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JEFFREY G. WAGNER
Miller Starr Regalia
1331 N. California Blvd., 5th Floor
Walnut Creek, CA 94596

CR CITATION NORTHERN

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Titles: 2 Pages: 5



Fees 38.00
Taxes 0.00
Other 0.00
PAID \$38.00

FIRST AMENDMENT

TO

MADISON DECLARATION OF RESTRICTIONS (CC&Rs)

AND

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DECLARATION OF ANNEXATION

MADISON

PHASE 3

**THIS FIRST AMENDMENT TO MADISON DECLARATION OF RESTRICTIONS (CC&Rs) AND
DECLARATION OF ANNEXATION** (the "Amendment and Annexation") is made this 3RD day of
OCTOBER, 2013, by CITATION NORTHERN, a California corporation (the "Declarant") with
reference to the following facts:

- A. Declarant is developing a residential development commonly known as "Madison" in Fairfield, California in multiple phases (the "Development"). The Development is subject to the "Madison Declaration of Restrictions (CC&Rs)" recorded on August 15, 2007, as Document No. 200700089129 in the records of Solano County, California (the "Declaration"). The Residential Lots annexed into the Development as the first and second phases were Lots 114 through 157 and 160 through 162 shown on the subdivision map entitled "Madison" filed on March 29, 2007, in Book 84 of Subdivision Maps at pages 95 through 121 in the records of Solano County, California (the "Phase I Map").
- B. Declarant elected to modify certain Lots to be annexed in future phases, which reduced the total number of Lots in the Development requiring modifications to the Phase I Map. The Madison Phase II Subdivision Map was recorded on December 11, 2012, in Book 87 of Subdivision Maps, at page 14, in the records of Solano County, California (the "Phase II Map") to reflect the modifications. Attached as Exhibit A to this Amendment and Annexation is a general description of the changes to the Phase I Map made by the Phase II Map.
- C. Section 14.1 of the Declaration authorizes the Declarant to annex additional property into the Development and to amend the Declaration to reflect the different character of the real property being annexed. Declarant now desires to annex Phase 3, which are Lots 301 through 309 and Parcel TTT shown on the Phase II Map. The purposes of this Amendment and Annexation are to make the necessary revisions to the Declaration as a result of the recordation of the Phase II Map and to annex Phase 3 into the Development.

DECLARANT AMENDS THE DECLARATION AND ANNEXES PHASE 3 AS FOLLOWS:

FIRST AMENDMENT

1. Section 11.3 is amended to read as follows:

"1.13 Madison Park Lots. Lots 1 through 72 shown on the Phase I Map and Lots 301 through 334 shown on the Phase II Map."
2. Section 1.14 is amended to read as follows:

"1.14 Madison Square Lots. Lots 98 through 162 and 195 through 221 shown on the Phase I Map."
3. The first sentence of Section 1.15 is amended to read as follows:

"1.15 Map. The subdivision map entitled "Madison" filed for record in Solano County, California on March 29, 2007, in Book 84 of Subdivision Maps at pages 95 through 121 (the "Phase I Map") and the map entitled Madison Phase II Subdivision Map was recorded on December 11, 2012, in Book 87 of Subdivision Maps, at page 14, in the records of Solano County, California (the "Phase II Map")."
4. The fourth sentence of Section 2.1 is amended to read as follows:

"If all the subsequent phases are annexed into the Development as described in Article 14, the Development may contain 198 Residential Lots and all Improvements thereon."
5. Exhibit A to the Declaration is amended by adding the property described in the Phase II Map to the property that may be annexed into the Development.


ANNEXATION

6. Declarant, as the Owner of Lots 301 through 309 and Parcel TTT shown on the Phase II Map and Parcel A shown on the Phase I Map (the Annexed Property), declares that the Annexed Property is annexed to and made a part of the Development as described in the Declaration and that the Annexed Property is subject to the Declaration and the jurisdiction of the Madison Homeowners Association, a California mutual benefit nonprofit corporation (the "Association"). Voting rights and assessments shall commence as set forth in the Declaration. From and after the effective date of this Annexation, the rights, duties, covenants and restrictions contained in the Declaration shall constitute covenants running with the land and equitable servitudes that benefit and bind the Annexed Property and each Owner and successive Owner thereto.
7. On or before the first close of escrow on the sale of a Lot in the Annexed Property, Declarant shall convey fee title to Common Area Parcel TTT shown on the Phase II Map and Parcel A shown on the Phase I Map to the Association.
8. The Owner of a Lot in the Annexed Property will receive title to his or her Lot and a membership in the Association, which membership shall be appurtenant to the Member's Lot.
9. If the Lots in the Annexed Property have been used and occupied under a rental program conducted by the Declarant which has been in effect for a period of at least one year as of the date of closing of the escrow for the first sale of a Lot in the Annexed Property, Declarant, concurrently with this closing, shall

pay to the Association appropriate amounts for reserves for replacement or deferred maintenance of Common Area Improvements in the Annexed Property.

THIS AMENDMENT AND ANNEXATION shall be effective as of the date it is recorded in the records of Solano County, California.

CITATION NORTHERN
a California corporation

By: 
Its EXECUTIVE VICE PRESIDENT

STATE OF CALIFORNIA
COUNTY OF Contra Costa

On October 3, 2013 before me, Judy Funke a Notary Public,
personally appeared Dan Nicolson

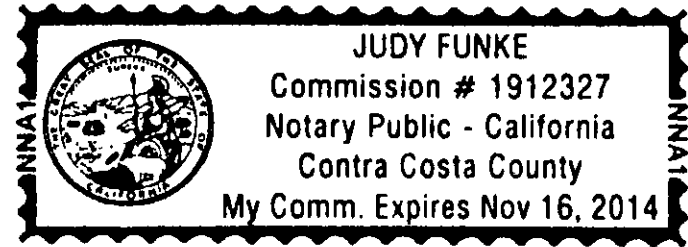
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and by his/her/their signature(s) on the instrument the person(s), or 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 Judy Funke
JUDY FUNKE

Name (typed or printed), Notary Public in
and for said County and State.



(seal)

EXHIBIT A - Phase II Map Revisions

Lots 73 through 97 inclusive, Lots 163 through 194 inclusive and Parcels F, N, O, P, Q, R, S, W, DD, LL, NN, OO, QQ, RR, TT, V1, YY, BBB and CCC shown on the Phase I Map were resubdivided by the Phase II Map (the "Resubdivided Area"). The Resubdivided Area was subdivided into 34 Lots and 8 Parcels identified as Lots 301 through 334 inclusive and Parcels JJJ, KKK, MMM, NNN, PPP, RRR, SSS and TTT on the Phase II Map. No other Lots or Parcels within the Phase 1 Map were changed by the Phase II Map.

END OF
DOCUMENT