDING AND SAFETY DIVISION PRIOR TO RECORDING.

APPROVED BY: ___________________________  (Signature)  Date ________________

(Print Name)  (Print Name)