

AMENDED IN ASSEMBLY MAY 16, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1120**

**Introduced by Assembly Member Kuykendall**

February 23, 1995

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An act to add Section 1471 to the Civil Code, relating to real property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1120, as amended, Kuykendall. Real property: covenants.

Existing law provides that covenants contained in grants of estates in real property and made for the direct benefit of the real property pass with the grants so as to bind the assigns of the person who makes the covenant and run with the land.

This bill would provide that covenants made for the direct benefit of the real property may include, but are not limited to, covenants to ~~reduce the amount of~~ *restrict land use or unilaterally impose land use restrictions, as specified, to prevent unrestricted land use which could result in unsafe exposure to hazardous materials, as defined, ~~on or in the real property~~ known to the coventor at the time of creation of the covenant.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1471 is added to the Civil Code,  
 2 to read:  
 3 1471. For purposes of this title, *on and after January*  
 4 *1, 1996*, covenants that are made for the direct benefit of  
 5 the real property *and which shall run with the land* may  
 6 include, but are not limited to, covenants to ~~reduce the~~  
 7 ~~amount of hazardous materials, as defined in Section~~  
 8 ~~25260 of the Health and Safety Code, on or in the real~~  
 9 ~~property.~~ *restrict land use or unilaterally impose land use*  
 10 *restrictions in conjunction with real property to prevent*  
 11 *unrestricted land use which could result in unsafe*  
 12 *exposure to hazardous materials, as defined in Section*  
 13 *25260 of the Health and Safety Code, known to the*  
 14 *conventor at the time of creation of the covenant.*

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