

NOTIFICATION TO HOMEOWNERS

Please find enclosed a copy of the First Amendment to Declaration of Covenants, Conditions, Restrictions and Reservation of Easements For 43 @ Racquet Club, Inc. recorded as Document No. 2011-0518683 on November 22, 2011 in the Official Records of Riverside County, California. This should be kept with your documents and papers regarding your home.

This is a modification to the governing documents of the homeowners association for 43 at Racquet Club to include a minimum 30 day rental period, as was recently approved by the homeowners in an affirmative vote in excess of the required 67% of all homeowners. This modification is effective under law as of its recording date of November 22, 2011.

Contracts for rentals signed and actually entered into prior to November 22, 2011 for less than 30 days (and with any such rental otherwise complying with the existing minimum seven day rule requirements), are grandfathered in until April 30, 2012 (with the last day of any such rental being April 30, 2012), per the terms of the modification.

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

43 @ Racquet Club, Inc.

AND WHEN RECORDED MAIL TO:

Wayne Guralnick, Esq.
GURALNICK & GILLILAND, LLP.
40-004 Cook Street, Suite 3
Palm Desert, CA 92211

DOC # 2011-0518683

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Recorded in Official Records
County of Riverside

Larry W. Ward
Assessor, County Clerk & Recorder



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FIRST AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS
FOR 43 @ RACQUET CLUB, INC.

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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 THE
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND
RESERVATION OF EASEMENTS FOR
43 @ RACQUET CLUB, INC. ("First Amendment")**

THIS FIRST AMENDMENT is made on this 18th day of November, 2011, by the written consent of at least sixty-seven percent (67%) of the total voting power of the Association ("Association"), the legal description of which is attached hereto as Exhibit A and made a part hereof by this reference.

WHEREAS, the Association's Declaration of Covenants, Conditions, Restrictions and Reservation of Easements ("Declaration") was recorded on December 1, 2005, as Instrument No. 2005-0993761 in the records of Riverside County, California;

WHEREAS, pursuant to Section 15.02(b) of the Declaration, sixty-seven percent (67%) of the voting power of the Association must consent to amend the Declaration and said consent was obtained.

NOW, THEREFORE, the undersigned hereby declares that the Declaration shall be and is hereto amended as set forth in Exhibit B, attached hereto and made a part hereof by this reference.

CERTIFICATE OF PRESIDENT

The undersigned, as President of the Board of Directors of **43 @ RACQUET CLUB HOMEOWNERS ASSOCIATION** hereby certifies under penalty of perjury that the First Amendment to the Declaration was approved by at least 67% of the total voting power of the Association, evidence of which is on file in the office of the Association.

43 @ RACQUET CLUB HOMEOWNERS ASSOCIATION
A California Nonprofit Mutual Benefit Corporation

Date: 11-18-2011

By: W R Mitchell
Walter R. Mitchell President



Exhibit A

Lots 1 through 43, inclusive, and Lots B, C, D, E, F, G, H, I, J, K, L, M, N, O and P of Tract No. 31940, in the City of Palm Springs, as per Map filed in book 392, Pages 28 through 32, inclusive, of Maps, in the Office of the County Recorder of Riverside County.



Exhibit B

The text of the First Amendment to the Declaration is as follows:
(~~Strike-out~~ indicates deletions; double-underline indicates additions)

ARTICLE III

GENERAL RESTRICTIONS

Section 3.15 Leasing.

An Owner may rent a Lot for residential purposes provided:

- (a) There is a written agreement;
- (b) The lease states it is subject to all the provisions of the Governing Documents;
- (c) Owners must give the Board the names and telephone numbers of all Occupants and tenants; ~~and~~
- (d) The Association and each Owner shall have a right of action directly against any tenant/Occupant for any breach of any provisions of the Governing Documents; and
- (e) There shall be no leasing of Lots for a transient use, defined to mean the leasing of a Lot for a period of time of less than thirty (30) consecutive days. Leasing/rental of Lots for thirty (30) consecutive days or more shall be permitted. All leases executed prior to the recordation of this Amendment (which are for terms of less than thirty (30) consecutive days in duration) shall be grandfathered up to and including April 30, 2012 (the last day of any grandfathered lease shall be no later than April 30, 2012).



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
) ss.
 County of Riverside)

On NOVEMBER 18, 2011, before me, KATHY ROGERS, NOTARY PUBLIC,
 Notary Public, personally appeared WALTER R. MITCHELL, 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.

Kathy Rogers
 SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document
 and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- INDIVIDUAL
- CORPORATE OFFICER

 TITLE(S)

 TITLE OF TYPE OF DOCUMENT

- PARTNERS LIMITED
- ATTORNEY-IN-FACT GENERAL
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

 NUMBER OF PAGES

 DATE OF DOCUMENT

SIGNER IS REPRESENTING:
 NAME OF PERSON(S) OR ENTITY(IES)

 SIGNER(S) OTHER THAN NAMED ABOVE





LARRY W. WARD
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

WALTER R. MITCHELL

PARAGRAPH IS TRUE AND CORRECT.

Date: Nov. 22, 2011

Signature: *Davina J. Beall*

Print Name: DAVINA J. BEALL

