

RECORDING REQUESTED BY:

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

Marinita Homeowners Assn.

24.00

2008000490804 09:14am 10/24/08

AND WHEN RECORDED RETURN TO:

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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**

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, Amendments to the Declaration Establishing Easements, Covenants, Conditions, and Restrictions were recorded on May 7, 2003, as instrument number 2003000519458, 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 September 16, 2008 and September 18, 2008 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 IV EASEMENTS, is revised to read:

The Association shall have a non-exclusive easement in the Slopes for any and all purposes related to the Maintenance of the Slopes. The use of the Slopes shall be limited to open space purposes. No Owner Improvements may be constructed or placed on

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the Slopes, including any Fence, Plant, or Hedge, except a Fence approved in writing in advance by the Architectural Committee. Any fence constructed on a Slope shall contain a gate or other means to afford access by the Association, if necessary to perform Maintenance of the Slopes.

Article VII (ARCHITECTURAL CONTROL) Section 10(c) is revised to read:

(c) Any Owner Improvement on a Slope, except a fence which has been approved in advance by the Architectural Committee. Any fence constructed on a Slope shall contain a gate or other means to afford access by the Association, if necessary to perform Maintenance of the Slopes.

IN WITNESS WHEREOF, we, being the President and Secretary of the MARINITA HOMEOWNERS ASSOCIATION, have hereunto set our hands this 10TH day of OCTOBER, 2008.

PRESIDENT

Name: REX HALL

Signature: *RH*

Date: 10/10/08

SECRETARY

Name: ALICE HOOK

Signature: *Alice Hook*

Date: 10/10/08

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 September 16 and 18, 2008.

Signature: *Alice Hook*

Date: 10/10/08

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

} ss.

On this the 10/10/08

Date

, before me, Kevin Nelson

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

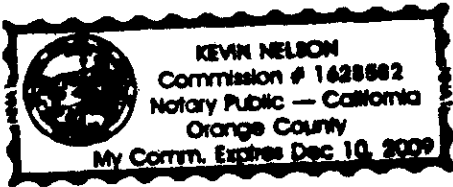
personally appeared Rex Hall and Alice Hook

Name(s) of Signer(s)

who 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.

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.



[Handwritten Signature]

Place Notary Seal Above

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: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer - Title(s): _____

- Partner - Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer - Title(s): _____

- Partner - Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer is Representing: _____

EXHIBIT "A" MARINITA HOA OWNER'S LIST FOR INDEXING PURPOSES

Last Name	First Name(s)	Property Address	Lot/Tract No.
Sanger	Mark/Vickie L.	33802 Pequito Dr.	1/9604
Moneymaker	Marie B.	33792 Pequito Dr.	2/9604
Rigney	James/Mary Jo	33782 Pequito Dr.	3/9604
Benson	James/Denise	33772 Pequito Dr.	4/9604
Hockerman	James A./Gail	33762 Pequito Dr.	5/9604
Hall	Thomas W./Jacqueline A.	33752 Pequito Dr.	6/9604
Pulford	L.Harvick/Cathleen	33742 Pequito Dr.	7/9604
Travakkoly	Mohammed	33726 Pequito Dr.	8/9604
Norton	Lorraine 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.	33666 Pequito Dr.	13/9604
Lemas	Manual R/Lee	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
Summers	Jerry R./Laurie	25235 Perch Dr.	20/9604
Wickstrom	Alan /Elizabeth	25231 Perch Dr.	21/9604
Herbert	Allison Banks Herbert Living Trust	25225 Perch Dr.	22/9604
Hall	Rex/Susan	25221 Perch Dr.	23/9604

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Dutra Estate Trust	The Frank A. Dutra Trust	25215 Perch Dr.	24/9604
Burns	Terrence C	25201 Perch Dr.	25/9604
Tsitsivas	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
Jennings,	Nancy	33622 Via Martos	37/9604
Quinn	John J/Polly A	33621 Via Martos	38/9604
Hamai	Kazumi	33625 Via Martos	39/9604
Anastasio	Andrew, Cynthia, and Christopher	33631 Via Martos	40/9604
Martin	Henry	33641 Via Martos	41/9604
Marietti	David A/Stephanie	33651 Via Martos	42/9604
Porto	Ezio J./Sharon P.	25111 Perch Drive	43/9604
Britton	Samuel j/Donna	25105 Perch Dr.	44/9604
Lange	Mark P./Ann E.	25101 Perch Dr.	45/9604
Moore	Dawn M	25095 Perch Dr.	46/9604

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Del Canto	Edward	25091	47/9604
Patrick	Shawn W/Pia.	25081 Perch Dr.	48/ 9604
Ward	James Robert/Judith A	25071 Perch Dr.	49/9604
Maher	Patrick/Darnelle R	25072 Perch Dr.	50/9604
Hopkins	Mark/Mary	25076 Perch Dr.	51/9604
Ciriani	Alicia	25082 Perch Dr.	52/9604
Larson	Steve /Madelyn K	25086 Perch Dr.	53/9604
Howell	Eric/Mary	25092 Perch Dr.	54/9604
Kubicki	Marty	25096 Perch dr.	55/9604
Bridges	Kay	25102 Perch Dr.	56/9604
Smith	Thomas/Sharon	25122 Perch Dr.	57/9604
Fry	Sherry	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	Henrietta	33701 Pequito Dr.	61/9604
Spurlock	Frances F,	25151 Via Playa	62/9604
Juds	Kelly F	25141 Via Playa	63/9604
Schattmaier	Steven/Shanna Carole	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
LeBienvenu	Yves /Patricia	33751 Pequito Dr.	67/9604
Rowan	Michael/Sheila	33761 Pequito Dr.	68/9604
Rittichier	Scott/Kristen	25131 Via Pacifica	69/9604
Collins	Edward/Rebecca	25121 Via Pacifica	70/9604
Tran	Nhut A./Sang	25111 Via Pacifica	71/9604

~~EXHIBIT "A"~~ MARINITA HOA OWNER'S LIST FOR INDEXING PURPOSES

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/Susan	25132 Via Pacifica	75/9604
Ramaswamy	Sandhiya/Marvin J Smith	33781 Pequito Dr.	76/9604
Foster	Bob/Olga	33791 Pequito Dr.	77/9604