



FEB 07, 2014 11:49 AM

Recording Requested By:

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 42.00

PAGES: 6

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When Recorded, Return To:



Dawn Walters
ELITE MANAGEMENT
11717 Bernardo Plaza Court, Suite 110
San Diego, CA 92128

For Recorder's Use

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS
VERMONT VILLAS CONDOMINIUMS HOMEOWNERS ASSOCIATION

NOTICE

(Gov. Code §12956.1)

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, 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. 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.

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS
VERMONT VILLAS CONDOMINIUMS HOMEOWNERS ASSOCIATION**

THIS AMENDMENT is made on this 4th day of Feb. 2014, by Vermont Villas Condominiums Homeowners Association, a California nonprofit mutual benefit corporation ("Association"), with reference to the following:

RECITALS

A. Declarant is a corporation whose Members are the Owners of all the Units within that certain real property in the City of Escondido, County of San Diego, State of California, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter "*Property*").

B. The Property was developed as a Condominium Project as defined in section 4125 of the California Civil Code, and consists of one hundred eight (108) Residential Units and related Common Area.

C. The Property is currently subject to the covenants, conditions, restrictions, rights, reservations, easements, equitable servitudes, liens and charges set forth in the Declaration of Covenants, Conditions and Restrictions Vermont Villas Condominiums Homeowners Association, recorded in the Official Records of the County Recorder of San Diego County on September 21, 1979 as File No. 79-395962, hereinafter referred to as "*Declaration*".

D. Association and its Members now desire to amend the Declaration as set forth below.

E. Article VIII, Section 4 of the Declaration, provides that the Declaration may be amended upon the affirmative vote or written consent of at least a majority of the total voting power of the Association. The undersigned President and Secretary of the Association certify that, to the best of their knowledge, the affirmative vote of at least the required percentage of Association Members has been obtained.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Article IV, Section 9 shall be amended to read as follows:

9. Nonpayment of Assessments; Recording of Lien: Any assessment not paid within fifteen (15) days after the due date is delinquent. Any assessment not paid within fifteen (15) days of the date due shall be subject to a late charge

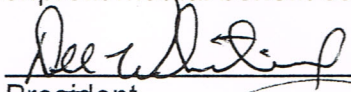
of ten dollars (\$10.00) or ten percent (10%), whichever is greater, or the maximum amount allowed by applicable law. No late charge may be imposed more than once for the delinquency of the same payment. However, the imposition of a late charge on any delinquent payment shall not eliminate or supersede charges imposed on prior delinquent payments. Interest on any delinquent assessment and related late charge and reasonable collection costs will be charged at an annual percentage rate of twelve percent (12%) commencing thirty (30) days after the Assessment becomes due. The Association may bring an action at law against the owner personally obligated to pay the amounts delinquent, including the entire unpaid balance and any related costs described herein, or foreclose the lien against the condominium.

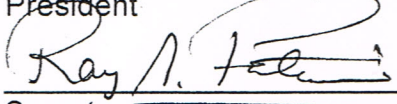
The Board of Directors may cause to be recorded as to any delinquent assessment in the Office of the County Recorder of San Diego County, California, a Notice of Assessment Lien, which shall state the amount of the assessment and such related charges as may be authorized by this Declaration, a description of the condominium against which the lien has been assessed, and the name of the record or reputed owner of the condominium. The notice shall be signed by any member of the Board of Directors, or by the Association's managing agent. The assessment lien shall also be deemed to secure all of the foregoing items which shall become due or incurred relative to the condominium subsequent to the recordation of the Notice of Assessment Lien until the completion of the enforcement of the lien or the repayment of the full amount secured by the lien, or other satisfaction to be made in connection therewith.

2. Except as expressly amended herein, the remaining portions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed on the day and year hereinabove written by the undersigned Directors.

VERMONT VILLAS CONDOMINIUMS HOMEOWNERS ASSOCIATION
a California nonprofit mutual benefit corporation

By: 
President

By: 
Secretary

(Attach Proper Notary Certificate(s) of Acknowledgment)

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)

COUNTY OF ^{LOS ANGELES} ~~SAN DIEGO~~ (CARR)

On JANUARY 22, 2014, before me, ALAN H. UEHARA, Notary Public,
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")

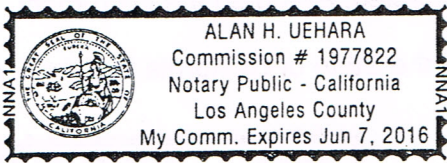
personally appeared DEE WHITING
Name of Signer(s)

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 signatures(s) on the instrument and the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]



Place Notary Seal Above
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: 1st AMENDMENT TO DECLARATION OF CC+R's

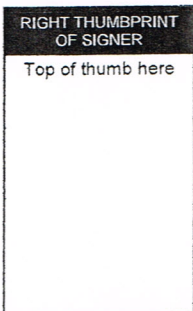
Document Date: - Number of Pages: 5

Signer Other Than Named Above: SECRETARY

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name: DEE WHITING

- Individual
- Corporate Officer
Title: PRESIDENT
- Partner - Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

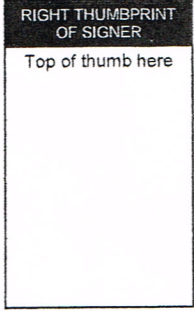


Signer is Representing: VERMONT VILLAS

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name: _____

- Individual
- Corporate Officer
Title: _____
- Partner - Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing: _____

**EXHIBIT A
LEGAL DESCRIPTION**

PROPERTY:

LOT 1 OF ESCONDIDO TRACT NO. 352, IN THE CITY OF ESCONDIDO,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP
THEREOF NO. 9058, FILED IN THE OFFICE OF THE COUNTY RECORDER
OF SAN DIEGO COUNTY, DECEMBER 18, 1978

ACKNOWLEDGMENT

State of California
County of San Diego

On FEB. 05, 14 before me, Christina Hurtado, Notary Public
(insert name and title of the officer)

personally appeared RAY S. FATEINI
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Christina Hurtado (Seal)