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STERLING TITLE COMPANY

WHEN RECORDED MAIL TO

NAME COX, CASTLE & NICHOLSON LLP
MAILING ADDRESS 2049 Century Park East
28th Floor
CITY, STATE ZIP CODE Los Angeles, CA 90067
Attention: Paul J. Titcher, Esq.

THE STERLING TITLE CO.

8-1-4-3

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS AND RESERVATION OF EASEMENTS
FOR SADDLE CREEK**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR SADDLE CREEK (this "Amendment") is made this 18 day of February, 2000 by Castle & Cooke Saddle Creek, Inc., a California corporation ("Declarant"), as follows:

WITNESSETH:

WHEREAS, on February 1, 2000, Declarant recorded that certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Saddle Creek as Document No. 2000-1308 of Calaveras County Official Records (the "Declaration"); and

WHEREAS, the Declaration presently affects that certain real property located in the County of Calaveras, State of California (the "Property"), which is more particularly described in the Declaration; and

WHEREAS, Declarant is the record owner of the Property; and

WHEREAS, pursuant to its right under Article XIV, Section 14.19 of the Declaration, Declarant desires to modify and amend the Declaration to reflect certain changes, as more particularly set forth hereinbelow.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

- 1) Article XIV, Section 14.25 - Enforcement of Bonded Obligations is hereby deleted in its entirety.
- 2) Except as hereinabove modified and amended, all other terms and conditions of the Declaration remain unchanged and in full force and effect.

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

"DECLARANT"

**CASTLE & COOKE SADDLE CREEK, INC., a
California corporation**

By: 

David Haley,
Development Director

By: 

Billie B Kane
Administration Manager

STATE OF CALIFORNIA)
) ss.
COUNTY OF CALAVERAS)

On February 15, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Billie B Kane**, personally known to me (or proved to me on the basis of satisfactory evidence) 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 person, or the entity upon behalf of which the person acted, executed the within instrument.

WITNESS my hand and official seal.



Kelly J. Stefanick
Notary Public