

**RECORDING REQUESTED BY  
FIRST AMERICAN TITLE COMPANY  
SUBDIVISION DEPARTMENT**

Recorded in Official Records, County of Orange  
Gary L. Granville, Clerk-Recorder

 24.00

Recording requested by:

FIRST AMERICAN TITLE  
INSURANCE COMPANY

**20010653986 11:36am 09/17/01**  
120 49 A17 10

0.00 0.00 0.00 0.00 18.00 0.00 0.00 0.00

When recorded return to:

IRVINE COMMUNITY DEVELOPMENT COMPANY  
550 Newport Center Drive  
Newport Beach, CA 92660  
Attn: General Counsel

*02167068 fmm*

**FIRST AMENDMENT TO THE  
MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS,  
AND RESERVATION OF EASEMENTS FOR  
SHADY CANYON  
(A Residential Planned Development)**

THIS INSTRUMENT IS RECORDED IN THE  
COUNTY OF ORANGE AT THE REQUEST OF  
*FIRST AMERICAN TITLE COMPANY* AS AN  
ACCOMMODATION ONLY. IT HAS NOT  
BEEN EXAMINED AS TO ITS EXECUTION  
OR AS TO ITS EFFECT UPON THE TITLE.

**FIRST AMENDMENT TO THE  
MASTER DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS, AND  
RESERVATION OF EASEMENTS FOR  
SHADY CANYON**

THIS FIRST AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR SHADY CANYON (hereinafter referred to as the "First Amendment") is made this 12<sup>th</sup> day of September, 2001, by IRVINE COMMUNITY DEVELOPMENT COMPANY, a Delaware corporation (hereinafter referred to as "Declarant"). (Various capitalized words and phrases used herein are defined in the Master Declaration referenced hereinbelow.)

**R E C I T A L S:**

A. Declarant is developing that certain residential master planned community located in the City of Irvine, County of Orange, State of California commonly known as "Shady Canyon" (hereinafter referred to as the "Community");

B. In connection with the development of the Community ICDC caused that certain "Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Shady Canyon" to be recorded on March 7, 2001 as Instrument No. 20010128871 in the Official Records of Orange County, California, (hereinafter referred to as the "Master Declaration");

C. That certain real property described on **Exhibit "A"** attached to the Master Declaration constituted the first Phase of the Community (hereinafter referred to as the "First Phase");

D. Exhibit "FMZ" attached to the Master Declaration indicated that there were no Fuel Modification Zones in the First Phase of the Community;

E. That certain Lot Line Adjustment 50495-LL, recorded August 2, 2001, as Instrument No. 20010528875 of Official Records of Orange County, California affecting a portion the properties within the First Phase and as shown on Exhibit "IPA";

F. Declarant has closed escrow for the sale of more than one of the Lots in the First Phase of the Community;

G. Section 10(a) entitled "Amendments by Declarant" of Article XVIII entitled "General Provisions" of the Master Declaration provides, among other things, that after the first Close of Escrow for the sale of a Lot in the Community, the Declarant may unilaterally amend the any Exhibit attached to the Master Declaration by recording an amendment executed solely by

Declarant to correct an error in any Exhibit or to cause an Exhibit to conform to as-built conditions;

H. Declarant desires to amend the Master Declaration to correct Exhibit "A" attached thereto to identify the adjusted legal description of the First Phase;

I. Declarant desires to amend the Master Declaration to correct Exhibit "FMZ" attached thereto to identify the Fuel Modification Zones located on the Lots in the First Phase.

J. Declarant desires to amend the Master Declaration to correct Exhibit "IPA" attached thereto to identify the Invasive Plant Areas located in the initial Phases of the Community.

NOW, THEREFORE, Declarant hereby amends the Master Declaration to correct Exhibit "A", Exhibit "FMZ" and Exhibit "IPA" as set forth below and declares that this First Amendment shall run with the Property, that all of the Lots in the Property shall be held, sold, conveyed, encumbered, hypothecated, leased, used, improved and occupied subject to the provisions of this First Amendment, and that this First Amendment shall be binding upon and inure to the benefit of Declarant and each Owner of a Lot in the Property and their respective successors, assigns and grantees.

1. Amendment of Exhibit "A" Attached to the Master Declaration. Declarant hereby deletes Exhibit "A" attached to the Master Declaration and substitutes Exhibit "A" attached hereto in lieu thereof.

2. Amendment of Exhibit "FMZ" Attached to the Master Declaration. Declarant hereby deletes Exhibit "FMZ" attached to the Master Declaration and substitutes the new Exhibit "FMZ" attached hereto in lieu thereof.

3. Amendment of Exhibit "IPA" Attached to the Master Declaration. Declarant hereby deletes Exhibit "IPA" attached to the Master Declaration and substitutes Exhibit "IPA" attached hereto in lieu thereof.

4. Reaffirmation of the Master Declaration. Save and except as expressly amended hereby, the Master Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this First Amendment on the day and year first written above.

"DECLARANT"

IRVINE COMMUNITY DEVELOPMENT COMPANY  
A Delaware corporation

By: [Signature]  
Thomas Heggi  
Its: Vice President

By: [Signature]  
Daniel Hedigan  
Its: Assistant Secretary

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

On \_\_\_\_\_, 2001, before me, \_\_\_\_\_,  
the undersigned, a Notary Public in and for said State,  
personally appeared Thomas Heggi and Daniel C. Hedigan,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the persons who executed the within  
instrument as Vice President and Assistant Secretary, on behalf  
of IRVINE COMMUNITY DEVELOPMENT COMPANY, the corporation therein  
named, and acknowledged to me that said corporation executed the  
within instrument pursuant to its ByLaws or a resolution of its  
Board of Directors.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(SEAL)

*See attached*

STATE OF CALIFORNIA  
COUNTY OF ORANGE

} ss:

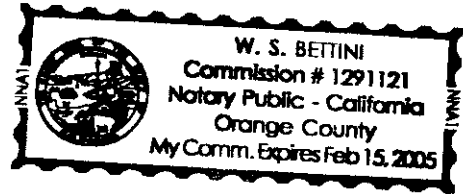
On this 12<sup>th</sup> day of September, 2001, before me, the undersigned notary public, personally appeared  
Thomas Heggi and Daniel Hedigan

NAME(S) OF SIGNER(S)

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(ies) upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

W. S. Bettini  
SIGNATURE OF NOTARY

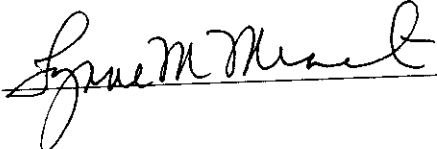


**GOVERNMENT CODE 27361.7**

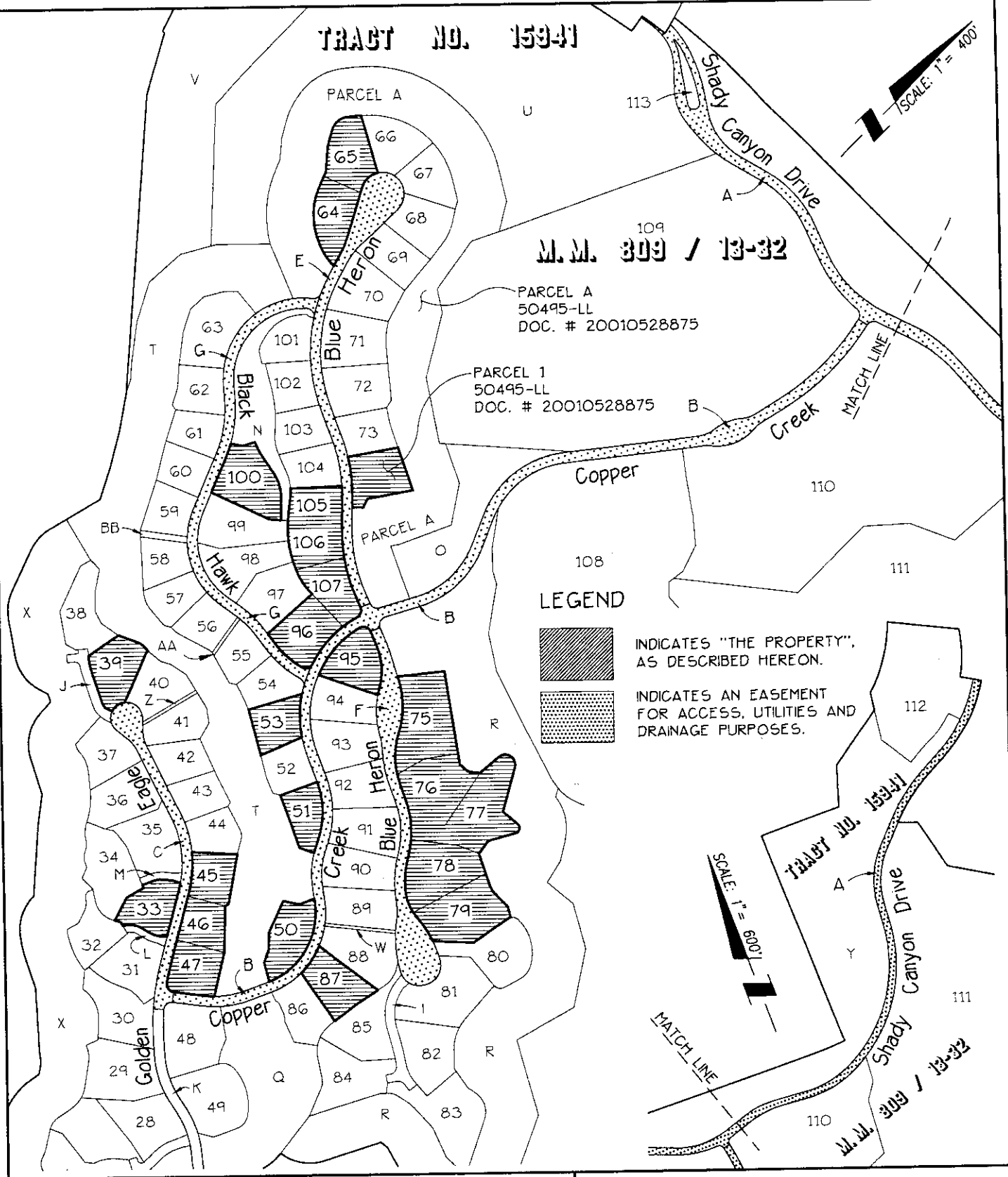
I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

NAME OF NOTARY: W.S. BETTINI  
DATE COMMISSION EXPIRES: FEB 15, 2005  
COUNTY WHERE BOND IS FILED: ORANGE  
COMMISSION NUMBER: 1291121  
MANUFACTURER/VENDOR NUMBER: NNA1

PLACE OF EXECUTION: SANTA ANA  
DATED: SEPTEMBER 15, 2005

SIGNATURE:  \_\_\_\_\_

TRACT NO. 15941



**EXHIBIT 'A'**  
**Page 2 of 2**

The Keith Companies **TKC**

2955 Red Hill Avenue, Costa Mesa, CA 92626 (714) 540-0800

DATE: 9/11/01 JOB NO. 13417.00.001

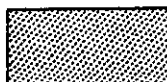

K:\13417.00\dwg\PRSE0079.dwg September 12 2001 1:24pm By:s\_pithwa

**EXHIBIT "FMZ"**

The following Lots in this First Phase of the Community have a Non-Combustible Zone (Zone A) located thereon:

Lots 39, 64, 65, 77, 78 and 79 of Tract 15941.

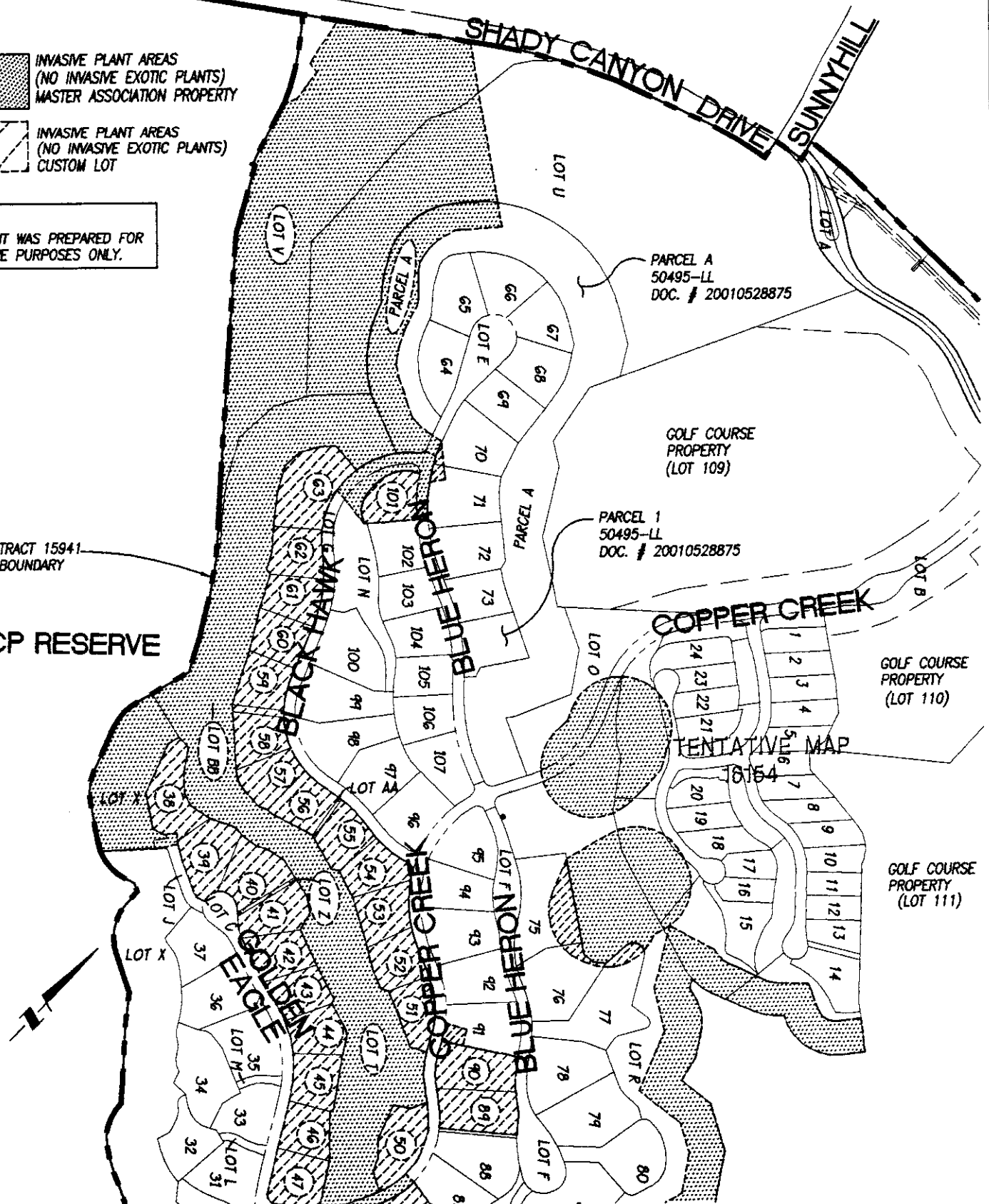
The location of said Zone A on each of said Lots is shown on the Fuel Modification Plan on file with the property manager for the Community and/or with the Orange County Fire Authority."

 INVASIVE PLANT AREAS  
 (NO INVASIVE EXOTIC PLANTS)  
 MASTER ASSOCIATION PROPERTY  
  
 INVASIVE PLANT AREAS  
 (NO INVASIVE EXOTIC PLANTS)  
 CUSTOM LOT

**NOTE:**  
 THIS EXHIBIT WAS PREPARED FOR  
 ILLUSTRATIVE PURPOSES ONLY.

TRACT 15941  
BOUNDARY

NCCP RESERVE



PARCEL A  
 50495-LL  
 DOC. # 20010528875

PARCEL 1  
 50495-LL  
 DOC. # 20010528875

GOLF COURSE  
 PROPERTY  
 (LOT 109)

GOLF COURSE  
 PROPERTY  
 (LOT 110)

GOLF COURSE  
 PROPERTY  
 (LOT 111)

TENTATIVE MAP  
 16154

SEE SHEET 2

The Keith Companies **TKC**

2955 Red Hill Avenue, Costa Mesa, CA 92626 (714) 540-0800

**EXHIBIT "IPA"**  
**SHADY CANYON**  
**TRACT 15941**  
**INVASIVE PLANT AREAS**

SEPTEMBER 7, 2001

SHEET 1 OF 2

SEE SHEET 1

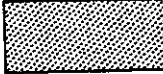

GOLF COURSE  
PROPERTY  
(LOT 111)

TRACT 15941  
BOUNDARY

NCCP RESERVE

NCCP RESERVE

**NOTE:**  
THIS EXHIBIT WAS PREPARED FOR  
ILLUSTRATIVE PURPOSES ONLY.

-  INVASIVE PLANT AREAS  
(NO INVASIVE EXOTIC PLANTS)  
MASTER ASSOCIATION PROPERTY
-  INVASIVE PLANT AREAS  
(NO INVASIVE EXOTIC PLANTS)  
CUSTOM LOT

**EXHIBIT "IPA"**  
**SHADY CANYON**  
**TRACT 15941**  
**INVASIVE PLANT AREAS**

SEPTEMBER 7, 2001

SHEET 2 OF 2

The Keith Companies **TKC**

2955 Red Hill Avenue, Costa Mesa, CA 92626 (714) 540-0800