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FIRST AMERICAN TITLE COMPANY

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**GARY L. ORSO**  
County Recorder  
RIVERSIDE COUNTY CALIFORNIA

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**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AND RESERVATION OF EASEMENTS  
FOR  
FAIRWAY AT REDHAWK**

First American Title Company has recorded this instrument by request as an accommodation only and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described herein

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AND RESERVATION OF EASEMENTS  
FOR  
FAIRWAY AT REDHAWK**

This First Amendment to Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Fairway at Redhawk (the "*First Amendment*") is made by Redhawk Communities, Inc., a California corporation ("*Declarant*").

**RECITALS**

A. On February 28, 2002, Declarant recorded that certain Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Fairway at Redhawk (the "*Declaration*") as Instrument No. 2002-104936 in the Official Records of Riverside County, California (the "*Official Records*").

B. Section 13.2.6 of the Declaration provides that at any time before the first Close of Escrow in Phase 1, Declarant may unilaterally amend the Declaration by recording a written instrument signed by Declarant. As of the date hereof, the first Close of Escrow in Phase 1 has not occurred.

C. Declarant desires to amend the Declaration as provided in this First Amendment.

THEREFORE, Declarant declares as follows:

1. **Phase 1.** Recital A in the Preamble of the Declaration is deleted and replaced with the following:

"A. Declarant is the owner of real property located in the unincorporated area of Riverside County, California described as follows:

Lots 10 to 19, inclusive, and Lots 30 to 39, inclusive, of Tract No. 23066-2 as shown on a Subdivision Map, Filed on February 28, 2002, in Book 315, Pages 73 to 78, inclusive, of Maps in the Office of the Riverside County Recorder."

2. **Common Area.** Section 1.1.12(b) is amended to read as follows:

"(b) **Common Area Owned in Fee by Others.** Common Area includes (a) the surface of the Property Walls that face Common Area or publicly owned property; and all wrought iron or glass portions of the Property Walls, as shown on *Exhibit E-1* attached hereto, and (b) nonexclusive easements for access to and maintenance and repair of the landscaped slope on the portions of Lots 37 and 38 of Tract No. 23066-2 shown on *Exhibit E-2* attached hereto."

3. Section 1.1.19 is amended to read as follows:

"1.1.19. **Community Declaration.** Community Declaration means the Restated Declaration of Covenants, Conditions and Restrictions for Redhawk Community Association, together with any amendments thereto, recorded on February 26, 2002, as Instrument No. 2002-097861, in the Official Records of Riverside County, including any applicable declarations or other documents providing for annexation of increments."

4. Exhibits A, B, C and E to the Declaration are deleted and replaced with Exhibits A, B, C and E (including Exhibits E-1 and E-2) attached to this First Amendment.

5. The Declaration, as amended in this First Amendment, is hereby ratified and confirmed. Capitalized terms not defined herein shall have the meanings given to them in the Declaration.

This Amendment is dated for identification purposes April 8<sup>th</sup>, 2002.

REDHAWK COMMUNITIES, INC.,  
a California corporation

By: Paul Garrett  
Paul Garrett, President

By: Diane Garrett  
Diane Garrett, Secretary  
"Declarant"

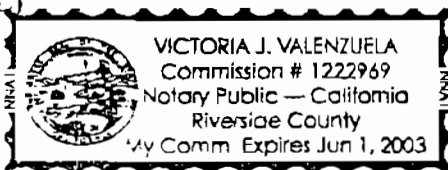
STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.

On April 8, 2002, before me, Victoria J. Valenzuela, Notary Public, personally appeared PAUL GARRETT AND DIANE GARRETT, 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.

Victoria J. Valenzuela  
Notary Public in and for said State

(SEAL)



## EXHIBIT A

### LEGAL DESCRIPTION OF ANNEXABLE TERRITORY

Tract No. 23066-2 as shown on a Subdivision Map, filed on February 28, 2002, in Book 315, Pages 73 to 78, inclusive, of Maps, in the Office of the Riverside County Recorder, except Phase 1.

Tract No. 23066-1 as shown on a Subdivision Map, filed on February 28, 2002, in Book 315, Pages 79 to 84, inclusive, of Maps, in the Office of the Riverside County Recorder.

Tract No. 23066-3 as shown on a Subdivision Map, filed on February 28, 2002, in Book 315, Pages 85 to 90, inclusive, of Maps, in the Office of the Riverside County Recorder.

That portion of Parcel 3 of Parcel Map No. 24387, as filed in Book 164, pages 5 through 20; inclusive, of Parcel Maps, excepting that portion of Tract No. 23066-2 recorded book 315, pages 73 through 78; inclusive, of maps, and excepting that portion of Tract 23066-3, recorded in book 315, pages 85 through 90; inclusive, all records of Riverside County, California.