

**JULIE RODEWALD**  
San Luis Obispo County – Clerk/Recorder

AG  
7/03/2013  
1:26 PM

Recorded at the request of  
**FIS MULTIPAY CREDIT/DEBIT**

DOC#: **2013038662**



<b>Titles:</b>	<b>1</b>	<b>Pages:</b>	<b>6</b>
<b>Fees</b>			<b>29.00</b>
<b>Taxes</b>			<b>0.00</b>
<b>Others</b>			<b>7.00</b>
<b>PAID</b>			<b>\$36.00</b>

RECORDING REQUESTED BY:  
Fidelity National Title Insurance Co.

AND WHEN RECORDED:  
Castlerock Development  
445 Green Gate Road  
San Luis Obispo, CA 93401

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**FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED  
COVENANTS, CONDITIONS, AND RESTRICTIONS (“CC&RS”)  
FOR**

**OAK RIDGE ESTATES AT 3F MEADOWS**

ATASCADERO, CA (ATAL 00-192)

THIS FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED COVENANTS, CONDITIONS, AND RESTRICTIONS (“CC&RS”) FOR OAK RIDGE ESTATES AT 3F MEADOWS ATASCADERO, CA (ATAL 00-192) made this 21 day of March, 2013 by K&M Holding Corporation, a California Corporation, and Castlerock Development, a California Corporation (hereinafter collectively referred to as “Declarant”) is made with regard to the following facts:

**RECITALS**

- 1) Whereas, that certain Covenants, Conditions, And Restrictions (“CC&Rs”) For Oak Ridge Estates At 3F Meadows Atascadero, CA (ATAL 00-192) as recorded in official records of San Luis Obispo County on February 27, 2003 as Document No. 2003019455 was subsequently amended and restated by that certain Second Amended And Restated Declaration Of Covenants Conditions, And Restrictions (“CC&RS”) For Oak Ridge Estates At 3F Meadows, Atascadero, CA (ATAL 00-192), as recorded in official records of San Luis Obispo County on September 3, 2004 as Document No. 2004078839 (hereinafter referred to as the “CC&Rs”); and

- 2) Whereas, that certain Declaration Of Covenants Establishing Maintenance, Repair And Improvement Obligations For Oak Ridge Estates At 3F Meadows Atascadero, CA (ATAL 00-192) as recorded in official records of San Luis Obispo County on February 27, 2003 as Document No. 2003019456 was subsequently amended and restated by that certain First Amended and Restated Declaration Of Covenants Establishing Maintenance, Repair And Improvement Obligations For Oak Ridge Estates At 3F Meadows, Atascadero, CA (ATAL 00-192), as recorded in official records of San Luis Obispo County on July 31, 2003 as Document No. 2003084986; and
- 3) Whereas, CC&Rs Section 1 of Article VII- Owners' Consent to Amendment/Revocation allows for amendments to the CC&Rs after the first conveyance of a Parcel upon the written approval of the then record Owners of at least fifty-one percent (51%) of the Parcels; and
- 4) Whereas, Declarant currently owns more than fifty one percent (51%) of those certain properties that are part of Oak Ridge Estates at 3F Meadows, Atascadero, CA (ATAL 00-192) as shown on the map thereof recorded February 27, 2003 in Book 58, Page 1-22 of Parcel Maps in the Office of the County Recorder of San Luis Obispo County (hereinafter "Properties" collectively, or "Property" individually); and
- 5) Whereas, Declarant now wishes to amend the CC&Rs as provided hereinafter in conjunction with the Second Amended And Restated Declaration Of Covenants Establishing Maintenance, Repair And Improvement Obligations For Oak Ridge Estates At 3F Meadows, Atascadero, CA (ATAL 00-192) recorded concurrently herewith, in the office of the County recorder of San Luis Obispo County, CA.

NOW, THEREFORE, Article IX- Miscellaneous Provisions, Section 16- Public Road Maintenance Responsibility is amended to read as follows:

SECTION 16  
Public Road Maintenance Responsibility

Certain residential Lot Owners shall have a prorated share of the financial responsibility for the continued maintenance of the following roads and ancillary drainage structures within the project boundaries of Oak Ridge Estates, as delineated on sheets 9 through 22, inclusive, of Parcel Map ATAL 00-192: San Marcos Road, Cenegal Road, Cabazon Road, Puente Road, Madrone Road, San Cayetano Road, San Marcos Court, San Felipe Court, Escabroso Court, Pecos Court, Rojo Court, and Paso Verde Court.

This financial responsibility shall be allocated and implemented as described in the Second Amended and Restated Declaration Of Covenants Establishing Maintenance, Repair And Improvement Obligations For Oak Ridge Estates At 3F Meadows, Atascadero, CA (ATAL 00-192), as recorded in official records of San Luis Obispo County on July 3rd, 2013 as Document No. 2013038661

The requirements of this Section 16 shall remain in effect until such time as one of the following occurs, and whichever of these occurs first shall result in the termination of this Section 16:

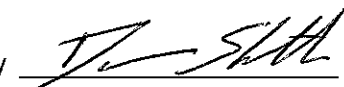
1. The Atascadero City Council accepts the dedications and maintenance of the above identified roads; or
2. A Maintenance Assessment District for the above identified roads is established and subsequently approved by the Atascadero City Council; or
3. Another comparable Declarant and/or Lot Owner plan or method to address continued maintenance for the Public Roads within Oak Ridge Estates is approved by the City Engineer and Community Development Director.

In the event of the violation of any of the above covenants of this Section 16 or attempt to violate any of the above covenants of this Section 16 prior to their termination as herein above set forth, it shall be lawful for the Declarant, and/or the Lot Owner (or Lot Owners) of any other parcel to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of the above said conditions, and either to prevent him/her/them from doing so or to recover damages for such violation.

IN WITNESS WHEREOF, Declarant has executed this *First Amendment To The Second Amended And Restated Covenants, Conditions, And Restrictions ("CC&Rs") For Oak Ridge Estates At 3F Meadows, Atascadero, CA (ATAL 00-192)* as of this 21 day of MARCH, 2013

DECLARANT:

Castlerock Development, a California corporation

By   
Darren Shetler, President  
Castlerock Development

DECLARANT:

K&M Holding Corporation, a California corporation

By   
Darren Shetler, President  
K&M Holding Corporation

State of California )  
County of San Luis Obispo

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On April 8, 2013 before me, Heather Witt, Notary Public  
(here insert name and title of the officer)

personally appeared Darren Snetler

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 Heather Witt

(Seal)

### OPTIONAL INFORMATION

*Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.*

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of First Amendment of the Second Amended Restated Covenants, Conditions and Restrictions containing 4 pages, and dated 3-21-13.

The signer(s) capacity or authority is/are as:  
 Individual(s)  
 Attorney-in-Fact  
 Corporate Officer(s) President  
Title(s)

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) or Entity(ies) Signer is Representing

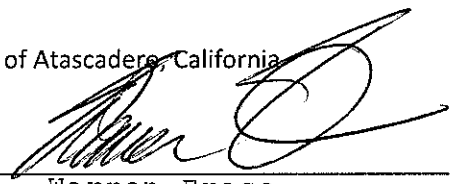
Additional Information	
<b>Method of Signer Identification</b>	
Proved to me on the basis of satisfactory evidence: <input checked="" type="checkbox"/> form(s) of identification <input type="checkbox"/> credible witness(es)	
Notarial event is detailed in notary journal on: Page # <u>19</u> Entry # <u>1</u>	
Notary contact: _____	
<b>Other</b>	
<input type="checkbox"/> Additional Signer(s)	<input type="checkbox"/> Signer(s) Thumbprint(s)
<input type="checkbox"/> _____	

**REVIEW AND APPROVAL  
BY CITY OF ATASCADERO, CALIFORNIA**

Pursuant to the Second Amended and Restated Declaration of Covenants Establishing Maintenance, Repair and Improvement Obligations for Oak Ridge Estates at 3F Meadows, Atascadero, CA (ATAL 00-192) recorded in the official records of the San Luis Obispo County Recorder on September 3, 2004 as Document No. 2004078839, the undersigned, as an authorized representative of the City of Atascadero, California, has reviewed and approves the provisions contained in the First Amendment to the Second Amended and Restated Declaration of Covenants Establishing Maintenance, Repair and Improvement Obligations for Oak Ridge Estates at 3F Meadows, Atascadero, CA (ATAL 00-192), executed by K&M Holding Corporation, a California Corporation, and Castlerock Development, a California Corporation, both as Declarant, dated 3-21-13.

City of Atascadero, California

By:

  
Warren Frace

Print Name: WARREN FRACE

Title: COMMUNITY DEVELOPMENT  
DIRECTOR

City of Atascadero, California

By:

  
David M. Athey

Print Name: DAVID M. ATHEY

Title: Deputy City Engineer/  
Dep. Public Works Director

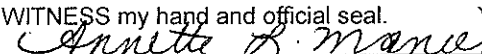
CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

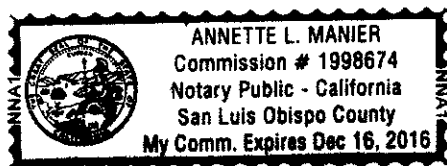
State of California  
County of San Luis Obispo

On March 21, 2013 before me, Annette L. Manier, Notary Public,  
Date (Here Insert Name and Title of the Officer)  
personally appeared Warren Frace,  
(Name(s) 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 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 of Notary Public



CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California

County of San Luis Obispo

On March 21, 2013 before me, Annette L. Manier, Notary Public,  
Date (Here Insert Name and Title of the Officer)

personally appeared David M. Athey,  
(Name(s) 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~~ 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.

*Annette L. Manier*

Signature of Notary Public