

**“If this document contains any restriction based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code by submitting a “Restrictive Covenant Modification” form, together with a copy of the attached document with the unlawful provision redacted to the county recorder’s office and may be available on its internet website. The form may also be available from the party that provided you with this document. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.”**

When recorded return to:  
Ray R. Goldie  
Attorney at Law  
Suite 6 Law Bldg.  
560 Arrowhead Avenue  
San Bernardino, California

81116

DECLARATION OF RESTRICTIONS

COUNTY OF RIVERSIDE

LA CRESTA UNIT # 1

THIS DECLARATION, made this 5th day of August, 1969 by BOISE CASCADE PROPERTIES, INC. OF DELAWARE, a Delaware corporation, formerly PACIFIC CASCADE LAND COMPANY, INC., a Delaware corporation, (hereinafter referred to as "Declarant").

WITNESSETH

WHEREAS, Declarant is the owner of record of that certain real property in the County of Riverside, State of California, and described on that certain PARCEL MAP # 13-1 recorded in the Office of the County Recorder of Riverside County, California, on July 24, 1969, in Book 1, pages 66 to 75, inclusive, Official Records, and that certain real property in the County of Riverside, State of California, and described on that certain Record of Survey recorded in the Office of the County Recorder of Riverside County, California, on August 1, 1969, in Book 54, page 20, Official Records (collectively referred to herein as "Map");

WHEREAS, there are 59 subdivided lots set forth and described in the recorded map; and

WHEREAS, Declarant desires to establish a General Plan (hereinafter called "General Plan") for the improvement and development of said lots (hereinafter referred to as "said Tract"); and

WHEREAS, all of the real property described on said Map comprises a portion of the La Cresta General Development (herein referred to as the "Development"), to which other real property of Declarant may be annexed in the manner hereinafter provided in Paragraph VII, and upon said annexation shall become a part of the Development and shall become subject to said General Plan; and

WHEREAS, in accordance with said General Plan, Declarant desires to subject said Tract, and such other property in the Development which may be annexed as provided herein, to the following covenants, conditions, restrictions and reservations (hereinafter referred to as the "Conditions"), upon and subject to which all or any portion of said Tract and Development shall be held, improved and conveyed:

NOW, THEREFORE, KNOW ALL MEN

BY THESE PRESENTS:

That Declarant hereby certifies and declares that it has established and does hereby establish a General Plan for the protection, maintenance, development and improvement of said Tract and Development and that in accordance with said General Plan, said Tract is and shall be held and conveyed upon and subject to the conditions hereinafter set forth, each and all of which are for the benefit of the owner of each part or portion of the said Tract and each and all of which (a) shall apply to and bind not only the Declarant while the owner of any part or portion thereof, but also each and every future owner thereof or any part thereof; (b) shall inure to the benefit of not only the Declarant, but also to the benefit of each, every and any future owner of each, every and any portion of said Tract and to the benefit of BOISE CASCADE PROPERTIES, INC. OF DELAWARE, a corporation; (c) shall run with and be binding upon said Tract; and (d) may be enforced not only by the Declarant, its

RECORDER'S HEAD: Legibility of writing.  
Typing or Printing UNSATISFACTORY  
In this document when recorded For Record.

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successors and assigns, but also by each and every and any future owner of any portion of the said Tract.

Said General Plan and said Conditions now made applicable to said property are as follows:

I

Wherever used in this Declaration, the following terms shall have the following meaning:

- (a) "Said Tract" means the property described above.
- (b) "Building", "Structure" and "Outbuilding" shall include both the main portion of structures and all projections therefrom.
- (c) "Lot" means one of the numbered parcels on the map of said Tract recorded in the Office of the County Recorder of Riverside County, California.
- (d) "Street" means any street, highway or other thoroughfare shown on the map of said Tract.
- (e) "General Plan" means the general plan herein provided for.

II

(a) No building, garage, patio, outbuilding, fence or other structure shall be constructed, erected, altered, remodeled, placed, maintained or be permitted to remain on said Tract, or any portion thereof, unless and until three complete sets of plans and specifications therefor, including finished grading plans, plot plan showing location of such structure on the building site, floor and roof plan, exterior elevations, sections and salient exterior details and color scheme, including the type and location of hedges, walls and fences, shall have been submitted to and approved in writing by any two (2) members of the "Architectural Committee" which shall be composed of not more than three (3) members.

(b) The three (3) members of the Architectural Committee shall be initially selected and appointed by Declarant to serve without compensation. Any member of the Architectural Committee may be removed at any time with or without cause and any vacancies from time to time existing shall be filled by appointment by Declarant, or in the event of Declarant's failure to so appoint within two (2) months after such vacancy, then by the Board of Governors of the La Cresta Property Owner's Association hereinafter provided. When ninety percent (90%) of the then aggregate number of lots in all recorded units of the Development have been sold by Declarant, or a lapse of three (3) years from the date of the Final Subdivision Public Report of the California Department of Real Estate applicable to the next preceding unit of the Development, regardless of whether or not ninety percent (90%) of the aggregate number of lots in all recorded units of the Development have been sold, shall be sufficient to place control for such appointments and removals in the said Association's Board of Governors.

(c) Said plans and specifications shall be delivered to the office of Declarant at the Development, or such other place as shall be designated by Declarant, or such other place as from time to time shall be designated by the Architectural Committee.

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(d) Said Architectural Committee may from time to time, as a means of defraying its expenses, require a reasonable filing fee to accompany the submission of plans to it. No additional fee shall be required for resubmission of plans revised in accordance with Committee recommendations.

(e) Said Architectural Committee shall have the power and authority to approve or disapprove the plans and specifications; and approval of said plans, specifications and plot plan may be withheld not only because of non-compliance with any of the specific covenants, conditions and restrictions contained in this Declaration, but also by reason of the reasonable dissatisfaction of the Committee with the grading plan, location of the structure on the lot or building site, the finished ground elevation, the color scheme, finish, design, proportions, architecture, shape, height, and style of the proposed structure or altered structures, the materials used therein, the kind, pitch or type of roof proposed to be placed thereon, the location of air conditioning, evaporative coolers or other mechanical equipment, all of which shall be designated on the plans and specifications, or because of its reasonable dissatisfaction with any or all other matters or things which, in the reasonable judgment of the Committee, will render the proposed structure inharmonious or out of keeping with the General Plan of improvement of said Tract or with the structures erected on other building sites in the said Tract. Said Architectural Committee may, if it so desires, adopt rules governing its procedure.

(f) The approval of the Committee of any plans or specifications submitted for approval as herein specified for use on any building site shall not be deemed a waiver by the Committee of its right to object to any of the features or elements embodied in such plans and specifications, if or when the same features or elements are embodied in any subsequent plans and specifications submitted for approval as herein provided for use on other building sites.

(g) The approval, disapproval, or conditional approval of such plans, specifications and plot plans shall be in writing and delivered to the applicant with one set of the submitted documents, provided, if the Committee fails to approve or disapprove such plans and specifications and plot plan within thirty (30) days after said plans, specifications and plot plan have been submitted to it, it shall be presumed that the Committee has approved said plans, specifications and plot plan as submitted. If, after such plans and specifications and plot plan have been approved, the building, fence, wall or other structure shall be altered, erected or maintained upon the lot or building site otherwise than as approved by the Committee, such alteration, erection and maintenance shall be deemed to have been undertaken without the approval of the Committee having been obtained as required by this Declaration.

(h) Any applicant, if dissatisfied with the decision of the Architectural Committee, may appeal to the Declarant, whose decision shall be final. The right of appeal by a property owner must be exercised in writing within 10 days after notification of the decision of the Architectural Committee, provided, however, that Declarant may extend the time for such appeal or grant a hearing thereon after the expiration of said time in its discretion.

(i) At any time, the record owners of a majority of the lots in said Tract, through a duly recorded instrument, may withdraw from the Committee or restore to it any of its powers and duties.

### III

(a) No building, structure, improvement, or use, shall be constructed, erected, allowed, placed, permitted to remain, or made, on any lot, or portion thereof, other than as provided by the rules, regulations and restrictions of the R-A-20 zoning contained in the Zoning Ordinance for the County of Riverside as the same may be amended from time to time or other than that permitted under the appropriate zoning which may hereinafter be enacted and covering said Tract, or part thereof, by the County of Riverside.

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(b) There shall not be erected or maintained on said Tract, or any portion thereof, any dwelling residence which shall have a living area of less than 1000 square feet, exclusive of carports, garages, covered porches, basements, terraces, patios or balconies.

(c) Each lot in said Tract shall be subject to the following setback provisions:

(1) No building or any part thereof shall be placed, erected or maintained on any of said lots within twenty (20) feet of the front property line, or within twenty (20) feet of the road easement line where applicable.

(2) A side yard shall be maintained on each of said lots of at least five (5) feet from all side property lines to the building line of any structure.

(3) A rear yard shall be maintained on each lot of at least ten (10) feet from the property line to the nearest structure projection.

IV

(a) Outbuildings or garages erected and maintained upon any lot or building site shall conform generally in architectural design and exterior material to the residences to which they are appurtenant, and may be, but need not be, attached to said residence.

(b) No fence, wall or hedge shall be planted, erected or maintained upon any lot in such location or at such height as to unreasonably obstruct the view from any other lot or lots in said Tract. The Architectural Committee shall have the power and authority to modify the conditions and restrictions contained in this subdivision (b) of Paragraph IV as to any lot in said Tract, if said Architectural Committee, in its absolute discretion, deems it necessary or advisable to so do.

(c) No mobile home shall be placed or permitted to remain on any lot or portion thereof, without the approval of the Architectural Committee having first been had and obtained. Commencing January 1, 1976, no mobile home shall be placed or permitted to remain on any lot, or portion thereof, whatsoever, and any such mobile homes situated on any lot, or portion thereof, on said date shall be removed.

(d) No person, except Declarant or its duly authorized agent, or its successors in interest, shall erect or maintain upon any part of said Tract or any lot, any sign, advertisement, billboard, or other advertising structure of any kind; provided, however, that the owner of any lot in said tract shall have the right to place on display on his property one "For Sale" or "For Lease" sign, not exceeding four (4) square feet in surface area, on the lot advertised for sale or lease, provided, such sign is maintained no closer than ten (10) feet to any property line of such lot.

(e) All structures constructed or placed on any lot shall be constructed of new material, rock and used brick excepted, and no used structures shall be relocated or placed on any such lot.

(f) Every tank for the storage of fuel installed outside any building in the tract shall be either buried below the surface of the ground or screened to the satisfaction of the Architectural Committee by fencing or shrubbery. Every outdoor receptacle for ashes, trash, rubbish or garbage shall be installed underground, screened or so placed and kept as not to be visible from any street.

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(g) No pigs or goats shall be kept, raised or permitted in said Tract or any part thereof. Other animals may be kept and maintained upon said Tract in accordance with and as may be permitted by the Zoning Ordinance of the County of Riverside regulating the same as long as the same are not raised, bred, grazed, maintained or kept for sale, commercial purposes, or in unreasonable quantities. Domestic cats, dogs and birds may be kept as household pets upon the tract, provided, that they are not kept, bred or raised thereon for commercial purposes or in unreasonable quantities.

(h) No privy shall be erected, maintained or used upon any part of said real property, but a temporary chemical privy may be permitted during the course of construction of a building. Any lavatory, toilet or water closet that shall be erected, maintained or used on the lot shall be enclosed and located within a building herein permitted to be erected and shall be properly connected with an approved sanitary sewer system or underground septic tank or cesspool and so constructed and operated that no offensive odors shall arise or otherwise escape therefrom.

(i) The construction of any building or structure, once commenced on the property, shall be prosecuted diligently to completion.

(j) Natural surface drainage shall be maintained and no obstruction, diversion or confining of the existing channels through which surface water naturally flows upon and across the lot in time of storm shall be made so as to cause damage to other properties.

v

(a) Every person, including Declarant, who acquires title, legal or equitable, to any lot in the Development shall become a member of the La Cresta Property Owner's Association, an unincorporated non-profit association (herein referred to as "Association"); PROVIDED, however, that such membership is not intended to apply to those persons who hold an interest in any such lot merely as security for the performance of an obligation to pay money, e. g., mortgages, Deeds of Trust, or Real Estate Contract Purchases.

(b) The general purpose of the Association is to further and promote the community welfare of the property owners in the Development and to provide for the maintenance, repair and upkeep of the private roads, drainage improvements, slope easements, temporary water facilities and fire protection retreat areas within the boundaries of the Development.

(c) The Association shall have all the powers set forth in and be operated pursuant to the By-Laws of the Association which are attached hereto marked Exhibit "A" and made a part hereof by this reference.

(d) The first Board of Governors of said Association shall be appointed by Declarant to act only until the first annual election, at which time the continuance of the same, or the selection of another body shall be determined by the lot owners as provided in the By-Laws of the Association. The first annual election shall be held after thirty (30) lots in said Tract have been sold, or one year from the date of sale of the first lot in the tract, whichever first occurs.

(e) In order to meet the authorized and necessary expenditures of the Association and to provide for adequate reserves, the Board of Governors of the Association, by resolution, may levy reasonable assessments upon the lots in the subdivision. No such assessment shall be levied unless ten (10) days written notice thereof has first been sent to each lot owner. Each lot shall be assessed for its share of the expenses of the Association and for payment of taxes and special tax assessments upon the private roads and

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common areas of said Tract. The total assessment shall be divided amongst each lot owner in the proportion that the acreage in each lot bears to the total acreage of the Development then subject to the Association.

(f) Each lot owner in the Development shall, by acceptance of a deed thereto, or the signing of an agreement or contract to purchase the same, bind himself, his heirs, personal representatives and assigns to pay all charges determined and levied upon such lot, including interest thereon and collection costs thereof, if any, including attorney's fees, and the obligations to pay such charges and interest and costs thereby constitutes an obligation running with the land. The sale or transfer of any lot shall not effect any lien or charges provided herein.

(g) No lot owner may exempt himself from liability for any assessment by waiver of the benefits for which said assessment was levied or by non-use or abandonment of the property. All lot owners are obligated to pay said assessments at the time and in such amount as the Board of Governors shall direct and as may be imposed to meet the Association expenditures and shall be a debt of such lot owner at the time the assessment is made.

(h) In the event that the lot owner shall fail to pay any assessment levied by the Board of Governors at the time and in the amount as directed thereby, such assessment shall be and will become a lien upon the lot assessed upon the recordation by the Board of Governors of a Notice of Assessment in the County Recorder's Office in the County of Riverside, California, which notice shall state the name of the delinquent lot owner, a description of the lot against which claim of lien is made, the amount claimed to be due and owing, (with any proper offset allowed), that the claim of lien is made by the Board of Governors pursuant to the terms of the By-Laws and that the lien claimed is an amount equal to the amount of the delinquent assessment. The lien created by the recordation of such Notice of Assessment shall be prior to all other liens recorded subsequent thereto. Unless sooner satisfied and released or enforced as hereinafter provided, such lien shall expire and be of no further force or effect one year from the date of recordation, except that said one year period may be extended by the Board of Governors for an additional year by recording a written notice of extension thereof.

(i) Upon the payment of the amount of any delinquent assessment, together with interest thereon at the rate of 7% per annum and the costs incurred by the Board of Governors, the Board of Governors shall cause to be recorded a notice of satisfaction of the assessment and release of the lien upon the lot so affected.

(j) Any lien may be enforced by sale of the lot upon which the lien was recorded by the Board of Governors, its attorney or other person authorized to make the sale, after failure of the lot owner to pay such assessment in accordance with its terms and such sale shall be conducted in compliance with the provisions of Sections 2924, 2924(B) and 2924(C) of the Civil Code of the State of California and as elsewhere provided by law. The Board of Governors on behalf of the Association shall have the power to bid on the lot at foreclosure sale and to hold or sell the same in satisfaction of the lien. The Association shall not have the power at any time or for any purpose to mortgage the lot so purchased at foreclosure sale.

(k) There shall be an annual independent audit by a Certified Public Accountant of the accounts of the Board of Governors. A copy of the audit report shall be available to each lot owner within thirty (30) days of completion.

VI

Declarant hereby reserves and further declares that upon the conveyance of any lot in said Tract, there is reserved the following:

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(a) A non-exclusive easement for the benefit of all lot owners for a right of way upon the private streets and roads designated upon the recorded map.

(b) An easement for the installation, construction, maintenance, and operation of radio and television transmission cables over and across those portions of the lots shown on the recorded map as Public Utility easements on the Owners Certificate shown on said map, together with the right of Declarant to license or franchise the right to install such cables within said easement.

(c) An easement for the construction of graded slopes extending 50 feet beyond the right of way line designated upon the recorded map.

(d) A non-exclusive easement for the benefit of all lot owners for a fire protection retreat area as designated upon the recorded map.

#### VII

(a) Declarant, its successors or assigns, may, from time to time and in its sole discretion, annex to the Development any other real property in Riverside County, California, owned by Declarant.

(b) Such annexation shall become effective, and the said Property Owner's Association shall have and shall accept and exercise jurisdiction over the property covered thereby, when Declarant shall have recorded a map with respect to such annexed property, together with a declaration which shall among other things:

(1) Describe the real property which is annexed to the Development.

(2) Declare that such annexed property is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to these restrictions, except as the same may be modified only with respect to the annexed property; and

(3) Set forth or refer to any additional, new, modified or other limitations, restrictions, covenants and conditions which may be applicable to such annexed property.

(c) Such Declaration may incorporate these restrictions therein by reference to the pertinent recording data or may be in the form and length of these restrictions, PROVIDED, that in either event.

(1) There shall be no discrimination against existing property owners.

(2) The Association's powers to make assessments and enforce liens shall not be curtailed with respect to such newly annexed property.

(3) There shall be no discrimination in assessments by the Association with respect to such newly annexed property.

(4) Such declaration may impose additional limitations upon the property subject thereto but shall not null or void any provisions of these restrictions or those pertaining to other units which are then a part of the Development.

#### VIII

Said Tract shall not, or shall any part thereof, nor any lot or



building site therein, be used for the purpose of drilling, exploring for, taking, producing or transporting therefrom any water, such water and water rights in, under, or flowing over said property or appurtenant thereto, or to any part thereof, including the right to develop water thereon, transport or export water therefrom being expressly reserved to Declarant.

## IX

No noxious or offensive activity shall be carried on upon said Tract or any part thereof, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighborhood.

## X

(a) The covenants, conditions and restrictions herein contained shall run with said land and shall be binding and in force and effect until June 30, 1995, for the mutual benefit of all the lots and building sites in said Tract, after which time said conditions and covenants shall be automatically extended for successive periods of ten years each, unless the owners of a majority of the lots in said Tract, by executing and acknowledging an instrument in writing, terminate or change said conditions and covenants which shall be duly recorded with the Riverside County Recorder at any time prior to the expiration of these restrictions, or any renewal period hereof.

(b) The easements and reservations herein contained shall be perpetual unless released by the Declarant grantor and/or those persons or corporations to whom such rights have been or may be assigned and conveyed as herein provided.

(c) The owners of record of lots or building sites in the Development having an aggregate area equivalent to not less than 55% of the total area of all of said property may, at any time, modify, amend, or cancel with respect to said Development, all or any of the covenants, conditions or restrictions contained in this Declaration and any supplement or amendment hereto, by instrument in writing signed by said owners and acknowledged by them so as to entitle it to be recorded in the Office of the County Recorder of Riverside County, California.

## XI

(a) Any and all of the rights, powers and reservations of Declarant and/or the Architectural Committee herein contained, may be assigned to any other corporation or association which will assume the duties of Declarant and/or the Architectural Committee pertaining to the particular rights, powers and reservations assigned, and upon any such corporation or association evidencing its consent in writing to accept such assignment and assume such duties, it shall, to the extent of such assignment, have the same rights and powers and be subjected to the same obligations and duties as are given to and assumed by Declarant and/or the Architectural Committee herein.

(b) Invalidation of any of these conditions by judgment or court order shall in no wise affect any other condition, which shall remain in full force and effect.

## XII

The violation or breach of any of the covenants, conditions, restrictions or reservations herein contained shall give the Declarant and/or the Architectural Committee and/or any owner or owners of lots or building sites in said Tract the right to prosecute a proceeding at law or in equity against the person or persons who have violated or are attempting to violate any of the covenants, conditions, restrictions and reservations, to prevent or enjoin them from so doing, to cause said violation to be remedied, or to recover damages for said violation.

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XIII

A breach of any of the foregoing conditions, covenants, and/or restrictions shall not defeat or render invalid the lien of any mortgage, or deed of trust in good faith, and for value, as to said property or any part thereof; but such conditions, covenants, and/or restrictions shall be binding upon and effective against any owner of any lot or lots in said property whose title is acquired by foreclosure, trustee's sale or otherwise.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed this 5th day of August, 1969.

BOISE CASCADE PROPERTIES, INC.  
OF DELAWARE, a Delaware corporation,  
formerly PACIFIC CASCADE LAND  
COMPANY, INC., a Delaware corporation.

By: R. C. Onorato  
Title

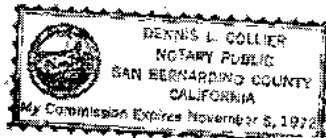
STATE OF CALIFORNIA }  
COUNTY OF San Bernardino } ss.

On August 5, 1969, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. C. Onorato known to me to be the Vice-President of BOISE CASCADE PROPERTIES, INC. OF DELAWARE, a Delaware corporation, formerly PACIFIC CASCADE LAND COMPANY, INC., a Delaware corporation, the corporation that executed the within instrument on behalf of said corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its By-Laws or a resolution of its Board of Directors.

WITNESS my hand and official seal

D. L. Collier  
Notary Public in and for the said County and State

DAN W. COLLIER  
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# CC&R's

## 1<sup>st</sup> Amendment

AMENDMENT TO DECLARATION OF RESTRICTIONS

COUNTY OF RIVERSIDE

This Amendment to Declaration of Restrictions made this . 21 day of October, 1969, by SECURITY TITLE INSURANCE COMPANY, a California Corporation, (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of record of all that certain real property situated in the County of Riverside, State of California, and described on that certain Parcel Map #13-1 recorded in the Office of the County Recorder of Riverside County, California, on July 24, 1969, in Book I, pages 66 to 75, inclusive, Official Records of the County of Riverside, State of California, and described on that certain Record of Survey recorded in the Office of the County Recorder of Riverside County, California, on August 1, 1969, in Book 54, page 20, Official Records (collectively referred to herein as "Map"); and

WHEREAS, Declarant, on August 7, 1969, caused to be recorded a Declaration of Restrictions covering said Map as Instrument No. 81116, Official Records of the County of Riverside, to provide a general plan for the improvement and development of said tract and any future tracts which might be annexed thereto from time to time as therein provided, and to provide, in accordance with such general plans, the covenants, conditions, restrictions, and reservations upon and subject to which all or any portion of said tract shall be held, improved and conveyed; and

WHEREAS, Declarant desires to amend said Declaration of Restrictions recorded on said August 7, 1969, as hereinafter provided;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Declarant hereby certifies and declares that the said Declaration of Restrictions recorded on August 7, 1969, as Instrument No. 81116, Official Records of Riverside County, California, providing for a general plan for the improvement and development of said property and subjecting said property to certain covenants, conditions, restrictions and reservations upon and subject to which all or any portion of said tract shall be held, improved and conveyed, shall be and is hereby amended as follows:

I

Article VII, paragraph (a) of said recorded Declaration of Restrictions covering said property is hereby cancelled, revoked and rescinded in its entirety and there is hereby substituted, in lieu thereof, a new Article VII, paragraph (a), which shall be and is hereby made a part of said recorded Declaration of Restrictions to the same extent and effect as if it were originally set forth therein, as follows:

VII

" (a) Declarant is the owner of approximately 6,000 contiguous acres of real property situated in Riverside

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County, California, of which said tract comprises a part, which is designated for and will comprise the whole of the said La Cresta General Development and Declarant, its successors, or assigns, may within one year from August 7, 1969, annex to the existing development all or any part of said approximate 6,000 acres owned by Declarant as aforesaid, provided that such annexation does not materially increase the assessments on existing property owners or materially increase the burden of any common area subject to the jurisdiction of said property owner's association",

II

Article II, paragraphs (h) and (i) and each of them, of said recorded Declaration of Restrictions covering said property are hereby cancelled, revoked and rescinded in their entirety.

III

Article V, paragraph (d) of said recorded Declaration of Restrictions covering said property is hereby cancelled, revoked, and rescinded in its entirety and there is hereby substituted in lieu thereof, a new Article V, paragraph (d), which shall be and is hereby made a part of said recorded Declaration of Restrictions to the same extent and effect as if it were originally set forth therein, as follows:

" (d) The first Board of Governors of said Association shall be appointed by Declarant to act only until thirty (30) lots in said tract have been sold, or one year from the date of sale of the first lot in the tract, whichever first occurs, at which time the continuance of the same or the selection of another body shall be determined by the lot owners as provided in the By-Laws of the Association to serve until the date of the annual meeting set forth in the By-Laws of the Association when Governors shall be elected for the succeeding year."

IV

Article V, paragraph (e) of said recorded Declaration of Restrictions covering said property is hereby cancelled, revoked and rescinded in its entirety and there is hereby substituted, in lieu thereof, a new Article V, paragraph (e), which shall be and is hereby made a part of said recorded Declaration of Restrictions to the same extent and effect as if it were originally set forth therein, as follows:

" (e) In order to meet the authorized and necessary expenditures of the Association and to provide for adequate reserves, the Board of Governors of the Association, by resolution, may levy reasonable assessments upon the lots in the subdivision, PROVIDED, HOWEVER, no assessments which would exceed \$5.00 per acre per year may be made by the Board of Governors without the consent of the majority of the lot owners. No assessments shall be levied unless ten (10) days written notice thereof has first been sent to each lot owner. Each lot shall be assessed for its share of the expenses of the Association and for payment of taxes and special tax assessments, if any, upon the private roads and common areas of said tract. No special assessments exceeding \$1,000.00 for capital improvements or any assessment to make up a deficiency in insurance

107269

proceeds may be levied by the Board of Governors without the consent of a majority of the lot owners, excluding Declarant and/or the subdivider of the development. The total assessment shall be divided amongst each lot owner in the proportion that the acreage in each lot bears to the total acreage of the development then subject to the Association."

V

Article II, Section 1, of the By-Laws attached as Exhibit "A" to said recorded Declaration of Restrictions covering said property is hereby cancelled, revoked and rescinded in its entirety and there is hereby substituted in lieu thereof, a new Article II, Section 1, which shall be and is hereby made a part of said Exhibit "A" attached to said recorded Declaration of Restrictions to the same extent and effect as if it were originally set forth therein, as follows:

" Section 1. Place of Meeting:

Meetings of lot owners shall be held at such place within the County of Riverside, California, designated by the Board of Governors pursuant to authority hereinafter granted to the Board, or by the written consent of all persons entitled to vote thereat. In the absence of any such designation, lot owner meetings shall be held at the principal office of the Association. Any meeting is valid wheresoever held, if held by written consent of all persons entitled to vote thereat given either before or after the meeting and filed with the Secretary of the Association.

VI

Article V, Section 1, of the By-Laws attached as Exhibit "A" to said recorded Declaration of Restrictions covering said property is hereby amended to substitute the word "momentarily" for "momentarily"

VII

Declarant, subject to the amendment provided in paragraphs I to VI; inclusive; above, hereby ratifies, confirms, and republishes in all respects the general plan and covenants, restrictions and reservations contained in said Declaration of Restrictions recorded on August 7, 1969, as aforesaid upon and subject to which all or any portion of said property shall be held, improved and conveyed, all to the same extent as if such general plan and covenants, conditions, restrictions and reservations were set forth herein in full.

IN WITNESS WHEREOF, Declarant has caused its corporate name to be hereunto subscribed by its Officers thereunto duly authorized and its corporate seal to be hereunto affixed the day and year first above written.

RAY R. GOLDIE  
ATTORNEY AT LAW  
SUITE 6 LAW BUILDING  
560 ARROWHEAD AVENUE  
SAN BERNARDINO, CALIFORNIA  
TELEPHONE TURNER 8-0188

SECURITY TITLE INSURANCE  
COMPANY

By Serald A. Maxner  
Vice-President

By Donald R. Willis  
Asst. Secretary

RECEIVED FOR RECORD

OCT 21 1969

SECURITY TITLE INSURANCE CO.

Recorded in Official Records  
of Riverside County, California

40 Min. Part 12 of 12  
At Request of

Wm. D. Dwyer  
FEB 8 1970  
Recorder

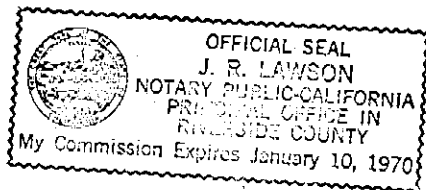
107269

107269

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )

On October 21, 1969, before me the undersigned, a Notary Public in and for said County and State, personally appeared Gerald A. Mercer and Donald R. Willis known to me to be the Vice-President and Assistant Secretary, of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its By-Laws or a resolution of its Board of Directors.

WITNESS my hand and Official Seal.



*J. R. Lawson*  
Notary Public in and for  
said County and State

RAY R. GOLDIE  
ATTORNEY AT LAW  
SUITE 6 LAW BUILDING  
860 ARROYOHEAD AVENUE  
SAN BERNARDINO, CALIFORNIA  
TELEPHONE TURNER 9-0188

# CC&R's

## 2<sup>nd</sup> Amendment



108208

SECOND AMENDMENT TO DECLARATION OF RESTRICTIONS  
AND AMENDING PRIOR AMENDMENT  
COUNTY OF RIVERSIDE  
LA CRESTA UNIT #1

This Amendment to Declaration of Restrictions and to Amendment to said Declaration of Restrictions and made this 23 day of October, 1969, by SECURITY TITLE INSURANCE COMPANY, a California corporation, (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant is the present owner of record of all that certain real property situated in the County of Riverside, State of California, and described on that certain Parcel Map #13-1, recorded in the Office of the County Recorder of Riverside County, California, on July 24, 1969, in Book 1, Pages 66 to 75, inclusive, Official Records of the County of Riverside, State of California, and described on that certain Record of Survey recorded in the Office of the County Recorder of Riverside County, California, on August 1, 1969, in Book 54, Page 20, as Parcels 1, 2, 3, 4, and 5, each and inclusive, Official Records (collectively referred to herein as "Map"); and

WHEREAS, Declarant, on August 7, 1969, caused to be recorded a Declaration of Restrictions covering said Map as Instrument No. 81116, Official Records of the County of Riverside, and on October 21, 1969, caused to be recorded an Amendment to said Declaration of Restrictions as Instrument No. 107269, Official Records of the County of Riverside, to provide a general plan for the improvement and development of the property described in said Declaration of Restrictions and Amendment thereto and any future tracts which might be annexed thereto from time to time as therein provided, and to provide, in accordance with such general plans, the covenants, conditions, restrictions, and reservations upon and subject to which all or any portion of said tract shall be held, improved and conveyed; and

WHEREAS, Declarant inadvertently subjected Parcels 6, 7, 8, and 9, of the Record of Survey recorded on August 1, 1969, in Book 54, Page 20, Official Records of the County of Riverside, State of California, to the said Declaration of Restrictions and Amendment to said Declaration of Restrictions;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

I

That Declarant hereby certifies and declares that said Declaration of Restrictions and Amendment thereto shall be and hereby are revoked, cancelled and rescinded in their entirety as to said Parcels 6, 7, 8, and 9, of said Record of Survey recorded in Book 54, Page 20, Official Records of the County of Riverside, State of California, all to the same nature and extent as if they had never been included therein originally.

II

Declarant, subject to the Amendment provided in Paragraph I, above, hereby ratifies, confirms, and republishes in all respects the general plan and covenants, restrictions and reservations contained in said Declaration of Restrictions recorded on August 7, 1969, and the Amendment of October 21, 1969, as aforesaid upon and subject to which all or any portion of said property shall be held, improved and conveyed, all to the same extent as if such general plan and covenants, conditions, restrictions and reservations were set forth herein in full.

RAY R. GOLDIE  
ATTORNEY AT LAW  
SUITE 8 LAW BUILDING  
850 ARROWHEAD AVENUE  
SAN BERNARDINO, CALIFORNIA  
TELEPHONE TURNER 8-0181

108208

IN WITNESS WHEREOF, Declarant has caused its corporate name to be hereunto subscribed by its officers thereunto duly authorized and its corporate seal to be hereunto affixed the day and year first above written.

SECURITY TITLE INSURANCE COMPANY

By [Signature]  
Vice-President

By [Signature]  
Secretary

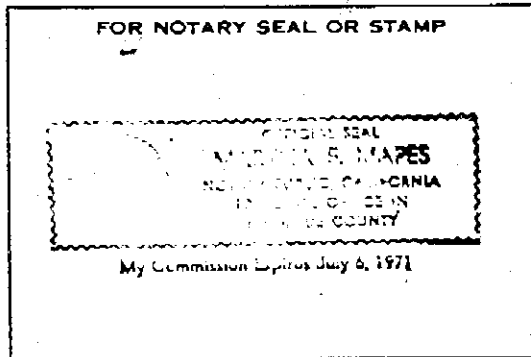
ALDIE  
Y LAW  
UILDING  
AVENUE  
CALIFORNIA  
IR 9-0188

STATE OF CALIFORNIA }  
COUNTY OF Riverside } SS.

On October 23, 1969 before me,  
the undersigned, a Notary Public in and for said County and State,  
personally appeared James J. Schlife  
known to me to be the Vice President, and  
Lois N. Wright known to me to be  
Assistant Secretary of the corporation that executed the  
within instrument, known to me to be the persons who executed the  
within instrument on behalf of the corporation therein named, and  
acknowledged to me that such corporation executed the within  
instrument pursuant to its by-laws or a resolution of its board of  
directors.

[Signature]  
Signature

Name (Typed or Printed)  
Notary Public in and for said County and State



Misc 165 (GS) Act Corporation (Rev 12-63)  
Notary

108208

RECEIVED FOR RECORD  
OCT 23 1969  
Min. Post. & Clerk  
SECURITY TITLE INSURANCE CO.  
Recorded in Official Records  
of Riverside County, California  
W.D. Balogh  
Recorder  
FEE \$ 2.80

END RECORDED DOCUMENT, W. D. BALOGH, COUNTY RECORDER

# CC&R's

## 3<sup>rd</sup> Amendment

119257

AMENDMENT TO DECLARATION OF RESTRICTIONS  
COUNTY OF RIVERSIDE

THIS AMENDMENT TO DECLARATION OF RESTRICTIONS, made this 19th day of November, 1969, by SECURITY TITLE INSURANCE COMPANY, a California corporation (herein referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of record of all that certain real property situated in the County of Riverside, State of California, and described on that certain Parcel Map No. 13-1 recorded in the Office of the County Recorder of Riverside County, California, on July 24, 1969, in Book 1, Pages 66-75, inclusive, Official Records of the County of Riverside, State of California, and all that certain real property described on that certain Record of Survey recorded in the Office of the County Recorder of Riverside County, California, on August 1, 1969, in Book 54, Page 20, Official Records (collectively referred to herein as "Map"); and

WHEREAS, Declarant, on August 7, 1969, caused to be recorded a Declaration of Restrictions covering said Map as Instrument No. 81116, Official Records of the County of Riverside, as amended on October 21, 1969, as Instrument No. 107269, as amended on October 23, 1969, as Instrument No. 108208, to provide a general plan for the improvement and development of said tract and any future or further tracts which might be annexed thereto from time to time as therein provided, and to provide, in accordance with such general plan, the covenants, conditions, restrictions, and reservations upon and subject to which all or any portion of said tract shall be held, improved and conveyed; and

WHEREAS, Declarant desires to amend said Declaration of Restrictions recorded on said August 7, 1969, as hereinafter provided.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

I

That Declarant hereby certifies and declares that the said Declaration of Restrictions recorded on August 7, 1969, as Instrument No. 81116, Official Records of Riverside County, California, providing for a general plan for the improvement and development of said property and subjecting said property to certain covenants, conditions, restrictions and reservations upon and subject to which all or any portion of said tract shall be held, improved and conveyed, shall be and is hereby amended to provide that said restrictions shall not apply to any parcel, or any portion thereof, designated and conveyed for Public Utility or Public District Utility Use so long as any such parcels, or any portions thereof, are held, maintained and used for the utility purposes intended and for no other purposes.

RAY R. GOLDIE  
ATTORNEY AT LAW  
SUITE 6 LAW BUILDING  
800 ARROWHEAD AVENUE  
SAN BERNARDINO, CALIFORNIA  
TELEPHONE TURNER 9-0188

119257

II

Declarant, subject to the amendment provided in Paragraph I above, hereby ratifies, confirms, and republishes in all respects the general plan and covenants, restrictions and reservations contained in said Declaration of Restrictions recorded on August 7, 1969, and the Amendment of October 21, 1969, as aforesaid upon and subject to which all or any portion of said property shall be held, improved and conveyed, all to the same extent as if such general plan and covenants, conditions, restrictions and reservations were set forth herein in full.

IN WITNESS WHEREOF, Declarant has caused its corporate name to be hereunto subscribed by its officers thereunto duly authorized and its corporate seal to be hereunto affixed the day and year first above written.

SECURITY TITLE INSURANCE COMPANY

By: James J. Schlitz  
Vice-President

By: Donald R. Willis  
Assistant Secretary

RAY R. GOLDIE  
ATTORNEY AT LAW  
SUITE 8 LAW BUILDING  
880 ARROWHEAD AVENUE  
SAN BERNARDINO, CALIFORNIA  
TELEPHONE TURNER 9-0188

STATE OF CALIFORNIA

COUNTY OF San Bernardino ss.

On November 19, 1969 before me, the undersigned, a Notary Public in and for

said State, personally appeared James J. Schlitz

known to me to be the Vice President, and Donald R. Willis

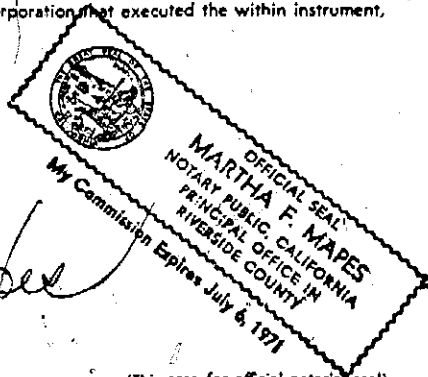
known to me to be the Ass't. Secretary of the corporation that executed the within instrument,

and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Martha F. Mapes

Name (Typed or Printed)



(This area for official notarial seal)

Form 3002—(Corporation) First American Title Company

119257

RECEIVED FOR RECORD

NOV 19 1969

35 Min. Post 3 o'clock 1 to  
At Request of

SECURITY TITLE INSURANCE CO.

Registered in Official Records  
of Maricopa County, Arizona

*W.D. Balogh*

*W.D. Balogh*

END RECORDED DOCUMENT, W. D. BALOGH, COUNTY RECORDER

# CC&R's

## 4<sup>th</sup> Amendment

15754

RECEIVED FOR RECORD

FEB 5 1976

30 Min. Past 9 o'Clock A.M.

At Request of

FIRST AMERICAN TITLE CO.

Book 1976, Page

15754

Recorded in Official Records of Riverside County, California

W.D. Balogh Recorder

FEES \$ 3-

AMENDMENT TO DECLARATION OF RESTRICTIONS BY  
CONSENT OF MORE THAN 55% OF OWNERS OF LOTS  
IN LA CRESTA UNIT #1, RIVERSIDE COUNTY, CALIFORNIA

The undersigned owners of record of lots or building sites described on that certain parcel map #13-1 recorded in the office of the County Recorder of Riverside, California, on July 24, 1969, in Book 1, Pages 66 to 75, Official Records, and/or on that certain Record of Survey recorded in the Office of the County Recorder of Riverside County, California, on August 1, 1969, in Book 54, Page 20, Official Records, which lots or building sites comprise a portion of La Cresta General Development, in accordance with Article X(c) of the Declaration of Restrictions, County of Riverside, La Cresta Unit #1, recorded in the Office of the County Recorder of Riverside, California on August 7, 1969, as Instrument No. 81116, Official Records, and amended on October 21, 1969, as Instrument No. 107269, Official Records, and on October 23, 1969, as Instrument No. 108208, Official Records, and on November 19, 1968, as Instrument No. 119257, Official Records, hereby consent to the amendment of the Declaration of Restrictions, as follows:

Article III (b) of said Declaration of Restrictions shall be amended to read as follows:

"There shall not be erected or maintained on said Tract, or any portion thereof, any dwelling residence which shall have a living area of less than sixteen hundred (1600) square feet, exclusive of carports, garages, covered porches, basements, terraces, patios or balconies."

In all other respects the Declaration of Restrictions, as previously amended, shall remain in full force and effect.

KAISER AETNA, a California general partnership



*Doug Kulberg*  
Signature of Lot Owner(s)

DOUG KULBERG  
Its duly authorized agent

Name of Lot Owner(s)

1 (13-1)

Lot Number

15754

TO 445 C (7-73)  
(Agent of Partnership)



ATICOR COMPANY

STATE OF CALIFORNIA }  
COUNTY OF Riverside } SS.

On November 13, 1975, before me, the undersigned, a Notary Public in and for said state, personally appeared Doug Kulberg known to me to be the agent of the partnership that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said partnership and that said partnership executed the same.

WITNESS my hand and official seal.

Signature *Sheila M. Dwyer*  
Sheila M. Dwyer  
Name (Typed or Printed)



(This area for official notarial seal)

END RECORDED DOCUMENT

W. D. BALOGH, COUNTY RECORDER



CC&R's

5<sup>th</sup> Amendment

159557

AMENDMENT TO  
DECLARATION OF RESTRICTIONS OF  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
LA CRESTA UNITS No. 1, 2 & 3  
\*\*\*\*\*

This Amendment is made this 14th day of May, 1979, by the owners of record of Lots in La Cresta Units No. 1, 2 & 3, acting through the Board of Governors of LA CRESTA PROPERTY OWNERS ASSOCIATION:

WHEREAS, THE BOARD OF GOVERNORS at its regular meeting duly held on October 21, 1978, resolved that no lot in the LA CRESTA tract, Units No. 1, 2 & 3 shall contain less than FIVE (5) acres in gross; and

WHEREAS, said Resolution required the consent of owners of record of lots or building sites in the development having an aggregate area of not less than FIFTY-FIVE PERCENT (55%) of the total area of said property; and

WHEREAS, said owners have now voted their approval of said resolution adopted by THE BOARD OF GOVERNORS and presented to the owners of record of the said property; and

WHEREAS, THE BOARD OF GOVERNORS, with the approval of the owners of record of more than FIFTY-FIVE PERCENT (55%) of the total area of all of said property now desire to modify the DECLARATION OF RESTRICTIONS previously filed herein;

NOW THEREFORE, be it resolved that the existing Article III of the Declaration of Restrictions be amended to add Sub-paragraph (d) as follows:

"No lot in said tract shall contain less than five acres (5) in gross. This restriction shall be construed to mean that the smallest individual lot or home site permitted in said tract shall contain at least five (5) acres."

IN WITNESS WHEREOF, the undersigned, being all of the Members of the BOARD OF GOVERNORS of LA CRESTA PROPERTY OWNERS ASSOCIATION have executed this Agreement the day and year first above written.

LA CRESTA PROPERTY OWNERS ASSOCIATION  
BOARD OF GOVERNORS

*Albert W. Anderson*  
ALBERT W. ANDERSON,  
President and Treasurer  
Individual Owner of Lot No. 32-173

*Dan L. Stephenson*  
DAN L. STEPHENSON,  
Vice-President  
Individual Owner of Lot No. ....

*Warren Baker*  
WARREN BAKER, Secretary  
Individual Owner of Lot No. 21 (B) 2  
23-11-3

TO 442 C  
(Individual)

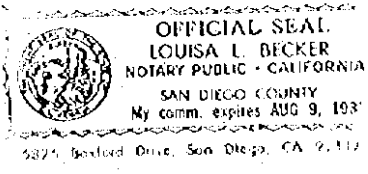
STATE OF CALIFORNIA }  
COUNTY OF Riverside } ss.

On this 14th day of May, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared ALBERT W. ANDERSON, DAN L. STEPHENSON and WARREN BAKER

..... known to me to be the person S whose name S subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

Signature *Louisa L. Becker*  
LOUISA L. BECKER  
Name (Typed or Printed)



(This area for official notarial seals)

159557  
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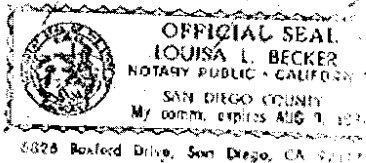
159557

STATE OF CALIFORNIA )  
 ) SS.:  
COUNTY OF RIVERSIDE )

On this 14th day of May, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared ALBERT W. ANDERSON, known to me to be the President and Treasurer, DAN L. STEPHENSON, known to me to be the Vice-President and WARREN BAKER, known to me to be the Secretary of LA CRESTA PROPERTY OWNERS ASSOCIATION which executed the within instrument, known to me to be the persons who executed the within instrument on behalf of LA CRESTA PROPERTY OWNERS ASSOCIATION therein named, and acknowledged to me that such LA CRESTA PROPERTY OWNERS ASSOCIATION executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.

WITNESS my hand and official seal

*Louisa L. Becker*  
LOUISA L. BECKER



159557

*Andrew Collins  
P.O. Box 336  
Lemoore, CA 92340*

RECEIVED FOR RECORD  
AT 11:00 O'CLOCK A.M.

*Andrew Collins*

Book 1979, Page 159557

JUL 30 1979

Recorded in Official Records  
of Riverside County, California

*D.D. Sullivan*

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

CC&R's

6<sup>th</sup> Amendment

RECORDING REQUESTED BY:



WHEN RECORDED, MAIL TO:

HARLE, JANICS & KANNEN (JSH)  
575 Anton Boulevard, Suite 460  
Costa Mesa, California 92626

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17

(Space Above For Recorder's Use)

AMENDMENT TO  
DECLARATION OF RESTRICTIONS  
FOR  
LA CRESTA



This Amendment to Declaration of Restrictions for La Cresta ("Amendment") is executed by La Cresta Property Owner's Association, a California non-profit corporation ("Association").

P R E A M B L E

A. Association is the association of owners of certain real property ("Development") located in the unincorporated area of the County of Riverside, State of California, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

B. The Development is subject to the following:

(1) Declaration of Restrictions, County of Riverside, La Cresta Unit #1, recorded on August 7, 1969 as Instrument No. 81116, as amended by documents recorded on October 21, 1969 as Instrument No. 107269, October 23, 1969 as Instrument No. 108208, November 19, 1969 as Instrument No. 119257, February 5, 1976 as Instrument No. 15754, and July 30, 1979 as Instrument No. 159557, all in the Official Records of Riverside County, California (collectively, the "Unit 1 Declaration");

(2) Declaration of Restrictions, County of Riverside, La Cresta Unit #2, recorded on August 14, 1969 as Instrument No. 83457, as amended by documents recorded on February 5, 1976 as Instrument No. 15622, and July 30, 1979 as Instrument No. 159557, all in the Official Records of Riverside County, California (collectively, the "Unit 2 Declaration");

(3) Declaration of Restrictions, County of Riverside, La Cresta Unit #3, recorded on September 29, 1969 as Instrument No. 99328, as amended by documents recorded on February 5, 1976 as Instrument No. 15682, and July 30, 1979 as Instrument No. 159557, all in the Official Records of Riverside County, California (collectively, the "Unit 3 Declaration");

(4) Declaration of Restrictions, County of Riverside, La Cresta Unit #4 (“Unit 4 Declaration”), recorded on November 3, 1969 as Instrument No. 112142, in the Official Records of Riverside County, California; and

(5) Declaration of Restrictions, County of Riverside, La Cresta Unit #5 (“Unit 5 Declaration”), recorded on November 3, 1969 as Instrument No. 112143, in the Official Records of Riverside County, California.

The Unit 1 Declaration, Unit 2 Declaration, Unit 3 Declaration, Unit 4 Declaration and Unit 5 Declaration are collectively referred to herein as the “Declaration.”

C. Article X of the Declaration authorizes amendment of the Declaration upon approval of either owners of a majority of lots in the Development, or owners of lots or building sites in the Development having an aggregate area equivalent to not less than fifty-five percent (55%) of the total area of all lots or building sites in the Development.

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

1. The following is hereby added to the Declaration as Article II(h) thereof:
  - (h) Any applicant, if dissatisfied with the decision of the Architectural Committee, may appeal to the Association’s Board of Directors in accordance with appeal procedures adopted by the Board of Directors. The decision of the Board of Directors on any appeal shall be final.
  
2. Article III(b) of the Declaration is hereby amended to read as follows:
  - (i) All principal dwelling residences erected on a Lot by a person who became the owner of such Lot prior to April 1, 2003 must have a living area of at least One Thousand Six Hundred (1,600) square feet, exclusive of carports, garages, covered porches, basements, terraces, patios and balconies.
  
  - (ii) All principal dwelling residences erected on a Lot by a person who becomes the owner of such Lot on or after April 1, 2003 must have a living area of at least Two Thousand Five Hundred (2,500) square feet, exclusive of carports, garages, covered porches, basements, terraces, patios and balconies. No “guest house” or other dwelling residence not satisfying the foregoing minimum square footage requirement may be erected on a Lot until a dwelling residence satisfying the foregoing minimum square footage requirement has first been erected on such Lot.



3. Except as expressly modified herein, the capitalized terms in this Amendment shall have the same meanings as are given such terms in the Declaration. Except as amended herein, the Declaration is hereby ratified and confirmed by the Association.

This Amendment has been executed on 5-6, 2003.

The undersigned officers of the Association hereby certify that the requisite approvals for this Amendment, as described in Paragraph C hereof, have been obtained.

LA CRESTA PROPERTY OWNERS ASSOCIATION,  
a California non-profit corporation

By: [Signature]

Its: PRESIDENT

By: [Signature]

Its: SECRETARY

"Association"

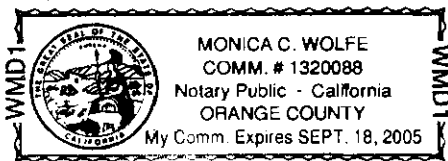
STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF Riverside )

On May 6<sup>th</sup>, 2003, before me, Monica C. Wolfe, Notary Public, personally appeared DAVID Joseph Flynn and Fletcher H. Sutherland, 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]  
Notary Public in and for said State

(SEAL)



2003-342060  
05/12/2003 09:09A  
3 of 4



**EXHIBIT "A"**

**DEVELOPMENT**

Parcels 1 through 5, inclusive, as shown on Parcel Map No. 13-1, recorded on July 24, 1969, in Book 1, Pages 66 to 75, inclusive, of Official Records in the Office of the Riverside County Recorder.

Record of Survey recorded on August 1, 1969, in Book 54, Page 20 of Records of Survey, of Official Records in the Office of the Riverside County Recorder.

Parcel Map No. 13-2, recorded on July 24, 1969, in Book 1, Pages 76 to 94, inclusive, of Official Records in the Office of the Riverside County Recorder.

Parcel Map No. 13-3, recorded on September 11, 1969, in Book 2, Pages 1 to 18, inclusive, of Official Records in the Office of the Riverside County Recorder.

Record of Survey recorded on October 10, 1969, in Book 54, Page 59 of Records of Survey, of Official Records in the Office of the Riverside County Recorder.

Record of Survey recorded on October 10, 1969, in Book 54, Page 60 of Records of Survey, of Official Records in the Office of the Riverside County Recorder.





RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

THIS SPACE FOR RECORDER'S USE ONLY

**RESTRICTIVE COVENANT MODIFICATION**  
**(Racial or Otherwise Unlawfully Restrictive Covenant Modification)**

**Unlawful Restrictive language review requested by:**

- I(We)\_\_\_\_\_ have an ownership or are acquiring interest in the property that is covered by the document described below.
- Title Company, Escrow Company, Real Estate Broker, Real Estate Agent, or other party\_\_\_\_\_ Individual/Company Name
- Riverside County Recorder

The following referenced document contains a restrictive covenant based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in Section 12955, of the Government Code or ancestry that violates state and federal fair housing laws, and that restriction is void. Pursuant to Section 12956.2 of the Government Code, this document is being recorded solely for the purpose of redacting and eliminating that restrictive covenant as shown on page(s)\_\_\_\_\_ of the document recorded on\_\_\_\_\_ in book\_\_\_\_\_ and page\_\_\_\_\_ or instrument number\_\_\_\_\_ of the official records of the County of Riverside.

Attached hereto is a true, correct, and complete copy of the document referenced above, with the unlawful restrictive covenant redacted.

This modification document shall be indexed in the same manner as the original document being modified, pursuant to subdivision (d) of section 12956 of the Government Code.

The effective date of the terms and conditions of this modification document shall be the same as the effective date of the original document referenced above.

\_\_\_\_\_  
Signature of submitting party

\_\_\_\_\_  
Printed name of submitting party

\_\_\_\_\_ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, hereby states that it has determined that the original document referenced above contains an unlawful restriction modification may be recorded.

Or

\_\_\_\_\_ County Counsel, or their designee, pursuant to paragraph (1) of subdivision (b) of Section 12956.2 of the Government Code, finds that the original document does not contain an unlawful restriction, or the modification document contains modifications not authorized, and this modification may not be recorded.

County Counsel

By:\_\_\_\_\_

Date:\_\_\_\_\_

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County of Riverside (/)  
**ASSESSOR-COUNTY CLERK-RECORDER (/)**



<https://www.facebook.com/riversideacr>



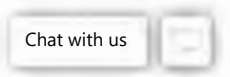
<https://www.youtube.com/channel/UC1mFEtE-t1F2dz1LmeOjW9w>

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## RESTRICTIVE COVENANT MODIFICATION

Services (<https://www.rivcoacr.org/Services>) / Recording Services - ALL (<https://www.rivcoacr.org/RecordingServices>) / Record A Document (<https://www.rivcoacr.org/RecordADocument>) / Restrictive Covenant Modification (<https://www.rivcoacr.org/RestrictiveCovenantModification>)



## Removal of Unlawful Discriminatory Covenants from Property Documents

### RESTRICTIVE COVENANT MODIFICATION

Under current state law, including AB1466 ([https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB1466](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1466)) effective January 1, 2022, homeowners can request to modify property documents that contain unlawful discriminatory covenants. Government Code Section 12956.2 ([http://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&ionNum=12956.2](http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&ionNum=12956.2)) allows anyone who believes the property is the subject of an unlawfully restrictive covenant to record a Restrictive Covenant Modification document to have the illegal language redacted. Unlawful restrictions include those restrictions based on age, race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, national origin, source of income as defined in Government Code Section 12955 ([https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&ionNum=12955](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&ionNum=12955)) subdivision (p), ancestry, or genetic information.

#### To Record a Restrictive Covenant Modification, you must:

- Complete a Restrictive Covenant Modification Form ([https://www.rivcoacr.org/media/Forms/Recorder/Recorder\\_Sample\\_Documents/Restrictive%20Covenant%20Modification%20-%20ACR608.pdf](https://www.rivcoacr.org/media/Forms/Recorder/Recorder_Sample_Documents/Restrictive%20Covenant%20Modification%20-%20ACR608.pdf))
- Attach a copy of the original document containing the unlawful restrictive language with the unlawful language Redacted.
- Submit the completed document to the County Recorder. There is no fee to record this document in Riverside County.

Upon receipt, the Recorder's office will submit the document to County Counsel who will determine whether the original document contains any unlawful restrictions, as defined in Government Code Section 12956.2 subdivision (b). Only those determined to be in violation of the law will be recorded and those that are not, will be returned to the submitter unrecorded.

Please note that the County Recorder is not liable for modification not authorized by law. This is the sole responsibility of the holder of ownership interest who caused the modified recordation per Government Code Section 12956.2 subdivision (f).

Pursuant to the requirements of AB1466, and no later than July 1, 2022, the Assessor-County Clerk-Recorder will post an implementation plan outlining our strategy to identify records with discriminatory restrictions.

### RESTRICTIVE COVENANT MODIFICATION-AFFORDABLE HOUSING

Under state law, pursuant to AB 721 effective January 1, 2022, the owner of an affordable housing development can request to modify property documents that restricts the number or size of residences that may be built on a property or that restricts the number of persons that may reside on a property to the extent necessary to allow the affordable housing development to proceed as defined in Government Code 12956.2 and Civil Code 714.6

#### To Record a Restrictive Covenant Modification-Affordable Housing, you must:

- Complete a Restrictive Covenant Modification-Affordable Housing Form ([https://www.rivcoacr.org/media/Forms/Recorder/Recorder\\_Sample\\_Documents/ACR%201003-%20Restrictive%20Covenant%20Modification-Affordable%20Housing%2012\\_14\\_2021%20\(005\).pdf](https://www.rivcoacr.org/media/Forms/Recorder/Recorder_Sample_Documents/ACR%201003-%20Restrictive%20Covenant%20Modification-Affordable%20Housing%2012_14_2021%20(005).pdf)); this must be signed in front of a notary public.
- Attach a copy of the original document containing the unlawful restrictive language with the unlawful language Redacted.
- Submit the completed document to the County Recorder. There is a fee to record this document in Riverside County.

Upon receipt, the Recorder's office will submit the document to County Counsel who will determine whether the original document contains any unlawful restrictions, as defined in Government Code Section 12956.2 subdivision (b). Only those determined to be in violation of the law will be recorded and those that are not, will be returned to the submitter unrecorded.

Please note that the County Recorder is not liable for modification not authorized by law. This is the sole responsibility of the holder of ownership interest who caused the modified recordation per Government Code Section 12956.2 subdivision (f).

Riverside County Assessor-County Clerk-Recorder



(/)

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(<https://www.surveymonkey.com/r/MFDHB2D>)

### Helpful Links

Auditor-Controller (<https://www.auditorcontroller.org/>)

Clerk of the Board (<https://www.rivcocob.org/>)

County of Riverside (<https://rivco.org/>)

Property Tax Portal (<http://riversidetaxinfo.com/>)

State of California Board of Equalization (<https://www.boe.ca.gov/>)

Treasurer-Tax Collector (<https://www.countytreasurer.org/>)

Office Hours & Locations (/locations-and-hours)

Phone: (951) 955-6200 (tel:9519556200)

Live Agents from 8 am - 5 pm, M-F

Website By EvoGov (<https://www.evogov.com/>)