

F8
30

RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:

Peacock Hills Senior
Community Association
1525 Peacock Boulevard
Oceanside, CA 92056-2101

DOC # 2008-0231351



APR 30, 2008 2:11 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 24.00

PAGES: 2



(Space Above for Recorder's Use Only)

**SECOND AMENDMENT TO
RESTATED
DECLARATION OF RESTRICTIONS
OF
PEACOCK HILLS SENIOR COMMUNITY
A 55+ SENIOR COMMUNITY**

This document amends that certain "Restated Declaration of Restrictions of Peacock Hills Senior Community - A 55+ Senior Community" ("Declaration") recorded January 14, 2005 as Document No. 2005-0037898, in the Office of the County Recorder of San Diego County, California, which document was amended by a First Amendment thereto recorded January 25, 2006 as Document No. 2006-0055151 in the Office of the County Recorder of San Diego County, California, affecting real property described as:

Lots 1 through 922, inclusive, of Peacock Hills No. 1, 2, 3 and 4, in the City of Oceanside, County of San Diego, State of California, according to Maps number 8390, 8627, 8882, and 9194, filed in the Office of the County Recorder of San Diego County, California, on September 28, 1976, August 1, 1977, June 7, 1978 and April 27, 1979, respectively.

The provisions of the Declaration are amended as follows:

A new subsection 9.2.12 is added to article 9, section 2 to read, in its entirety, as follows:

Except as provided in section 9.2.11 ("Amendments of Age Restriction Provisions to Comply with Changes in the Law") this section 9.2, including subsections 9.2.1 - 9.2.12, may be amended or terminated only by the written consent of the record owners of not less than 75% of all Lots within the Project. With respect to each such written consent, the consent shall be valid only if it bears the acknowledged signatures of all record owners of the Lot. All such consents shall be recorded with such amendment.

Article 11 ("Amendments") is amended to read, in its entirety, as follows:

Except for the provisions of section 9.2 (including subsections 9.2.1 - 9.2.12, which may only be amended as provided in section 9.2.12), this Declaration may be amended or revoked in any respect by the vote of not less than a majority of all Members. Such vote shall be at a duly noticed and held meeting of the Association present or by written ballot.

The approval of the Amendment shall be certified by at least two (2) Board Members and the Amendment shall be effective when the Amendment is recorded in the Office of the County Recorder of San Diego County, California. With respect to any vote hereunder, the Association shall be entitled to accept the vote of any Owner of record of a Lot as the vote of all Owners of record of such Lot unless the Association receives more than one vote from said co-Owners, in which case the vote of a majority of the co-owners shall bind all. In the event of a tie vote with respect to a Lot, the vote shall be counted toward the quorum and recorded as an abstention. Article 18 ("Grandfathered Uses and Conditions") shall be inapplicable to amendments.

Except as so amended, the Declaration shall remain unchanged.

CERTIFICATION of AMENDMENT

The undersigned, being the duly elected President and Secretary of the PEACOCK HILLS SENIOR COMMUNITY ASSOCIATION, hereby certify that the foregoing Second Amendment to the Restated Declaration of Restrictions of Peacock Hills Senior Community Association, was approved by the affirmative vote of in excess of a majority of all record owners, a number of approvals in excess of the number required by the existing provisions of article 11 of the Declaration

Gerald E. Carey

GERALD E. CAREY, II

President, Peacock Hills Senior Community Association

Beverley Hanson

BEVERLEY HANSON

Secretary, Peacock Hills Senior Community Association

State of California)
County of San Diego)

On April 29, 2008 before me, Anita Joan Allen, Notary Public, personally appeared **GERALD E. CAREY, II** and **BEVERLEY HANSON**, 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 Anita Joan Allen (Seal)

