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Recorded in Official Records, County of Orange
Tom Daly, Clerk-Recorder

RECORDING REQUESTED BY:

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Marinita Homeowners Assn.

AND WHEN RECORDED RETURN TO:

Marinita Homeowners Assn.
P. O. Box 208
Dana Point, CA 92629

THIS SPACE FOR RECORDER'S USE ONLY

**AMENDMENTS TO DECLARATION ESTABLISHING EASEMENTS,
COVENANTS, CONDITIONS, AND RESTRICTIONS**

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WHEREAS, a Declaration Establishing Easements, Covenants, Conditions, and Restrictions was recorded on February 9, 1979, in Book 13031 pages 27-51, in the office of the County Recorder for the County of Orange, State of California;

WHEREAS, said Declaration encumbers lots 1-77 of Tract 9604, as shown on the tract map recorded on July 17, 1978 in Book 436 at Pages 17-22, inclusive, of the Official Records of the County of Orange, State of California; A list of the names of the owners of record of lots 1-77 are attached hereto for the benefit of the County Recorder for indexing purposes;

WHEREAS, said Declaration provides in Article XIV, Section 6 for Amendments to be approved by the affirmative consent of not less than seventy five percent (75%) of the Owners, and a special meeting of Owners was held on March 24, 2003 for the purpose of voting on proposed amendments; which amendments were approved by at least the required percentage of Owners;

WHEREAS, the Declaration has therefore been duly amended by the affirmative consent of the required percentage of Owners, and

THEREFORE, the amendments that were approved are set forth herein as follows. All other terms, conditions, and provisions of the Declaration remain the same.

Article VII, Section 1(j) is amended to read as follows:

Section 1. Duties and Powers. In addition to any and all duties and powers vested in the Association under the Articles of Incorporation and Bylaws, and without limiting the generality thereof, the Association shall:

(j) Have the power to enforce the provisions of this Declaration by reasonably appropriate means, including but not limited to, the expenditure of the Association's money, the employment of legal counsel, and commencement and prosecution of a legal action or actions and the assessment of reasonable fines against any owner who is determined to be in violation of any of the governing documents, or any rules and regulations, adopted by the Board of Directors, after notice is given in writing and an opportunity to be heard in front of the Board is afforded.

Article X, Section 5 is amended to read as follows:

Section 5. Use of Unauthorized Owner Improvements and Vehicles. No Owner Improvement of temporary character, trailer, camper, mobile home recreational vehicle or other vehicle of any kind, basement, tent, shack, garage, barn, or other outbuilding, shall be used for any purpose on any lot at any time, either temporarily or permanently. No trailer, camper, mobile home, recreational vehicle or other vehicle similar in kind, boat, commercial vehicle, motorcycle, or other similar equipment shall be permitted to remain upon a lot except within an enclosed garage, and shall not be parked on a street within the Marinita project, except for loading and unloading purposes. A Commercial Vehicle shall hereby be defined as any vehicle, construction equipment, or truck greater than one ton loading capacity, any vehicle wider than 81", any vehicle having more than two axles, or any vehicle having more than four wheels and tires.

Further, no maintenance, construction, reconstruction, repair, dismantling, painting, repainting, or servicing of any kind may be performed on any type of vehicle, with the exception of normal waxing, washing, and polishing incident and necessary to such equipment, except within an enclosed garage. No abandoned or non-operating vehicle shall be stored on a lot except within an enclosed garage.

Each owner covenants that he will not park or cause to be parked a trailer, camper, mobile home, recreational vehicle, or other vehicle similar in kind, including, but not limited to, any boat

**LIST OF RECORD OWNERS OF LOTS IN SAID TRACT FOR
INDEXING PURPOSES**

PURSUANT TO GOVERNMENT CODE, SECTION 27288.1, THE FOLLOWING LIST CONTAINS THE NAMES OF EACH RECORD OWNER OF A LOT IN THE PROPERTY AFFECTED BY THIS DECLARATION.

LAST NAME	FIRST NAME(S)	PROPERTY ADDRESS	LOT/TR ACT No.
SANGER	MARK/VICKIE L.	33802 PEQUITO DR.	1/9604
MONEYMAKER	MARIE B.	33792 PEQUITO DR.	2/9604
PORTER	GREGORY/KAREN	33782 PEQUITO DR.	3/9604
LOPEZ	MARLENE K. FAMILY	33772 PEQUITO DR.	4/9604
HOCKERMAN	JAMES A.	33762 PEQUITO DR.	5/9604
HALL	THOMAS W.	33752 PEQUITO DR.	6/9604
PULFORD	L.HARVICK/CATHLEEN	33742 PEQUITO DR.	7/9604
PENDLEY	JAMES T/DENISE J	33726 PEQUITO DR.	8/9604
NORTON	LORAIN M	33712 PEQUITO DR.	9/9604
CHRISTENSEN	LARRY/JOYCE	33702 PEQUITO DR.	10/9604
GRIJALVA	FAUST E.	33692 PEQUITO DR.	11/9604
HOOK	ALICE	33682 PEQUITO DR.	12/9604
BECK	ROGER G/JULIE S	33666 PEQUITO DR.	13/9604
LEMAS	MANUAL R	33651 VIA LAGOS	14/9604
HERNANDEZ	EFREN FRANK/JOSEPHINE	33661 VIA LAGOS	15/9604
CINCOTTA	FRANCIS J. JR/LORI A	33665 VIA LAGOS	16/9604
LITWINSKI	RICHARD A/MARY M	33662 VIA LAGOS	17/9604
CASTLER	RICHARD H/ROBIN L	25212 PERCH DR.	18/9604
CAPPAS	DOLLY L.	25232 PERCH DR.	19/9604
GERGUSON	DELBERT E.	25235 PERCH DR.	20/9604
WICKSTROM	ALAN /ELIZABETH	25231 PERCH DR.	21/9604
HERBERT	ALLISON BANKS HERBERT LIVING TRUST	25225 PERCH DR.	22/9604

TEEPLE	HOWELL S.	25221 PERCH DR.	23/9604
DUTRA	FRANK A, THE FRANK A. DUDRA TRUST	25215 PERCH DR.	24/9604
BURNS	TERRENCE C	25201 PERCH DR.	25/9604
TSITWSIVAS	HARAL/LAURIE	33586 VIA LAGOS	26/9604
CASOLA	ROBERT J/JOANN I	33591 VIA LAGOS	27/9604
GRIMM	JAY BURTON	33601 VIA LAGOS	28/9604
KANSTUL	MARK F	33605 VIA LAGOS	29/9604
MARKS	DONALD B	33611 VIA LAGOS	30/9604
O'CONNOR	FREDERICK V/MARY E	33621 VIA LAGOS	31/9604
JOZSA	ROBERT/BONNIE	33631 VIA LAGOS	32/9604
BORKHEIM	COLETTE, COLETTE J BORKHEIM TRUST	33652 VIA MARTOS	33/9604
COOK	HAROLD D/LINDA C	33642 VIA MARTOS	34/9604
PERRY	WAURBON LEE/LOUISE DIX	33632 VIA MARTOS	35/9604
BETTS	DANIEL J/TERESA A	33626 VIA MARTOS	36/9604
PFEIFER	ROBERT P/MARY BETH	33622 VIA MARTOS	37/9604
QUINN	JOHN J/POLLY A	33621 VIA MARTOS	38/9604
HAMAI	KAZUMI	33625 VIA MARTOS	39/9604
ANASTASIO	ANDREW W/CYNTHIA A	33631 VIA MARTOS	40/9604
ROWAN	DAVID	33641 VIA MARTOS	41/9604
MARIETTI	DAVID A/STEPHANIE	33651 VIA MARTOS	42/9604
PORTO	EZIO J.	25111 PERCH DR.	43/9604
BRITTON	SAMUEL J/DONNA	25105 PERCH DR.	44/9604
BLAIR	JAMES	25101 PERCH DR.	45/9604
MOORE	DAWN M/JAMES C	25095 PERCH DR.	46/9604
MORRIS	DANNY RAY/JEANETTE M	25091 PERCH DR.	47/9604
PATRICK	SHAWN W.	25081 PERCH DR.	POR OF 48/49 OF 9604

WARD	JAMES ROBERT/JUDITH A	25071 PERCH DR.	POR 48/49 OF 9604
MAHER	PATRICK/ DARNELLE R	25072 PERCH DR.	50/9604
DUDDLESTON	JAMES A/COLLEEN J	25076 PERCH DR.	51/9604
CIRIANI	ALACIA	25082 PERCH DR.	52/9604
LARSON	STEVE /MADELYN K	25086 PERCH DR.	53/9604
HESS	ROGER C./KIM MOI HO	25092 PERCH DR.	54/9604
LACK	JOHN D/SHARON L	25096 PERCH DR.	55/9604
BRIDGES	JOSEPH E	25102 PERCH DR.	56/9604
HOLTZ JR	ANDREW/KAREN	25122 PERCH DR.	57/9604
SUMMERS	JERRY R/LAURIE D	25142 PERCH DR.	58/9604
MURRAY	DAMON A/MARY E	33671 PEQUITO DR.	59/9604
LAUGHLIN	JOHN J/LYNN L	33691 PEQUITO DR.	60/9604
DOLMAT	BAZYLI WACLAW	33701 PEQUITO DR.	61/9604
DUBOW	PAUL V/BETSY J	25151 VIA PLAYA	62/9604
JUDS	ERIC T/KELLY F	25141 VIA PLAYA	63/9604
SLOSARCZYX	CZESLAW	25142 VIA PLAYA	64/9604
OLMSTEAD	ANTHONY OLIN/DEBRA S	25152 VIA PLAYA	65/9604
SUESS	ARTHUR L MERRIKEN/ CHERYL L	33731 PEQUITO DR.	66/9604
BIENVENU	YVES LE/PATRICIA LE	33751 PEQUITO DR.	67/9604
COONEY	DAVID C/JILL M	33761 PEQUITO DR.	68/9604
STOUT	ROGER D	25131 VIA PACIFICA	69/9604
TODD	MICHAEL W/NANCY C	25121 VIA PACIFICA	70/9604
TRAN	NHUT A.	25111 VIA PACIFICA	71/9604
THEARD	CHRISTINE M	25112 VIA PACIFICA	72/9604
BIBER	DAVID/KATHLEEN L	25116 VIA PACIFICA	73/9604
GINSBERG	MICHAEL R/SHERI	25122 VIA PACIFICA	74/9604
MARTUS	CHRIS	25132 VIA PACIFICA	75/9604
RAMASWAMY	SANDHIYA/MARVIN J SMITH	33781 PEQUITO DR.	76/9604
PHILLIPS	DAVID	33791 PEQUITO DR.	77/9604

trailer, on a street within the project. The Board of Directors shall have the right to adopt reasonable rules and regulations concerning parking.

Amendments to Exhibit "A" attached to Declaration:

Exhibit "A" has been amended. The amended Exhibit "B" is attached hereto.

IN WITNESS WHEREOF, we, being the President and Secretary of the MARINITA HOMEOWNERS ASSOCIATION, have hereunto set our hands this 4th day of April, 2003.

PRESIDENT

Name: TERRENCE BURNS

Signature: Terrence Burns

Date: April 4, 2003

SECRETARY

Name: Mary Murray

Signature: Mary Murray

Date: April 4, 2003

CERTIFICATION BY SECRETARY OF APPROVAL

I, the undersigned, am the duly elected and acting Secretary of the MARINITA HOMEOWNERS ASSOCIATION, a California Corporation, and I hereby certify that the foregoing amendments to the Declaration were duly approved by the affirmative written consent of not less than seventy five percent (75%) of Owners in MARINITA at a special meeting of members which was held on March 24, 2003.

Name: Mary Murray

Signature: Mary Murray

Date: April 4, 2003

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

On _____, before me, _____, the undersigned, a Notary Public in and for said State, personally appeared

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 that she/he/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.

Notary Public

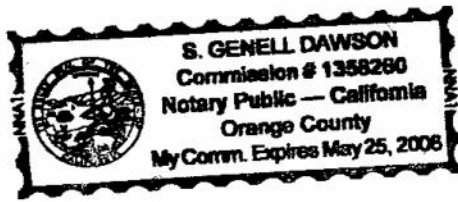
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 ORANGE } ss.
County of _____ }

On 04/04/03 before me, *S GENELL DAWSON*
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared *TERRENCE BURNS AND MARY MURRAY*
Name(s) of Signer(s)

- personally known to me
- 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.
S. Genell Dawson
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: AMENDMENTS TO DECLARATION OF COVENANTS
Document Date: 04/04/03 Number of Pages: 4
Signer(s) Other Than Named Above: NONE




Capacity(ies) Claimed by Signer

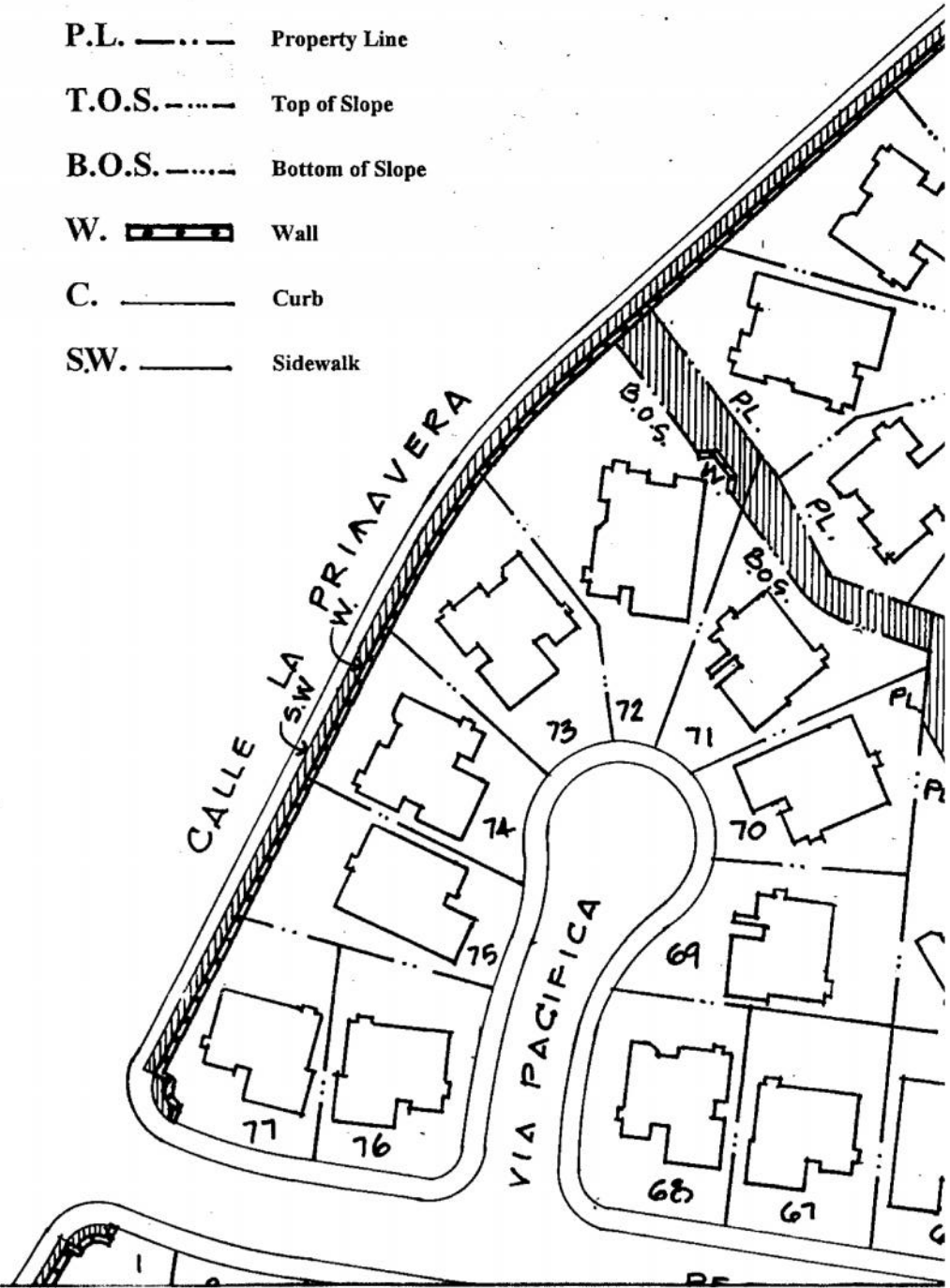
Signer's Name: TERRENCE BURNS AND MARY MURRAY
 Individual PRESIDENT AND SECRETARY
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Attorney-in-Fact
 Trustee
 Guardian or Conservator
 Other: _____

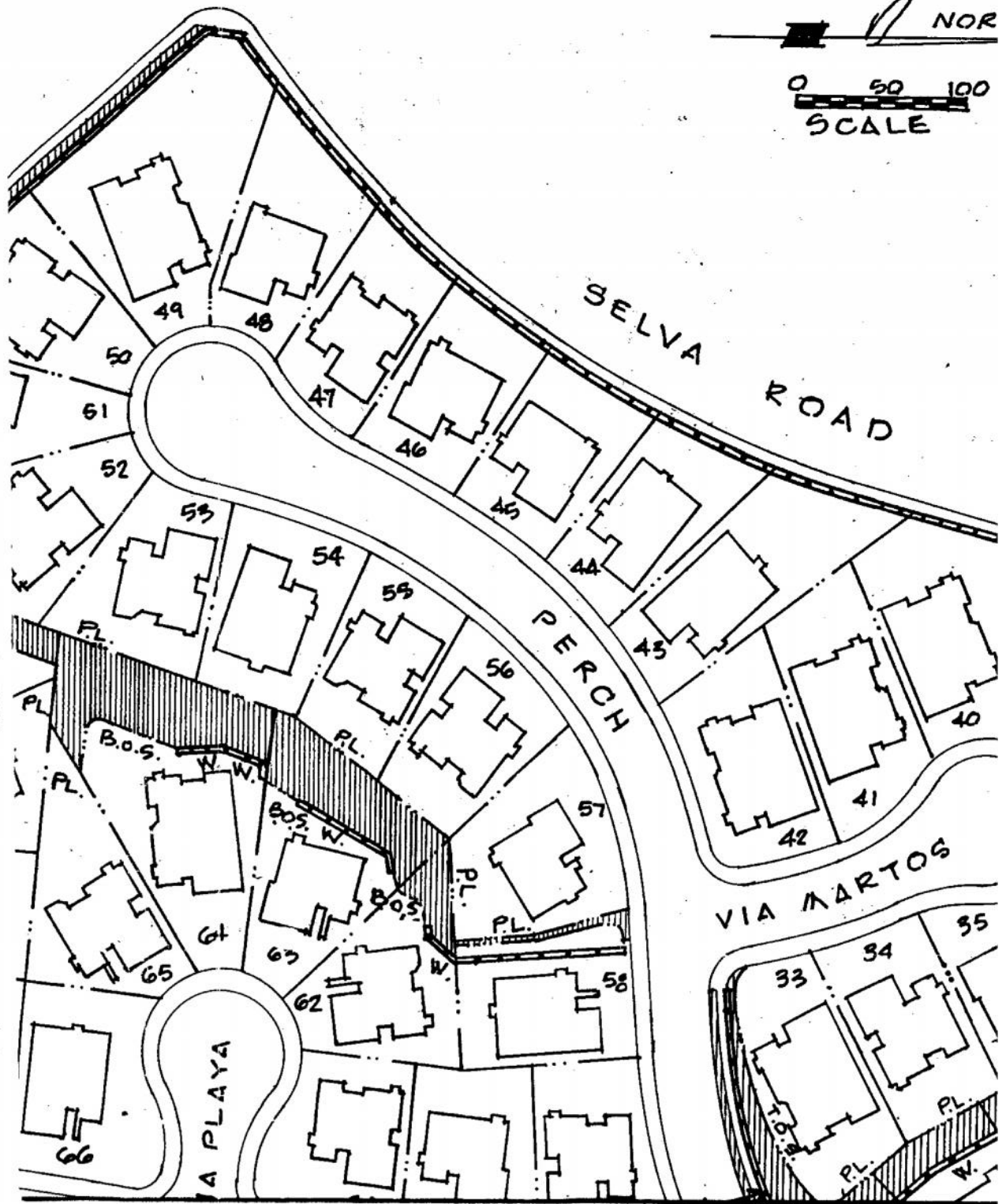
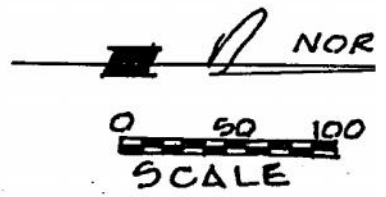
Signer Is Representing: MARINITA HOMEOWNERS ASSOCIATION



LEGEND

-  Marinita H.O.A. Maintenance Easement Area
-  Open Space Area.
- P.L. - - - - Property Line
- T.O.S. - · - · - Top of Slope
- B.O.S. - · - · - Bottom of Slope
- W.  Wall
- C. ——— Curb
- S.W. ——— Sidewalk

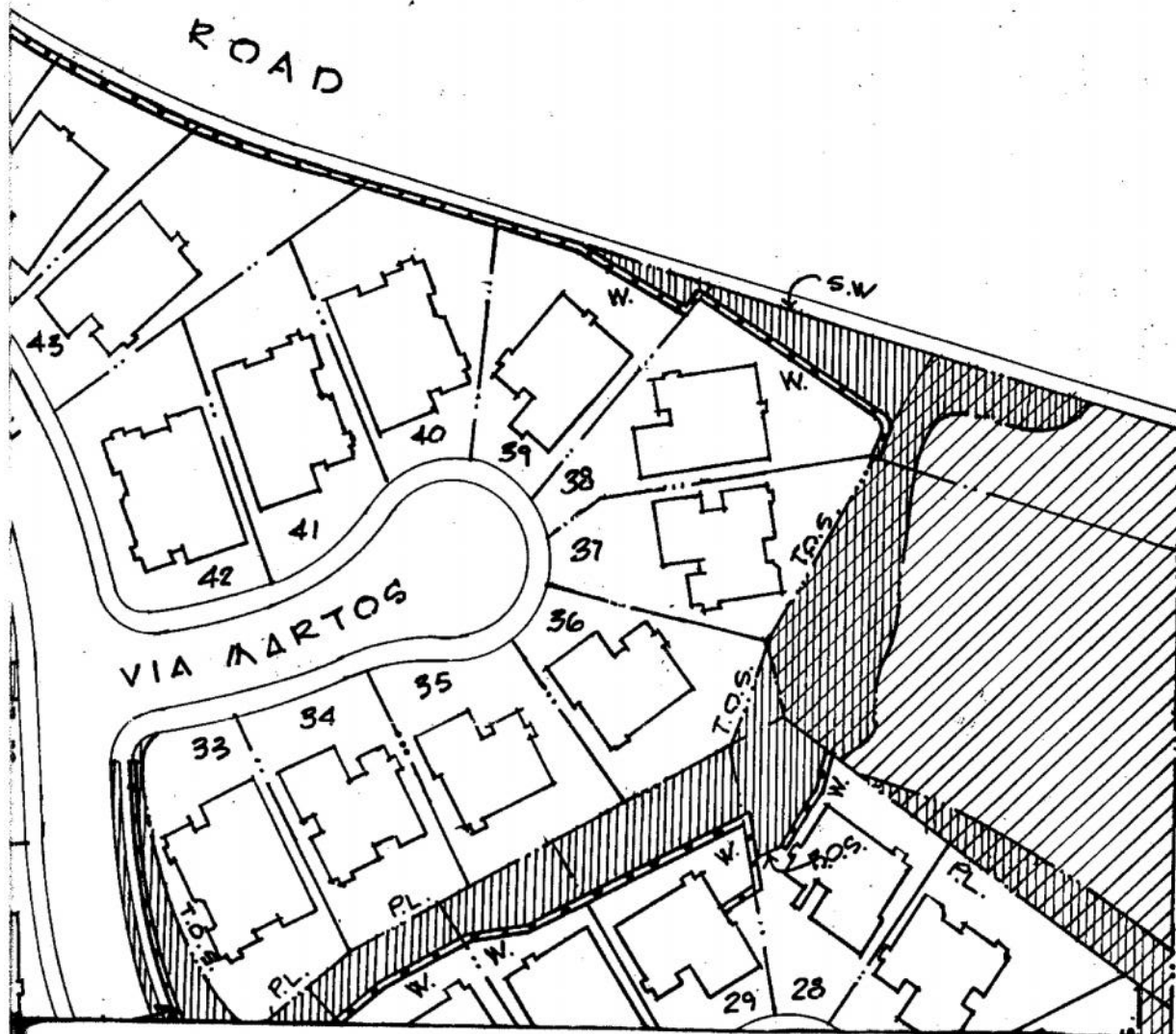




NORTH

0 50 100
SCALE

ELVA
ROAD



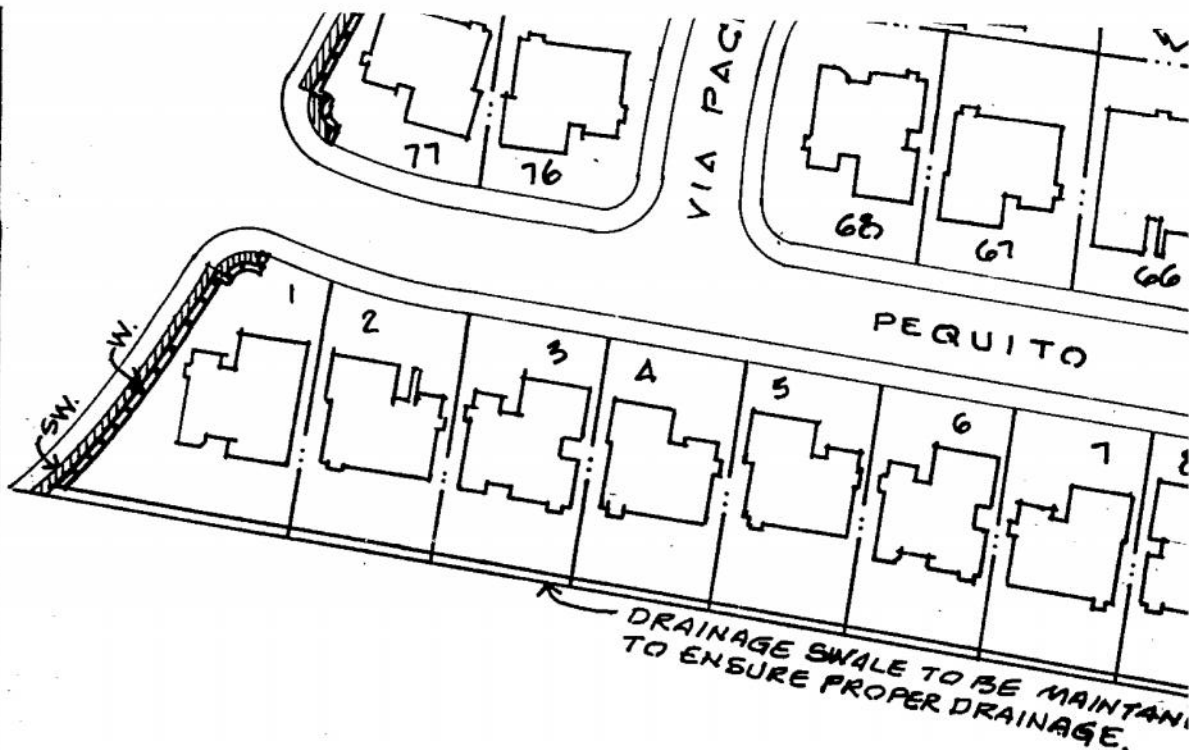
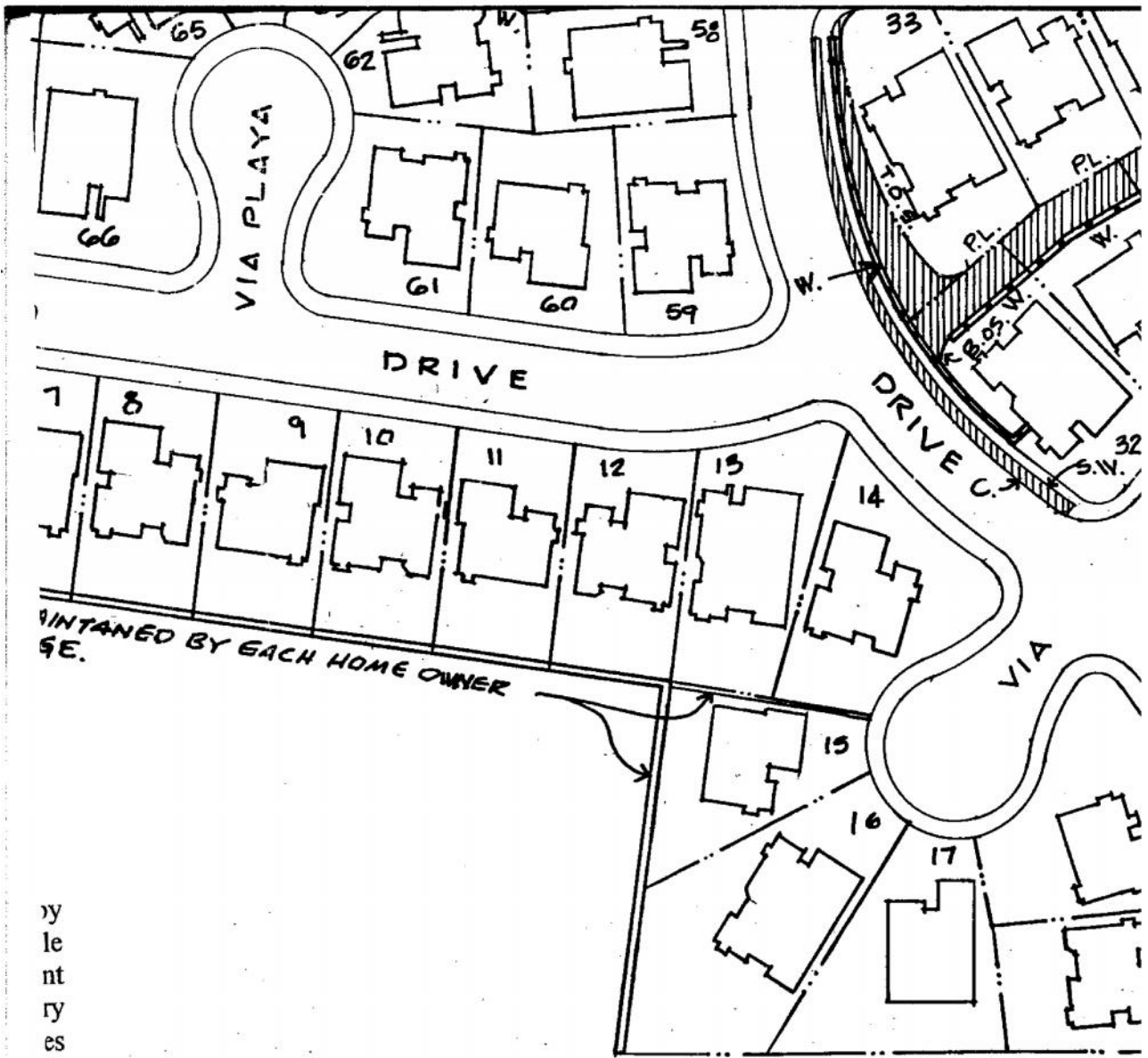


EXHIBIT "B"

March 28, 2003

Modified Marinita H.O.A Maintenance Easement Diagram.

Note: From "March 28, 2003" forward, Exhibit "B" is hereby adopted by the members of the Marinita H.O.A. for the sole purpose of redefining the Marinita H.O.A. Maintenance Easement areas originally indicated on Exhibit "A" dated "Revised February 14, 1980". Therefore, Exhibit "B" will govern all future issues regarding the limits of the Marinita Maintenance Easements.



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