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PAID

**AMENDMENT TO
OAKMONT VILLAGE DECLARATION NO.46
OWNER USE OF COMMON AREA
OF
PLEASANT VISTA OWNERS ASSOCIATION**

The Oakmont Village Declaration No. 46 of Protective Restrictions ("the Declaration") for the Pleasant Vista Owners Association, recorded on January 15, 1992, as Document Number 1992-0004298, in the Official Records, County of Sonoma, and affecting all of the Property described in said Declaration, as it has been amended from time to time, is hereby further amended as set forth below.

The legal description of the subject Property, situated in the City of Santa Rosa, County of Sonoma, State of California, is more particularly described as follows:

All that certain real property situated in the City of Santa Rosa, County of Sonoma, State of California, being Lots 1 through 28, and Parcels A and B, as shown on the maps, entitled "Oakmont No. 15D-2" and recorded on the 13th day of December, 1990, in Book 468 of Maps at Pages 21-25 in the Office of the Recorder of the County of Sonoma, State of California.

Pursuant to Article XI, Section 2 the Declaration, the following amendment was approved by a three-fourths (3/4) vote of a majority of the owners of the Association.

The intent of this Amendment is to amend and restate Article III, Section 4 (titled, "Section 4. Exclusive Use Common Area") of this Declaration in its entirety. Thus, Article III, Section 4 is hereby superseded and replaced with the following Article III, Section 4:

Section 4. Grant of Common Area for Homeowners' Exclusive Use

- a. **Grant of Common Area for Exclusive Use:** Subject to the Davis-Stirling Act and applicable law, including Civil Code section 4600, the Board may grant an Owner the exclusive use of Common Area to transfer the burden of management and maintenance of any Common Area that is generally inaccessible and not of general use to the membership at large of the Association. This includes, but is not limited to, the use of Common Area for walkways, stairs, minor sprinkler modifications, minor deck overhangs, and A/C pads.

- b. **Procedure for Grant of Common Area for Exclusive Use.** Any and all applications for the exclusive use of Common Area must be submitted to and approved by the Pleasant Vista Architectural Committee in accordance with the Association's governing documents, including the Declaration and all duly passed rules and regulations. If approved by the PV Architectural Committee, the application must then be submitted to the Board for final review and approval at a regular Board meeting. If approved by PVA Board, the application is then submitted to the Oakmont Architectural Committee for their approval. Both PVA Board and the Oakmont Architectural Committee approvals are required before the application can be considered as fully approved

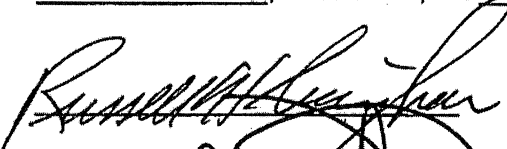
The Board and/or the Architectural Committee are authorized to make, establish, publish, promulgate, amend, repeal, and enforce rules and regulations regarding the grant of Common Area for the exclusive use of an Owner. To the extent there is any conflict between the Board and the Architectural Committee's rules and regulations regarding the grant of Common Area for the exclusive use of an Owner, the Board's rules and regulations shall be controlling.

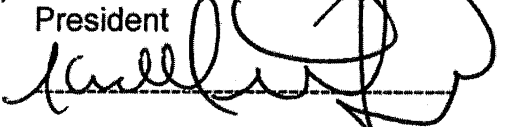
The Board and/or the Architectural Committee may, in their reasonable discretion, place reasonable limitations, conditions, and restrictions on the grant of Common Area for the exclusive use of an Owner including, but not limited to, the following: Require an Owner to comply with all applicable laws and ordinances; Require an Owner to refrain from interference with existing driveways and sidewalks; Require an Owner to comply with the Association's governing documents, including those

regarding structures, fences, walls, hedges, shrubs, and other plantings; Determine if an Owner needs to obtain and maintain appropriate levels of insurance and to provide proof of the same if so determined; Require an Owner to be responsible for maintenance, repair, and replacement of any improvements on the subject Common Area; Require an Owner to remove previously unapproved improvement(s) at the Owner's expense, and; Require an Owner to execute a recordable agreement reflecting any and all restrictions and limitations placed on the Owner's use of the subject Common Area property. A structure that was added to a lot during the developer's original construction of a home shall not be considered "previously unapproved".


Unauthorized Use of Common Area. To the extent an Owner has constructed improvement(s) on Common Area without formal Association approval (for example, the construction of a walkway, stairway, sprinkler modifications, expansion of a deck, or an A/C pad), said Owner shall be responsible for maintaining, repairing, and/or replacing said improvement(s) and shall be responsible for maintaining adequate levels of liability insurance for said improvement(s). In addressing improvements that were constructed on Common Area without Association approval, the Board may require an Owner to submit a retroactive architectural application for the improvement, which shall be subject to the procedures set forth herein.

The undersigned are the President and Secretary of the Pleasant Vista Owners Association, and hereby certify and declare that the foregoing amendment was approved by an affirmative vote of three-fourths (3/4's) of the Owners. Executed at _____, California, on _____, 2018.



President


Landscape Director



Secretary

STATE OF CALIFORNIA)

COUNTY OF Sonoma)

On 5/17/2019, before me, Joe Fisher, a
Notary Public, personally appeared (see Attached)

_____ 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.

(see attached)

Notary Public



All-purpose Acknowledgment California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

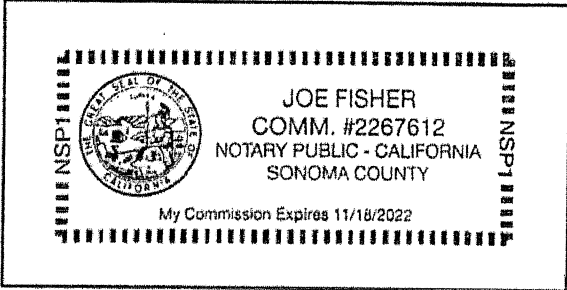
State of California

County of Sonoma

On 5/17/19 before me, Joe Fisher, Notary Public (here insert name and title of the officer),

personally appeared Russell Cunningham

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.



Notary Seal

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 _____

For Bank Purposes Only

Description of Attached Document

Type or Title of Document Amendment to Oakmont Village Declaration NO. 46

Document Date 5/17/19 Number of Pages 3

Signer(s) Other Than Named Above N/A

