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2005-0043330

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

Wanden P. Treanor
Law Offices of Wanden P. Treanor
1744 Lincoln Avenue
San Rafael, CA 94901

Recorded | REC FEE 13.00
Official Records |
County Of |
Marin |
JOAN C. THAYER |
Recorder |
11:23AM 13-Jun-2005 | dw
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**NOTICE OF SECOND EXTENSION OF DECLARATION OF CONDITIONS
COVENANTS, RESTRICTIONS, AFFECTING REAL PROPERTY KNOWN AS
MARIN BAY, UNIT NUMBER ONE, A RESIDENTIAL SUBDIVISION IN
THE COUNTY OF MARIN, STATE OF CALIFORNIA**

This notice of Second Extension of Declaration of Conditions, Covenants, Restrictions, Agreements and Charges Affecting Real Property Known as Marin Bay, Unit Number One, a Residential Subdivision in the County of Marin, State of California (hereinafter the "Second Extension") is made on the 10th day of June 2005 with specific reference to the following facts:

- A. On October 14, 1960, Latipac-Perini Company caused to be recorded in Book 1406, at Pages 526 et seq. of the Official Records of Marin County, California that certain "Declaration of Conditions, Covenants, Restrictions, Agreements and Charges Affecting Real Property Known as Marin Bay, Unit Number One, a Residential Subdivision in the County of Marin, State of California" (hereinafter the "Declaration"), which Declaration related to that certain property (hereinafter the "Property") commonly known and referred to as Marin Bay, Unit Number One, Located in the City of San Rafael, County of Marin, State of California and more particularly described as:

"All that real property located in the City of San Rafael, County of Marin, State of California shown upon that certain map entitled "Marin Bay, Unit Number I" filed for record in the Office of the Recorder of Marin County, California on September 22, 1960 in Map Book 10 at Page 78".

- B. On or about May 1, 1985, the owners of more than two-thirds (2/3) of the lots comprising the Property duly approved, by written vote, the First Extension of the duration of the term of the Declaration for a period of twenty (20) years pursuant to the provisions of Article XXXVI of the Declaration.

- C. On or about May 19, 2005, the present owners of more than two-thirds (2/3) of the lots comprising the Property duly approved, by written vote, the within extension of the duration of the term of the Declaration for a period of twenty (20) years pursuant to Article XXXVI of the Declaration.

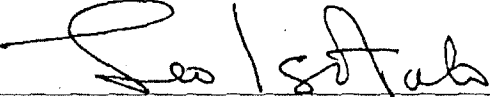
NOW, THEREFORE, the term of the Declaration is hereby extended, pursuant to the provisions of the above referenced amended Article XXXVI of the Declaration, for a period of twenty (20) years. All of the conditions, covenants, restrictions, agreements and charges set forth in the Declaration shall affect all of the Property and shall continue to run with the land and continue until the 1st day of January, 2026, and may, as then in force be extended as to all the Property for successive periods of not more than twenty (20) years, each without limitation, by the owners of more than two-thirds (2/3rds) of Lots within the Property. With this extension, the covenants, conditions and restrictions contained in the Declaration, and any amendment thereto, shall run with the Property and shall be binding upon all parties having or acquiring any right, title or interest in the Property and shall inure to the benefit of each Owner thereof.

**CERTIFICATE OF PRESIDENT OF THE
PEACOCK GAP HOMEOWNERS ASSOCIATION**

The undersigned hereby certify:

1. That he is the duly elected and acting President of the Peacock Gap Homeowners Association, the association vested with the authority, pursuant to Article XXX of the Declaration of Conditions, Covenants, Restrictions, Agreements and Charges Affecting Real Property known as Marin Bay, Unit Number One, a Residential Subdivision in the County of Marin, State of California referred to above.
2. That by written ballot submitted to the owners of all of the lots comprising the Property described above in the recitals of the within document, more than two-thirds (2/3) of the aforesaid lot owners (to wit 156 of 232 lot owners who own lots comprising the Property described above in the recitals of the within document) approved the foregoing extension of the Declaration of Conditions, Covenants, Restrictions, Agreements and Charges Affecting Real Property Known as Marin Bay, Unit Number One, a Residential Subdivision in the County of Marin, State of California referred to in the recitals of the within document.
3. That upon recordation hereof, this Second Extension shall be effective as provided hereinabove.

IN WITNESS WHEREOF, the undersigned have executed this Certificate as of the 10th day of June 2005.



Leo Isotalo, President of the Board

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

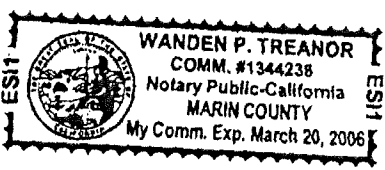
State of California }
County of MARIN } ss.

On JUNE 10, 2005 before me, WANDEN P. TREANOR
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared LEO ISOTALO
Name(s) of Signer(s)

- personally known to me
- 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.



WITNESS my hand and official seal
Wanden P. Treanor
Signature of Notary Public

OPTIONAL
Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

- Signer's Name: _____
- Individual
 - Corporate Officer — Title(s): _____
 - Partner — Limited General
 - Attorney-in-Fact
 - Trustee
 - Guardian or Conservator
 - Other: _____

Signer is Representing: _____

