

RECORDING REQUESTED BY:

Bridle Path Homeowner's Association, Inc.

WHEN RECORDED MAIL TO:

Bridle Path Homeowner's Association

Attn: Bill Apodaca, President

(Space Above For Recorder's Use)

**AMENDMENT TO DECLARATION OF ESTABLISHMENT OF COVENANTS,
CONDITIONS, RESTRICTIONS AND RESERVATIONS**

THIS AMENDMENT (the "Amendment") is made on _____, 201__ by BRIDLE PATH HOMEOWNER'S ASSOCIATION, INC., a California nonprofit corporation (the "Association") with respect to the following facts:

A. The Association is the successor in interest to Bridle Path Homes, a limited partnership, the original Declarant of the Declaration of Establishment of Covenants, Conditions, Restrictions and Reservations recorded September 3, 1976 in Book 4665, Pages 83-104 inclusive, Document No. 80448, Official Records of the County Recorder of the County of Ventura, State of California (the "Original Declaration"). The Original Declaration, as subsequently amended, is hereinafter referred to as the "Declaration".

B. The Declaration encumbers certain real property and improvements located in the City of Simi Valley, County of Ventura, State of California, including Lots 1 through 59 inclusive of Tract 2476 per Map recorded in Book 67, Page 85; Lots 1 through 55 inclusive of Tract 2576-1 per Map recorded in Book 70, Pages 91 through 97; Lots 56 through 113 inclusive of Tract 2576-2 per Map recorded in Book 71, Pages 1 through 6; Lots 114 through 176 inclusive of Tract 2576-3 per Map recorded in Book 73, Pages 41 through 50; Lots 180 through 254 inclusive of Tract 2576-4 per Map recorded in Book 78, Page 1; Lots 256 through 313 inclusive of Tract 2576-5 per Map recorded in Book 84, Pages 78 through 85; Lots 314 through 367 inclusive of Tract 2576-6 per Map recorded in Book 86, Pages 81 through 85; Lots 368 through 421 inclusive, 423 and 424 of Tract 2576-7 per Map recorded in Book 86, Pages 86 through 92; Lots 1 through 29 inclusive of Tract 4038-1 per Map recorded in Book 103, Pages 50 through 52; Lots 30 through 87 inclusive of Tract 4038-2 per Map recorded in Book 104, Pages 70 through 76; Lots 88 through 144 inclusive of Tract 4038-3 per Map as recorded in Book 108, Pages 1 through 5; Lots 145 through 152 inclusive of Tract 4038-4 per Map as recorded in Book 108, Pages 6 through 8; as recorded in the Office of the County Recorder of said County, and such additions as may hereafter be brought within the jurisdiction of

this Association.

C. The Association desires to amend the Declaration as provided in this Amendment. Pursuant to the terms of the Declaration, amendment of the Declaration requires approval of at least 2/3 of the voting Members of the Association.

NOW, THEREFORE, it is agreed:

1. Amendments. The Declaration is hereby amended as follows:

(a) **Section 3 of Article II titled “Classes of Membership” is hereby deleted and replaced with the following:**

“Section 3. Classes of Membership. The Association shall have one class of Membership. Only one Membership vote is attributed to each Lot. Accordingly, if more than one person owns a Lot, each Owner shall be deemed a Member with all rights and privileges of Membership in the Association, but such Owners shall collectively constitute only one Member for purposes of voting. Fractional votes are not permitted. If joint Owners of a Lot cast inconsistent votes or otherwise attempt to vote on a matter in an inconsistent fashion, the Secretary or inspectors of election, as the case may be, may refuse to count or allow the vote pertaining to their Lot with respect to that matter.”

(b) **Section 4 of Article II titled “Cumulative Voting” is hereby deleted and replaced with the following:**

“Section 4. Cumulative Voting. There shall be no cumulative voting for the election or removal of directors.”

(c) **Section 1 of Article V titled “Assessments for Operating and Maintaining the Common Properties” is hereby revised to read in its entirety as follows:**

“Section 1. Assessments for Operating and Maintaining the Common Properties. Subject to the terms of this Article V, the Association, acting through the Board of Directors, shall make assessments as herein provided to cover the cost of operating and maintaining the common properties; provided, however, that the Board of Directors of the Association may not, without the affirmative vote of at least 2/3 of the votes represented in person or by proxy and voting at a duly held meeting of the Members at which a quorum is present (which affirmative votes also constitute a majority of the required quorum) or voting by written ballot in accordance with the written ballot procedures described in the Bylaws of the Association, impose a regular assessment which is more than 20% greater than the regular assessment for the Association’s immediately preceding fiscal year. Notwithstanding the foregoing, nothing herein shall restrict or limit the right and power of the Board of Directors of the Association to impose assessments in emergency situations in accordance with California Civil Code Section 1366(b).”

(d) **Section 6 of Article V titled “Special Assessments” is hereby revised to read in its entirety as follows:**

“Section 6. Special Assessments. The levying of any special assessment shall require the affirmative vote of at least 2/3 of the votes represented in person or by proxy and voting at a duly held meeting of the Members at which a quorum is present (which affirmative votes also constitute a majority of the required quorum) or voting by written ballot in accordance with the written ballot procedures described in the Bylaws of the Association. In addition, assessments may be made against individual Lots as pursuant to the provisions of Article X, Section 8, and as otherwise expressly authorized in this Declaration.”

2. Defined Terms. Capitalized terms not otherwise defined herein shall have the meaning given to such terms in the Declaration.

3. Conflicts. To the extent that any provision of this Amendment directly conflicts with any provision in the Declaration, the provisions of this Amendment shall prevail.

4. Continuing Effect. Except for the amendments and modifications specified in this Amendment, all other provisions of the Declaration remain unchanged. As amended hereby, the Declaration continues in full force and effect.

IN WITNESS WHEREOF, the Association has executed this Amendment to Declaration of Establishment of Covenants, Conditions, Restrictions and Reservation as of the first date written above.

BRIDLE PATH HOMEOWNER’S ASSOCIATION,
a California nonprofit corporation

By: _____
Bill Apodaca, President

By: _____
Secretary

CERTIFICATE OF AMENDMENT

The undersigned hereby certify:

1. That we are the President and Secretary, respectively, of the Bridle Path Homeowner's Association, a California nonprofit corporation;

2. That this Amendment to Declaration of Establishment of Covenants, Conditions, Restrictions, and Reservations dated _____, 20__ has been approved by the Board of Directors of the Association and by the vote or assent by written ballot of not less than 2/3 of the Members of the Association entitled to vote on the matter.

The undersigned declare under penalty of perjury under the laws of the State of California that the statements contained in this Certificate of Amendment are true of their own knowledge and that this declaration was executed on _____, 20__, in Simi Valley, California.

Bill Apodaca, President

Secretary

State of California)
County of Ventura)

On _____ before me, (here insert name and title of the officer), personally appeared _____, 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 _____ (Seal)

State of California)
County of)

On _____ before me, (here insert name and title of the officer), personally appeared _____, 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 _____ (Seal)