

RECORDING REQUESTED BY
Law Office of Christopher W. Guenther

AND WHEN RECORDED MAIL TO:
Christopher W. Guenther, Esq.
790 South Main Street
Templeton, CA 93465

**CERTIFICATE OF AMENDMENT TO AMENDED AND RESTATED DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
HIGH SIERRA MEADOWS SUBDIVISION**

Those certain declarations of protective restrictions listed in Exhibit A (collectively, the Original Declarations), which were executed by Sierra Co., A Limited partnership (the Declarant) or High Sierra Property Owners Association, Inc (hereafter, the “Association”), and Recorded in the Official Records of Madera County, California, on the dates and at the book and page numbers of the Official Records identified in Exhibit A, are hereby consolidated into this single Declaration covering the Development, and are amended, consolidated, and restated in their entirety to read as follows:

1. Delete the current section 1.10(c) and Replace it with the following:

(a) Any amounts reasonably necessary for reserves for maintenance, repair, and replacement of the Common Areas and Common *Facilities* and for nonpayment of any Assessments; and

2. Delete the current section 1.29 and Replace it with the following:

Section 1.29 Season. “Season” means a *full season of occupancy of the Lots by the Members or their guests for Single Family Resort Use commencing April 1 through November 1 of each year.*

3. Delete the current section 1.34 and Replace it with the following:

Section 1.34 Voting Power. “Voting Power” means those Members who are eligible to vote for the election of directors or with respect to any other matter, issue, or proposal properly presented to the Members for approval at any time a determination of voting rights is made. [~~*To be part of the Voting Power, a Member must be in good standing, as defined in the Bylaws or the Association Rules.*~~”]

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4. Delete the current section 2.03(a) and Replace it with the following:

[Section 2.03]

(a) The right of the Association to adopt Association Rules, as provided in Section 3.07, regulating the use and enjoyment of the real property and improvements comprising the Development for the benefit and well-being of the Owners in common, and, in the event of the breach of such rules or any provision of any Governing Document by any Owner or tenant, to initiate disciplinary action against the violating Owner or tenant in accordance with Section 13.06. Such action may include the levying of fines [*Delete “... and/or the temporary suspension of the voting rights...”*] and/or the right to use the Common Facilities, other than the private roads within the Development.

5. Delete the current section 2.04(b)(ii) and Replace it with the following:

[Section 2.04(b)]

(ii) The rental shall apply to not less than an entire Lot, including its appurtenant rights [*Delete the language as follows: “(except voting rights in the Association that may not be transferred to a tenant or lessee)”*]; and

6. Delete the current section 3.03 and Replace it with the following:

Section 3.03 Voting Rights of Members. Each Member shall be entitled to one vote for each Lot owned by that Member. When more than one person holds an interest in any Lot, all such persons shall be Members, although in no event shall more than one vote be cast with respect to any Lot. [*Delete “Voting rights may be temporarily suspended under those circumstances described in Section 13.06.”*].

7. Delete the current section 13.06(a) and Replace it with the following:

[Section 13.06]

(a) Rights Generally. In the event of a breach or violation of any Association Rule or of any of the restrictions contained in any Governing Document by an Owner, his or her family, or the Owner’s guests, employees, invitees, licensees, or tenants, the Board, for and on behalf of all other Owners, may enforce the obligations of each Owner to obey the Association Rules, covenants, or restrictions through the use of such remedies as are deemed appropriate by the Board and available at law or in equity, including but not limited to hiring legal counsel, imposing fines and monetary penalties, pursuing legal action, suspending the Owner’s right to use recreational Common Facilities, [*Delete “... or suspending the Owner’s voting rights as a Member of the Association...”*] provided, however, that the Association’s right to undertake disciplinary action against its Members shall be subject to the conditions set forth in this Section 13.06

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