

HUNTINGTON MARINA

16101 Mariner drive Huntington beach. California 92649

April 11, 1999

TO: ALL OWNERS/MEMBERS OF HUNTINGTON MARINA ASSOCIATION

Enclosed is your conformed copy of First Amendment to Declaration of Covenants, Conditions and Restrictions for Huntington Marina Online showing date and time recorded by the County Recorder.

This Amendment should be placed with your copy of the CC&R'S.

If you do not have your copy of the CC&R'S, arrangements can be made for another set. All owners should have a set along with a set of the Rules and Regulations.

Enclosed First Amendment To Declaration of Covenants And Restrictions for HMA.

Very truly yours,

Ben Whitehead
President
Huntington Marina Association

BW/mw

RECORDING REQUESTED BY

Laura J. Snoke
WILNER KLEIN & SIEGEL
9601 Wilshire Blvd., #700
Beverly Hills, CA 90210

WHEN RECORDED MAIL TO

Name Attn: Estrelita Lane

3:47pm 03124199

Copy Original
Not Compared with Original

Recorded In the County of Orange, California
Gary L. Granville, Clerk/Recorder

18.0

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MAILING WILNER KLEIN & SIEGEL
ADDRESS 9601 WILSHIRE BLVD.
SUITE 700
city state BEVERLY HILLS, CA
Zip Code 90210

A23 5 6.00 12.00 0.00 0.00 0.00 0.00

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR Huntington Marina Online

"RESOLVED, that certain Declaration of Covenants, Conditions and Restrictions recorded on December 8, 1965 in Book 7766, Page 916 of the Official Records, Orange County, California, (the "CC&Rs"), be, and it hereby is, amended as set forth **on Exhibit 'A' attached hereto.**

3. That the total voting power of the membership of the Association consists of 92 votes and the total number of votes necessary to approve an amendment to the Declaration of Covenants, Conditions and Restrictions, as amended (collectively, the "Declaration") is 69.

4. That, except as amended by the foregoing resolution, the Declaration shall be and remain, and continues to be and remains, in full force and effect.

The undersigned declare under penalty of perjury that all of the statements in the foregoing certificate are **true and correct.**

Executed at Seal Beach California, this 6 day of March, 1999.

HUNTINGTON MARINA HOMEOWNERS ASSOCIATION, a California nonprofit mutual benefit corporation

By:

Ben Whitehead, President

By:

Hugh Caille, Secretary

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Laura J. Snoke Esq.
Wilner, Klein & Siegel
9601 Wilshire Boulevard
Suite 700
Beverly Hills, California 90210

FIRST AMENDMENT
TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
HUNTINGTON MARINA HOMEOWNERS ASSOCIATION

TRACT NOS. 5555, 5864, 5865 AND 5866

Ben Whitehead and Hugh Caille hereby certify:

1. That they are the President and Secretary, respectively, of the Huntington Marina Homeowners Association (the "Association"), a California nonprofit mutual benefit corporation located in Orange, California on real estate more particularly described as follows:

Lot 1 of Tract 5555, Lot 1 of Tract 5864, Lot 1 of Tract 5865 and Lot 1 of Tract 5866, as per Map recorded on April 30, 1965 in Book 215: Pages 6 to 10 (inclusive), Book 214, Pages 37-41 (inclusive), Book 214, Pages 42- (inclusive), and Book 215, Pages 1-5, (inclusive), respectively, of Maps, Official Records of the County Recorder of Orange County, State of California.

2. That, by means of an action by written ballot, members of the Association holding and exercising at least 75 percent of the voting power of all members of the Association adopted the following resolution:

State of California

County of Orange

On -3/ 6/1999 before me, Ben Whitehead personally appeared.

Mr.Whitehead is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(&) whose name(s) is subscribed to the within instrument and acknowledged to me he/she/they executed the same in his/her/their authorized capacity, and that by their signature on the instrument the personal), or the entity upon behalf of which the person(&) acted, executed the instrument.

WITNESS my hand official.

Signature

**NOTARY PUBLIC - CALIFORNIA
COMISSION # 1066676
ORANGE COUNTY
My Comm.Exp. August 25,1999**

State of California

County of Orange

On before me, Hugh Caille personally appeared. Mr.Caille is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name (LS) is subscribed to the within instrument and acknowledged to me that he/she/they executed the it is her/their authorized capacity),and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

**E.J. SHIELDS
NOTARY PUBLIC - MUMMA
COMOSSION # 1066675
ORANGE COUNTY
My Comm. Exp. August 25 , low**

EXHIBIT "A"

Article II, Section A(2) of the CC&Rs shall be amended in its entirety to read as follows:

2) Membership based upon ownership of a Unit with each Member having one*(1) vote for each Unit owned by such Member. Cumulative voting in the election of directors shall not be permitted. In any election of directors, every Member entitled to vote shall have the right to cast the number of votes equal to the number of directors to be elected, multiplied by the number of votes to which the Member is otherwise entitled. Each Member may distribute these votes among the candidates for director in any manner he deems appropriate, provided that not more than one (1) vote may be cast for any one candidate. Notwithstanding anything to the contrary in this Declaration, the candidates receiving the highest number of votes up to the number of directors to be elected shall be elected. In the event of a tie between or among the candidates running for the remaining vacancy or vacancies on the Board, a run off election shall be held between or among these tied candidates. In the run-off election, the candidate or candidates receiving the highest number of votes up to the remaining vacancies being contested shall be elected."