



SEP 12, 2006 2:05 PM

Recording Requested By
and
When Recorded Mail To:

FB
SP

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 28.00
PAGES: 8

Luce, Forward, Hamilton & Scripps LLP
600 West Broadway, Suite 2600
San Diego, California 92101
Attention: Nancy T. Scull, Esq.



2006-0648215

43040405 - 450

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
LA COSTA RIDGE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR LA COSTA RIDGE ("First Amendment") is made as of the 4th day of September, 2006, by REAL ESTATE COLLATERAL MANAGEMENT COMPANY, a Delaware corporation ("Declarant"), and the Merchant Builders whose consents are attached hereto ("**Consenting Merchant Builders**"), with reference to the following

RECITALS:

A. Declarant caused that certain Declaration of Covenants, Conditions and Restrictions for La Costa Ridge to be recorded in the Office of the County Recorder of San Diego County, California, on September 19, 2005, as Document No. 2005-0808219 ("**Declaration**"), encumbering the real property located in the City of Carlsbad, County of San Diego, California, more particularly described on **Exhibit "1"** attached hereto (the "**Covered Property**"). Unless otherwise defined in this First Amendment, initially capitalized terms used in this First Amendment shall have the same meanings given them in the Declaration.

B. Declarant has conveyed portions of the Property to the Consenting Merchant Builders, and Declarant and the Consenting Merchant Builders separately own all of the Covered Property.

C. Declarant and the Consenting Merchant Builders wish to amend the Declaration to correct Exhibit "A" to the Declaration.

NOW, THEREFORE, the Declaration is amended as set forth below.

1. **Covered Property (Exhibit "A")**. Exhibit "A" to the Declaration is amended to (i) add Lot 241 of Map No. 14838, which was erroneously omitted from Exhibit "A" although contemplated to be maintained by the Community Association in the Budget reviewed by the

DRE; (ii) insert the complete names of the Final Maps described therein; and (iii) reflect the resubdivision of Lots 221, 226, 227, 228, 229, 246 and 247 of Map No. 14838. Exhibit "A" to the Declaration, as so amended, shall read as follows:

"Lot 241 of CITY OF CARLSBAD TRACT 99-04-02 VILLAGES OF LA COSTA – LA COSTA RIDGE, in the City of Carlsbad, County of San Diego, State of California, according to Map thereof No. 14838, filed in the Office of the County Recorder of San Diego County on July 14, 2004;

"Lots 1 through 118, inclusive, of CITY OF CARLSBAD TRACT 04-03 LA COSTA RIDGE – NEIGHBORHOODS 2.3 & 2.4, in the City of Carlsbad, County of San Diego, State of California, according to Map thereof No. 15098, filed in the Office of the County Recorder of San Diego County on September 12, 2005;

"Lots 1 through 77, inclusive, of CITY OF CARLSBAD TRACT 04-04 LA COSTA RIDGE – NEIGHBORHOOD 2.5, in the City of Carlsbad, County of San Diego, State of California, according to Map thereof No. 15103, filed in the Office of the County Recorder of San Diego County on September 16, 2005; and

"Lots 1 through 114, inclusive, of CITY OF CARLSBAD TRACT 04-02, LA COSTA RIDGE, NEIGHBORHOOD 2.1 & 2.2 in the City of Carlsbad, County of San Diego, State of California, according to Map thereof No. 15167 filed in the Office of the County Recorder of San Diego County on November 2, 2005."

2. **Merchant Builder Consents.** By their signatures on the attached consents, the Consenting Merchant Builders consent to the foregoing amendment.

3. **No Further Amendments.** Except as amended by this First Amendment, the Declaration remains in full force and effect.

4. **Effective Date.** This First Amendment shall become effective upon its recordation in the Office of the County Recorder of San Diego County, California.

IN WITNESS WHEREOF, this First Amendment has been executed as of the date first written above.

REAL ESTATE COLLATERAL MANAGEMENT COMPANY, a Delaware corporation

By: *Fred Schipel*
Name: FRED Schipel
Title: vice president

STATE OF ILLINOIS
COUNTY OF COOK ss.

On September 7, 2006 before me, Diana C. Moreno, Notary Public,
PERSONALLY APPEARED Fred Schimel personally known to me to
be the person whose name is subscribed to the within instrument and acknowledged to
me that he executed the same in his authorized capacity and that by his signature on the
instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: *Diana C. Moreno*
Diana C. Moreno



