

1982 APR 30 AM 10:30

OFFICE RECORDER  
SONOMA COUNTY CALIFORNIA

14-B MOUNTAIN VISTA

BERNICE A. PETERSON A M E N D M E N T  
of

OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS

NOTICE IS HEREBY GIVEN that the Oakmont Village Declaration No. 26 of Protective Restrictions recorded on the 17th day of July, 19 78, in Book 3425 at Pages 488 et seq of the Official Records of the County of Sonoma, which restrictions are applicable to the Oakmont Subdivision recorded on the 17th day of July, 19 78, in Book 272 of Maps at Pages 11 and 12 in the Office of the Recorder of the County of Sonoma, are hereby amended as follows:

- (1) Subsection (b) of Section 2 of Article VII is amended to read and provide as follows:  
 "(b) Cause each building within its jurisdiction to be painted as may in the opinion of the Board of Governors be required, but not less than once every eight years."
- (2) Subparagraph (g) of Subsection (f) of Section 6 of Article VII is amended to read and provide as follows:  
 "(g) Painting. The Board shall cause each structure within its jurisdiction to be painted when such painting, in the opinion of the Board, is required but not less than once every eight (8) years."

DATED this 28 day of April, 1982.

Return to:  
Oakmont Builders, Inc.  
6637 Oakmont Dr.  
Santa Rosa, CA 95405

OWNERS ASSOCIATION

By [Signature]  
Chairman

CERTIFICATE OF CONSENT OF OWNERS

Pursuant to the provisions of Section 2 of Article XI of the Oakmont Village Declaration of Protective Restrictions, the undersigned Chairman of the Owners Association for the Oakmont Subdivision described above does hereby declare that there is on file with the Association the written consent of not less than three-fourths (3/4ths) of the lot ownerships within said

24-127785-19 FM

"OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN."

①

subdivision concerning to the amendment to the Protective Restrictions as set forth above.

DATED this 28 day of April, 1982.

OWNERS ASSOCIATION

By Roland S. Landa  
Chairman

STATE OF CALIFORNIA )  
                                  : ss  
COUNTY OF SONOMA )

On April 28, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared Roland S. Landa, known to me to be the Chairman of the Owners Association that executed the within instrument and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same.

WITNESS my hand and official seal.

Evelyn G. Baker  
Notary Public



"OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN."

The attached information was compiled by the North Bay Title Company Customer Service Department. The Company assumes no liability for the accuracy of this information. If you wish the company to assume liability for the information supplied, you must make application and pay the fee for the issuance of a Policy of Title Insurance and/or Guaranty.

2

**RECORDED AT THE  
REQUEST OF:**

MOUNT VISTA HOMEOWNERS  
ASSOCIATION



AT REQUEST OF:

**1998 0043470**

OFFICIAL RECORDS OF  
**SONOMA COUNTY**  
BERNICE A. PETERSON

04/24/1998  
FEE: \$ 13.00  
TT: \$ 1.00

10:18:56  
PGS: PAID 3

**WHEN RECORDED MAIL TO:**

MOUNT VISTA HOMEOWNERS ASSOC.  
405F W. COLLEGE AVENUE  
SANTA ROSA, CA 95401

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**AMENDMENT TO OAKMONT VILLAGE DECLARATION NO. 26  
OF PROTECTIVE RESTRICTIONS**

This is an amendment to those certain protective restrictions entitled "Oakmont Village Declaration No. 26 of Protective Restrictions" recorded in the Official Records of Sonoma County on July 17, 1978, in Book 3425, Page 488.

The property subject to said Declaration and this amendment is particularly described as follows:

All that certain real property situated in the City of Santa Rosa, County of Sonoma, State of California, as shown on the maps entitled. "OAKMONT NO. 14B and recorded on the 17th day of July, 1978, in Book 272 of Maps at pages 11 and 12 in the office of the Recorder of the County of Sonoma, State of California.

It is hereby approved that Article XIII of the Oakmont Village Declaration No. 26 of Protective Restriction is hereby amended to include the following additional Section:

**THE UNDERSIGNED HEREBY DECLARE THAT PURSUANT TO CIVIL CODE SECTION 1355, MORE THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS COVERED UNDER THE PROTECTIVE RESTRICTIONS HAVE APPROVED THE AMENDMENT AS STATED ABOVE.**

Section 4. Easements for Air Conditioning Units: There is specifically reserved an easement or easements to allow for a minimal encroachment of air conditioning units and accompanying apparatus along, over, upon, under and into the common area adjacent to the structure served by the air conditioning unit or accompanying apparatus.

Dated: 4/13/98 Jean M. Rockwell [SIGNATURE]  
JEAN M. ROCKWELL [PRINT NAME]  
Chairman [POSITION]  
Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

Dated: 4/13/98 Marjorie W. Kellogg [SIGNATURE]  
MARJORIE W. KELLOGG [PRINT NAME]  
Member [POSITION]  
Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

Dated: 4/13/98 Robert K. Fry [SIGNATURE]  
ROBERT K. FRY [PRINT NAME]  
Member [POSITION]  
Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

3a

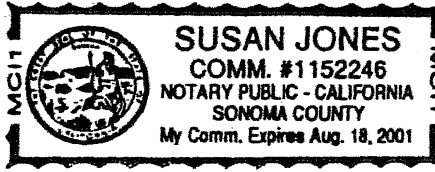
STATE OF CALIFORNIA )  
COUNTY OF SONOMA )SS

On April 13, 1998, before me, Susan Jones, Notary Public,  
personally appeared Jean M. Rockwell and Marjorie W. Kellogg  
and Robert K. Fry

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 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:

Susan Jones  
Signature



(Seal)

\*\*\*\*\* OPTIONAL \*\*\*\*\*

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT: Amendment

NO. OF PAGES: 3 DATE OF DOCUMENT: 4-13-98

Though the date requested here is not  
required by law, it could prevent  
fraudulent reattachment of this form.

SIGNER(S) OTHER THAN NAMED ABOVE: none

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )SS

On \_\_\_\_\_, before me, \_\_\_\_\_  
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 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:

\_\_\_\_\_  
Signature

(Seal)

\*\*\*\*\* OPTIONAL \*\*\*\*\*

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NO. OF PAGES: \_\_\_\_\_ DATE OF DOCUMENT: \_\_\_\_\_

Though the data requested here is not  
required by law, it could prevent  
fraudulent reattachment of this form.

SIGNER(S) OTHER THAN NAMED ABOVE: \_\_\_\_\_

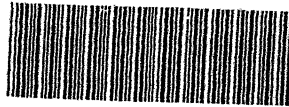
4

**RECORDED AT THE  
REQUEST OF:**

Jean Rockwell, Chairman

**WHEN RECORDED MAIL  
TO:**

Mount Vista Homeowners  
Association  
C/o Jean Rockwell, Chairman  
180 Mountain Vista Circle  
Santa Rosa, CA 95409



GENERAL PUBLIC  
05/14/2004 09:33 DCLRE  
RECORDING FEE: 22.00  
PAID

**2004072981**

OFFICIAL RECORDS OF  
SONOMA COUNTY  
EEVE T. LEWIS

**6**

PGS



*Article  
III*

Space Above This Line for Recorder's Use

**OWNER-OCCUPANCY ONLY RENTAL LIMITATIONS  
AMENDMENT TO OAKMONT VILLAGE  
DECLARATION NO. 26**

This is an amendment to those certain protective restrictions entitled "OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS" recorded in the Official Records of Sonoma County on July 17, 1978, in Book 3425, Page 488 (hereinafter the "Declaration").

The property subject to said Declaration and this amendment is particularly described as follows:

All that certain real property situated in the City of  
Santa Rosa, County of Sonoma, State of California, as  
Shown on maps entitled, 'OAKMONT NO. 14B" and  
Recorded on the 17<sup>th</sup> day of July, 1978, in Book 272 of  
Maps as pages 11 and 12 in the Office of the Recorder  
in the County of Sonoma, State of California (hereinafter  
The "property" or the "subject property")

## THE AMENDMENT:

It is hereby certified by the undersigned that Article III of the OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS is hereby amended to add the following additional subsection 4:

### **Section 4. Owner Occupancy Only / Rental Restrictions:**

(a) **Purposes for Amendment.** There is a growing and pronounced need for the owners of the lots subject to this Declaration to adopt a policy and restrictions which place limits on rental of the units within the Project. Among the principal reasons for this Amendment are the following:

1. The Protective Restriction for the property require that members of the maintained area association elect a BOARD OF GOVERNORS. It is desirable that Governors be owner - occupants. Because absentee owners are often not geographically close enough to serve on the Board, and because the retirement community aspect of Oakmont further reduces the pool of available BOARD members due to aging and health issues, there is a growing need to increase the pool of available owner-occupants from which to select a BOARD OF GOVERNORS.
2. There are already federally mandated , owner-occupancy, financing loan guidelines which, if not adhered to, will eventually render it difficult or impossible to secure financing and refinancing of homes. These guidelines are issued by such Federal agencies as the Department of Housing and Urban Development (HUD) , the Federal National Mortgage Association (FNMA) and the Federal Home Loan Mortgage Corporation (FHLMC); and
3. There is a need to maintain the Project and enhance the market value of the Lots within the property. The feeling of permanence and pride of ownership is more reflective of communities with larger numbers of owner-occupants.

- (b) **Owner Occupancy Requirement.** Except as otherwise provided in this Amendment, commencing on the effective date of this Amendment, all residences in the Project shall be owner-occupied except that up to twenty percent (20%) of the residences located on the lots subject to this Declaration may be rented with permission of the Board of Governors. All remaining residences must be owner-occupied.
- (c) **Rules and Procedures** The Board of Governors shall adopt a set of guidelines and procedures to implement this Amendment. Included on such guidelines and procedures shall be a process for no less than an annual review and inventory of the number of lots in the Project which are owner-occupied and which are rentals ; a formal application process; a fair and impartial waiting list procedure to allow for the circumstances where the rental rate is already equal to or exceeds the twenty percent (20%) limitation; a procedure to implement the hardship exemption provisions set forth below, and such other procedures and rules as are reasonably necessary to carry out this Amendment. Such Rules and Procedures shall be printed and distributed to the owners at least once a year.
- (d) **Hardship Exemptions** Recognizing that a strict twenty percent (20%) rental occupancy rate may operate as a hardship, the Board of Governors may allow an owner to rent his, her or its unit in spite of the twenty percent (20%) limitation upon a formal written application by the owner when such rental is appropriate due to :
- i) Serious health issues involving the owner or some other person towards whom the owner has a significant relationship or responsibility;
  - ii) Significant financial hardship of the owner or some other person towards whom the owner has a significant relationship or responsibility, or;
  - iii) Acquisition by an under age-55 person of ownership in a Lot due to the death, succession, or other qualified transfer of a previously qualified owner. The period of this hardship exemption shall be until the under age-55 person who acquired the unit is first eligible to be an occupant of the unit.
  - iv) Some other significant hardship in life meriting exceptional treatment.



- (e) **Prospective Operation** Only In order to recognize the vested rights of existing property owners, this Amendment shall not apply to existing owners, or to existing mortgagors, who shall remain free to continue to rent or occupy their residences despite the twenty percent (20%) rental limitation, the same as if this Amendment were not in place. This Amendment shall apply prospectively only, to each lot for which the title or ownership (legal and equitable) changes on or after the effective date the Amendment is recorded.
- (f) **Savings Clause** If any term, provision, covenant or condition of this Amendment is held by a Court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired or invalidated. Furthermore, should an decision, statute or other law impose limitations or requirements which affect the terms and conditions of the rental restriction limitations adopted in this Amendment, it is the intent of those adopting this Amendment that the Amendment shall thereupon be further amended and changed to adopt such lawful changes and limitations, so that this Amendment shall be construed and interpreted as consistent with such decision, statute or law, to the fullest extent possible.
- (g) **Remainder of Declaration Unaffected** All other provisions of the Declaration shall remain in full force and effect.

**CERTIFICATION**

**THE UNDERSIGNED HEREBY DECLARE THAT, PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1355, MORE THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS COVERED BY THE ABOVE-REFERENCED DECLARATION (WHICH IS THE REQUISITE PERCENTAGE FOR APPROVAL) HAVE APPROVED THE AMENDMENT AS STATED ABOVE, IN WRITING, AND THAT THE UNDERSIGNED ARE OFFICERS OF THE GOVERNING BODY, CHARGED WITH THE OBLIGATION TO SO CERTIFY THIS AMENDMENT.**

Dated: 5/13/04 Jean M. Rockwell (Signature)

JEAN M. ROCKWELL

CHAIRMAN

MOUNT VISTA HOMEOWNERS ASSOCIATION

Dated: 5/13/04 Hyam Liebling (Signature)

HYAM LIEBLING

CO-CHAIRMAN

MOUNT VISTA HOMEOWNERS ASSOCIATION

Dated: 5/13/04 Laurence A. Storbo (Signature)

LARRY STORBO

CO-CHAIRMAN

MOUNT VISTA HOMEOWNERS ASSOCIATION

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

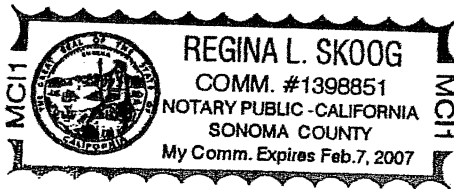
State of California

County of SONOMA } ss.

On May 13, 2004, before me, Regina L. Skoog  
Date Name and Title of Officer (e.g. Jane Doe, Notary Public)

personally appeared Jean M. Rockwell, Hyun Lighting and Larry Stone  
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.

Place Notary Seal Above

Regina L. Skoog  
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: \_\_\_\_\_

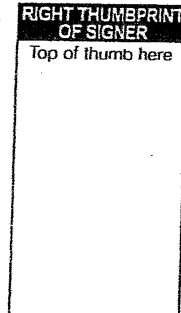
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



2a

**RECORDED AT THE  
REQUEST OF:**

MOUNT VISTA HOMEOWNERS  
ASSOCIATION



AT REQUEST OF:

**1998 0043470**

OFFICIAL RECORDS OF  
**SONOMA COUNTY**  
BERNICE A. PETERSON

04/24/1998  
FEE: \$  
TT : \$

13.00  
.00

10:18:56  
PGS: PAID 3

**WHEN RECORDED MAIL TO:**

MOUNT VISTA HOMEOWNERS ASSOC.  
405F W. COLLEGE AVENUE  
SANTA ROSA, CA 95401

---

**AMENDMENT TO OAKMONT VILLAGE DECLARATION NO. 26  
OF PROTECTIVE RESTRICTIONS**

This is an amendment to those certain protective restrictions entitled "Oakmont Village Declaration No. 26 of Protective Restrictions" recorded in the Official Records of Sonoma County on July 17, 1978, in Book 3425, Page 488.

The property subject to said Declaration and this amendment is particularly described as follows:

All that certain real property situated in the City of Santa Rosa, County of Sonoma, State of California, as shown on the maps entitled. "OAKMONT NO. 14B and recorded on the 17th day of July, 1978, in Book 272 of Maps at pages 11 and 12 in the office of the Recorder of the County of Sonoma, State of California.

It is hereby approved that Article XIII of the Oakmont Village Declaration No. 26 of Protective Restriction is hereby amended to include the following additional Section:

**THE UNDERSIGNED HEREBY DECLARE THAT PURSUANT TO CIVIL CODE SECTION 1355, MORE THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS COVERED UNDER THE PROTECTIVE RESTRICTIONS HAVE APPROVED THE AMENDMENT AS STATED ABOVE.**

Section 4. Easements for Air Conditioning Units: There is specifically reserved an easement or easements to allow for a minimal encroachment of air conditioning units and accompanying apparatus along, over, upon, under and into the common area adjacent to the structure served by the air conditioning unit or accompanying apparatus.

(8)

Dated: 4/13/98 Jean M. Rockwell [SIGNATURE]

JEAN M. ROCKWELL [PRINT NAME]

Chairman [POSITION]

Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

Dated: 4/13/98 Marjorie W. Kellogg [SIGNATURE]

MARJORIE W. KELLOGG [PRINT NAME]

Member [POSITION]

Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

Dated: 4/13/98 Robert K. Fry [SIGNATURE]

ROBERT K. FRY [PRINT NAME]

Member [POSITION]

Mount Vista Homeowners  
[NAME OF SUBASSOCIATION]

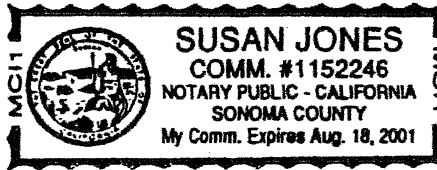
STATE OF CALIFORNIA )  
COUNTY OF SONOMA )SS

On April 13, 1998, before me, Susan Jones, Notary Public,  
personally appeared Jean M. Rockwell and Marjorie W. Kellogg  
and Robert K. Fry

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 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:

Susan Jones  
Signature



(Seal)

\*\*\*\*\* OPTIONAL \*\*\*\*\*

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT: Amendment

NO. OF PAGES: 3 DATE OF DOCUMENT: 4-13-98

SIGNER(S) OTHER THAN NAMED ABOVE: none

Though the date requested here is not  
required by law, it could prevent  
fraudulent reattachment of this form.

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )SS

On \_\_\_\_\_, before me, \_\_\_\_\_  
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 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:

\_\_\_\_\_  
Signature

(Seal)

\*\*\*\*\* OPTIONAL \*\*\*\*\*

THIS CERTIFICATE MUST BE ATTACHED TO  
THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NO. OF PAGES: \_\_\_\_\_ DATE OF DOCUMENT: \_\_\_\_\_

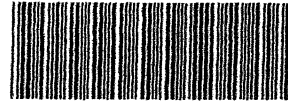
SIGNER(S) OTHER THAN NAMED ABOVE: \_\_\_\_\_

Though the data requested here is not  
required by law, it could prevent  
fraudulent reattachment of this form.

10

RECORDED AT THE REQUEST OF:

Oakmont Village Association  
6637 Oakmont Drive, Ste B  
Santa Rosa, CA 95409



2006007339

OFFICIAL RECORDS OF  
SONOMA COUNTY  
EEVE T. LEWIS

GENERAL PUBLIC  
01/19/2006 15:28 DCLRE  
RECORDING FEE: 13.00  
PAID

3

PGS



WHEN RECORDED MAIL TO:

Oakmont Village Association  
6637 Oakmont Drive, Ste B  
Santa Rosa, CA 95409

Space Above This Line for Recorder's Use

## AMENDMENT TO OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS

This is an amendment to those certain protective restrictions entitled "Oakmont Village Declaration No. 26" recorded in the Official Records of Sonoma County on July 17, 1978, in Book 3425, Page 488 et seq.

The property subject to said Declaration is particularly described as follows:

See Exhibit A.

It is hereby approved that Article XI, Section 2. (a) Method of Modifications of the OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS is hereby amended to the following:

- (a) Methods of Modification
- (1) This Declaration. Amendment, change, modification, or termination of all or any of the restrictions, conditions, covenants, liens or charges set forth in this declaration (and as the same may be incorporated in any deed, contract of sale or lease) may be made and effected from time to time by written instrument duly executed by the owners of three-fourths (3/4) of the lot ownerships or apartment ownerships, and then recorded.
- (2) Provisions for Oakmont Village Association Only. Any amendment, change, termination, or modification of provisions relative to the Oakmont Village Association shall be effective and binding upon the lot ownerships or apartment ownerships of the property subject to this declaration upon (i) the requisite vote of the membership of the Oakmont Village Association as specified in subsection (b) hereof and (ii) the recording of an instrument duly certified by the President and Secretary of the Oakmont Village Association, setting forth the amendment and attesting to the fact that such approval has been given. The effective date of

11





AMENDMENT TO OAKMONT VILLAGE DECLARATION NO. 26  
OF PROTECTIVE RESTRICTIONS

**Exhibit A**

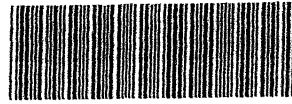
All that certain real property situated in the City of Santa Rosa, County of Sonoma, State of California, as shown on the maps entitled "Oakmont No. 14-B" and recorded on the 17th day of July, 1978, in Book 272 of Maps at Pages 11 and 12 in the Office of the Recorder of the County of Sonoma, State of California.

APN: 016-570-001 thru -030  
016-580-001 thru -021  
Common Area: 016-570-030 and -031  
016-580-022 thru -024

RECORDED AT THE  
REQUEST OF:  
Jean Rockwell, Chairman

WHEN RECORDED MAIL  
TO:

Mount Vista Homeowners Association  
C/o Jean Rockwell, Chairman  
180 Mountain Vista Circle  
Santa Rosa, CA 95409



2006075374

OFFICIAL RECORDS OF  
SONOMA COUNTY  
EEVE T. LEWIS

GENERAL PUBLIC  
06/16/2006 09:15 DCLRE  
RECORDING FEE: 13.00  
PAID

3 PGS



Space Above This line For Recorder's Use

## AMENDMENT TO OAKMONT VILLAGE DECLARATION NO. 26

This is an amendment to those certain protective restrictions entitled "OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS" recorded on July 17, 1978, in Book 3425, Page 488 of the Official Records of Sonoma County.

The property subject to said Declaration and this amendment is particularly described as follows:

"All that certain real property situated in the City of Santa Rosa, County of Sonoma, State of California, as shown on the maps, entitled "Oakmont No. 14-B" and recorded on the 17th day of July, 1978, in Book 272 of Maps at Pages 11 and 12 in the Office of the Recorder of the County of Sonoma, State of California"(hereinafter The "property" or the "subject property").

It is hereby certified by the undersigned that Article III of the OAKMONT VILLAGE DECLARATION NO. 26 OF PROTECTIVE RESTRICTIONS is hereby amended:

### ARTICLE VII

**Section 3 (a) Voting.** At any meeting of the Owners Association, a member shall have the right to vote in person. A proxy may be used only to determine a quorum, must be in writing and shall designate the person or persons appointed to act as a proxy.

**Section 6. (a) Election of the Board of Governors.** A Board of Governors shall be elected annually in accordance with Civil Code Section 1363.03, any amendments thereto, any other applicable law and the rules adopted by the Board to implement Civil Code 1363.03. Nominations for the forthcoming year will be announced at each annual meeting of the Owners Association. Such Board shall consist of three (3) members of the Owners Association. Members of the Board shall serve for a term of one (1) year or until their successors are elected. Vacancies in the Board may be filled by the remaining members thereof.

- a. **Remainder of Declaration Unaffected:** All other provisions of the Declaration shall remain in full force and effect.

**CERTIFICATION**

THE UNDERSIGNED HEREBY DECLARE THAT, PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1355, AND THE PROVISIONS OF SECTION 2 OF ARTICLE XI OF THE OAKMONT DECLARATION OF PROTECTIVE RESTRICTIONS, THAT MORE THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS COVERED BY THE ABOVE-REFERENCED DECLARATION (WHICH IS THE REQUISITE PERCENTAGE FOR APPROVAL) HAVE APPROVED THE AMENDMENT AS STATED ABOVE, IN WRITING, AND THAT THE UNDERSIGNED ARE OFFICERS OF THE GOVERNING BODY, CHARGED WITH THE OBLIGATION TO SO CERTIFY THIS AMENDMENT.

Dated: 6/15/06

|  |   |                               |
|--|---|-------------------------------|
| <u>Jean M. Rockwell</u><br>[SIGNATURE]   | <u>JEAN M. ROCKWELL</u><br>[PRINT NAME]   | <u>Chairman</u><br>[POSITION] |
| <u>Hyam Liebling</u><br>[SIGNATURE]      | <u>HYAM LIEBLING</u><br>[PRINT NAME]      | <u>Governor</u><br>[POSITION] |
| <u>Lawrence A. Storbo</u><br>[SIGNATURE] | <u>LAWRENCE A. STORBO</u><br>[PRINT NAME] | <u>Governor</u><br>[POSITION] |

**MOUNT VISTA HOMEOWNERS ASSOCIATION**  
(Sub Association Name)

13a

**All-Purpose Acknowledgment**

State of: California

County of: SONOMA

On JUNE 15, 2006 before me Regina L Skoog, Notary Public  
Name and Title (e.g. Jane Doe, Notary Public)

personally appeared Jean M Rockwell, Hyatt Leblond, Lawrence A Starbo  
Name(s) of Signer(s)

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 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



[Signature]  
Signature of Notary Public

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