

RECORDED AT THE
REQUEST OF:

WHEN RECORDED MAIL

TO:

Quail Run Homeowners Assn
6512 Pine Valley Dr
Santa Rosa, Ca 95409



19
2004176079

OFFICIAL RECORDS OF
SONOMA COUNTY
EEVE T. LEWIS

GENERAL PUBLIC
11/22/2004 10:10 DCLRE
RECORDING FEE: 25.00
PAID

7 PGS



Space Above This line For Recorder's Use

OWNER - OCCUPANCY ONLY RENTAL LIMITATIONS AMENDMENT TO OAKMONT VILLAGE DECLARATION NO 49

This is an amendment to those certain restrictions entitled
"OAKMONT VILLAGE DECLARATION NO 49 recorded in the official records of
Sonoma County on April 1 1996, Serial #96-0028452

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 19" Book 542 of Maps, Pages 40 thru 42 in the Office of the
Recorder of the County of Sonoma, State of California.

Further, All that certain real property situated in the City of Santa Rosa,
County of Sonoma, State of California, being Lots 1 through 12, and
Parcel A, as shown on the map entitled "Oakmont No 21" and recorded
on the 29th day of April, 1997, in the Book 563 of Maps at Pages 38 - 40
in the Office of the Recorder of the County of Sonoma, State of
California" (hereinafter referred to as "the Map")

- (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.

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: 10/28/04 William Ballou [SIGNATURE]

WILLIAM BALLOU [PRINT NAME]

BOARD CHAIR [POSITION]

[NAME OF SUBASSOCIATION]

Dated: 10/29/04 Robert E. Wasika Sr. [SIGNATURE]

ROBERT E. WASIKA SR. [PRINT NAME]

Board Director [POSITION]

[NAME OF SUBASSOCIATION]

Dated: 10/29/04 C.J. Thelen [SIGNATURE]

C J Thelen [PRINT NAME]

Board of Directors [POSITION]

[NAME OF SUBASSOCIATION]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

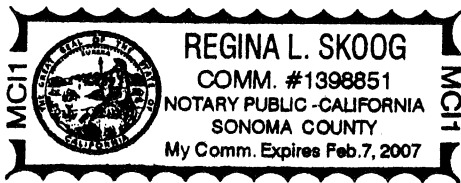
State of California

County of SONOMA } ss.

On October 29, 2004, before me, Regina L Skoog,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Robert E Waskasa And CJ Thelen,
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: _____

