

RECORDING REQUESTED BY  
AND AFTER RECORDING RETURN TO:

MALCOLM T. MANWELL  
Perry Johnson Anderson Miller &  
Moskowitz, LLP  
438 First Street, 4<sup>th</sup> Floor  
Santa Rosa, Ca 95401

**2014040943**

Official Records Of Sonoma County  
William F. Rousseau

06/17/2014 09:40 AM

Fee: \$ 22.00 4 Pages



**CONFORMED COPY**

**SIXTH AMENDMENT  
TO  
OAKMONT VILLAGE DECLARATIONS NO. 19  
OF PROTECTIVE COVENANTS  
[Oak Island CC&Rs]**

**AFFECTS: ALL THAT REAL PROPERTY SITUATED IN THE  
CITY OF SANTA ROSA, COUNTY OF SONOMA, STATE OF  
CALIFORNIA AS SHOWN ON THE MAPS ENTITLED  
"OAKMONT NO. 11-A, CONDOMINIUM," AND RECORDED ON  
THE 16<sup>TH</sup> DAY OF AUGUST, 1973 IN BOOK 191 OF MAPS AT  
PAGES 49, 50 AND 51, IN THE OFFICE OF THE RECORDER  
OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA.**

**SIXTH AMENDMENT  
TO  
OAKMONT VILLAGE DECLARATIONS NO. 19  
OF PROTECTIVE COVENANTS  
[Oak Island CC&Rs]**

THIS SIXTH AMENDMENT (the "Sixth Amendment") to the Oakmont Village Declaration No. 19 of Protective Covenants, recorded in the Office of the County Recorder of Sonoma County, California, on August 16, 1973 as instrument No. 19730053957, as amended from time to time, (the "Original Declaration"), is made this 4<sup>th</sup> day of June, 2014, by the owners of record of the Lots and Apartments within the Project and by the Oak Island Owners Association, an unincorporated association.

The Original Declaration and this SIXTH AMENDMENT encumbers and affects the real property described as follows:

**ALL THAT REAL PROPERTY SITUATED IN THE CITY OF SANTA ROSA, COUNTY OF SONOMA, STATE OF CALIFORNIA AS SHOWN ON THE MAPS ENTITLED "OAKMONT NO. 11-A, CONDOMINIUM," AND RECORDED ON THE 16<sup>TH</sup> DAY OF AUGUST, 1973 IN BOOK 191 OF MAPS AT PAGES 49, 50 AND 51, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA.**

**[Hereinafter the "Property" or "Oak Island"]**

The Fifth Amendment ("FIFTH AMENDMENT") to the Oakmont Village Declaration No. 19 of Protective Covenants was recorded in the Office of the County Recorder of Sonoma County, California, on June 28, 2011 as instrument No. 2011054832.

After adoption of the FIFTH AMENDMENT, certain issues arose between the owners of record of the Lots and Apartments within Oak Island, the Oak Island Board of Governors, the Oakmont Village Association and the Oakmont Architectural Committee.


Said issues concern the scope of the power of the owners in Oakmont to amend their governing documents, and in particular, the power to change the process for architectural review in the Project.

**THE PARTIES, THEREFORE, HEREBY AGREE TO CLARIFY AND FURTHER AMEND THE FIFTH AMENDMENT AS FOLLOWS:**

1. The scope of architectural review and control implemented in the governing documents for Oak Island, and as set forth in the Original Declaration, is completely unaffected by the provisions of the FIFTH AMENDMENT. If there is any conflict between any provision in the FIFTH AMENDMENT and the provisions in the Original Declaration concerning or relating to architectural review, the provisions of the Original Declaration shall control the interpretation of, and override and supersede those of the FIFTH AMENDMENT.
2. The Board of Governors in Oak Island is not an architectural review committee. Notwithstanding any provision in the FIFTH AMENDMENT to the contrary, the Board of Governors in Oak Island shall not exercise any power or authority regarding design review of any structures, landscaping or other improvements within Oak Island. If there is any conflict between any provision in the FIFTH AMENDMENT and this Amendment or in the Original Declaration regarding the authority to act on architectural review, the provisions of the Original Declaration and of this SIXTH AMENDMENT shall control the interpretation of and override and supersede those of the FIFTH AMENDMENT.
3. Nothing contained in this AMENDMENT is intended to limit the right of the property owners within Oak Island under California Civil Code §1363.07 [new California Civil Code § 4600 as of January 1, 2014] to award exclusive use of any portion of the Common Area within Oak Island; provided, however, a grant of such exclusive use does not modify the obligations to maintain and construct improvements within Oak Island consistent with the Original Declaration.

The undersigned are the President and Secretary of the Oak Island Owners Association, and hereby certify and declare that pursuant to the provision of Article XI, Section 2 of the Original Declaration, as amended January 19, 2006 in instrument number 2006007333 in the Official Records of Sonoma County, California and Civil Code § 1363.04, the foregoing amendment was approved by the affirmative vote, by secret ballot, of the Members representing three-fourths (3/4) of the Lot or Apartment Ownerships.

OAK ISLAND OWNERS ASSOCIATION

By:   
Its President

By:   
Its Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

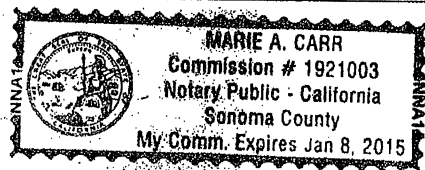
CIVIL CODE § 1189

State of California

County of Sonoma }

On 6-4-14 before me, Marie A. Carr, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Kristine L. Moore and  
Name(s) of Signer(s)  
William J. Carretta



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.

Signature: Marie A. Carr, Notary Public  
Signature of Notary Public

Place Notary Seal Above

**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: Oak Island Sixth Amendment to CCRs (No 19 OVA)  
Document Date: 6-4-2014 Number of Pages: 3  
Signer(s) Other Than Named Above: None

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: _____ <input type="checkbox"/> Corporate Officer — Title(s): _____ <input type="checkbox"/> Individual <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General <input type="checkbox"/> Attorney in Fact <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator <input type="checkbox"/> Other: _____ Signer Is Representing: _____	<b>RIGHT THUMBPRINT OF SIGNER</b> Top of thumb here	Signer's Name: _____ <input type="checkbox"/> Corporate Officer — Title(s): _____ <input type="checkbox"/> Individual <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General <input type="checkbox"/> Attorney in Fact <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator <input type="checkbox"/> Other: _____ Signer Is Representing: _____	<b>RIGHT THUMBPRINT OF SIGNER</b> Top of thumb here
--	--	--	--