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DOC -2025-0107117

Monday, Oct 13, 2025 16:05:23

SB2 Fee: \$75.00



THIRD WALNUT CREEK MUTUAL

Mutuals' Board Office

Attn: Lucy Limon

1001 Golden Rain Road

Walnut Creek, CA 94595-0987

Total Paid: \$116.00

Receipt#: 202500104294

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211 / WINDOW3 / 1-9

**THIRD AMENDMENT TO MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
THIRD WALNUT CREEK MUTUAL**

This Third Amendment to the Master Declaration of Covenants, Conditions and Restrictions of Third Walnut Creek Mutual (the "Third Amendment") is made on the date hereinafter set forth by THIRD WALNUT CREEK MUTUAL, a California nonprofit mutual benefit corporation (the "Mutual").

RECITALS

A. WHEREAS, an instrument entitled "Master Declaration of Covenants, Conditions and Restrictions of Third Walnut Creek Mutual" was recorded on October 14, 2020 as Document No. 2020-0237602 in the Official Records of Contra Costa County, California (the "Declaration"), for the property described as follows: See Exhibit A, attached hereto and made a part of this Amendment.

B. WHEREAS, the Declaration establishes certain limitations, easements, covenants, conditions, restrictions, liens and charges which run with and are binding upon all parties having or acquiring any right, title or interest in those certain parcels of real property located in the City of Walnut Creek, Contra Costa County, State of California, and as described in the Declaration.

C. WHEREAS, all of the real property described in the Declaration, including all improvements thereon, constitute a "condominium project" within the meaning of California Civil Code section 1351(f).

D. WHEREAS, the Mutual desires to amend the Declaration as set forth below.

E. WHEREAS, pursuant to Article 12 of the Declaration, the Declaration may be amended by the affirmative vote of Members representing at least a majority of the Total Voting Power of the Mutual.

F. WHEREAS, all approvals required to amend the Declaration have been obtained.

NOW, THEREFORE, the Mutual amends the Declaration as set forth in this Third Amendment, as follows:

1. Cover Sheet of Master Declaration of Covenants, Conditions and Restrictions of Third Walnut Creek Mutual the NOTICE OF RENTAL RESTRICTIONS shall be deleted in its entirety, and shall be replaced with the following:

Please note that the Third Walnut Creek Mutual has a rental restriction that requires new owners to reside in their unit for at least one year prior to renting or leasing their unit. No more than 25% of the units in each Project may be rented at any time. You are directed to review the restrictions contained in Article 5 of these CC&Rs.

2. Article 5.1(c) Requirements for Renting shall be deleted in its entirety and replaced as follows:
"Section 5.1 (c) Owners who have resided in their unit for at least one year after purchasing their unit may rent/lease their unit for a period of 12 months. The lease may be extended by contacting the Membership Department at least 30 days prior to the end of the 12-month period."
3. New Article 5.1(d) added as follows:
"Article 5.1(d) No more than 25% of the units in each Project may be rented at any time."
4. Current Article 5.1(d) and (e) shall be renumbered as Article 5.1(f) and (g).
5. Article 5.4 Hardship Waivers shall be deleted in its entirety.
6. Article 5.11 Owner Prohibited from Using Common Facilities While Unit Rented shall be removed in its entirety and replaced as follows:
"Article 5.11 Owner Use of Common Facilities While Unit Rented. Any owner who leases or rents his or her Unit shall be entitled to use and enjoy any common facility during the period the Unit is occupied by a tenant or tenants."

IN WITNESS WHEREOF, the undersigned duly authorized officer, on behalf of the Declarant THIRD WALNUT CREEK MUTUAL, has executed this Amendment on this 4 day of APRIL, 2025.

THIRD WALNUT CREEK MUTUAL

By: Thomas Lauck
Thomas Lauck, President

**CERTIFICATION OF THE THIRD AMENDMENT TO THE
MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR THE THIRD WALNUT CREEK MUTUAL**

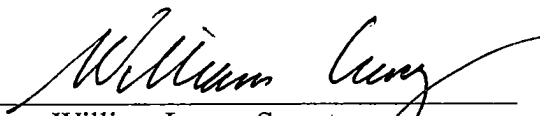
WHEREAS an instrument entitled "Master Declaration of Covenants, Conditions and Restrictions of Third Walnut Creek Mutual" was recorded on October 14, 2020 as Document No. 2020-0237602 in the Official Records of Contra Costa County, California (the "Declaration"), for the property described as follows: See Exhibit A, attached hereto and made a part of this Amendment.

WHEREAS, the original Declaration allowed for the amendment of the Master Declaration of Covenants, Conditions and Restrictions upon a vote in favor of amendment by the requisite percentage of the Members entitled to vote.

NOW THEREFORE, I declare that a vote was taken of all Members entitled to vote and that in excess of the requisite percentage of the Members voted in favor of adopting the Third Amendment of the Master Declaration of Covenants, Conditions and Restrictions for the Third Walnut Creek Mutual.

The Third Amendment of the Master Declaration of Covenants, Conditions and Restrictions for the Third Walnut Creek Mutual shall replace the articles noted in the Amendment and be in full force and effect from the date of this Certification.

Dated this 4th day of April, 2025.



William Leary, Secretary
Third Walnut Creek Mutual

EXHIBIT A

**LEGAL DESCRIPTION OF PROPERTY COMPRISING
THIRD WALNUT CREEK MUTUAL**

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA, CITY OF WALNUT CREEK, DESCRIBED AS FOLLOWS:

DISTRICT III (Projects 49, 54)

Project 49

LOT 1, AS SHOWN ON THE MAP ENTITLED "SUBDIVISION 5219 (MUTUAL NO. 49)", FILED DECEMBER 26, 1978, IN BOOK 220 OF MAPS, PAGES 13, 14 AND 15, CONTRA COSTA COUNTY RECORDS.

Project 54

LOT 3 AS SHOWN ON THE MAP ENTITLED "SUBDIVISION 5218 (MUTUAL NO. 48)", FILED DECEMBER 26, 1978, IN BOOK 220 OF MAPS, PAGES 9, 10, 11 AND 12, CONTRA COSTA COUNTY RECORDS.

DISTRICT IV (Projects 26, 35)

Project 26

LOT 1 AND 2, AS SAID LOTS ARE SHOWN ON THE MAP OF "SUBDIVISION 4008, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED JULY 1, 1970, IN BOOK 131 OF MAPS, PAGES 35, 36 AND 37, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS PTARMIGAN DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4008.

Project 35

LOT 1 AND 2, AS SAID LOTS ARE SHOWN ON THE MAP OF "SUBDIVISION 4431 (MUTUAL NO. 35), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED MARCH 22, 1973, IN BOOK 156 OF MAPS, PAGES 9, 10 AND 11, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS TERRA GRANADA DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4431.

DISTRICT V (Project 33)

Project 33

LOT 1, AS SAID LOT IS SHOWN ON THE MAP OF "SUBDIVISION 4414 MUTUAL 33, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED MAY 24, 1973, IN BOOK 157 OF MAPS, PAGES 39, 40 AND 41, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS TERRA GRANADA DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4414.

DISTRICT VII (Project 51)

Project 51

LOTS 1 AND 2, AS SHOWN ON THE MAP OF SUBDIVISION 5240, MUTUAL 51, FILED OCTOBER 25, 1984, IN MAP BOOK 284, PAGE 1, CONTRA COSTA COUNTY RECORDS.

DISTRICT IX (Project 45)

Project 45

LOTS 1, 2, 3, AND 4, SUBDIVISION 4850, AS SHOWN ON THE MAP OF "SUBDIVISION 4850, (MUTUAL 45), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED OCTOBER 13, 1976, IN BOOK 190 OF MAPS, PAGES 34 THROUGH 37, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

DISTRICT X (Project 42, 44)

Project 42

LOT 1, SUBDIVISION 4728, AS SHOWN ON THE MAP OF "SUBDIVISION 4728, (MUTUAL 42), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED JANUARY 22, 1976, IN BOOK 181 OF MAPS, PAGES 42, 43 AND 44, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

Project 44

LOT 1, SUBDIVISION 4817, AS SHOWN ON THE MAP OF "SUBDIVISION 4817, (MUTUAL 44), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED APRIL 21, 1976, IN BOOK 183 OF MAPS, PAGES 38, 39 AND 40, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

DISTRICT XIII (Projects 34, 38, 64)

Project 34

LOT 1, AS SAID LOT IS SHOWN ON THE MAP OF "SUBDIVISION 4415 (MUTUAL NO. 34), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED MAY 3, 1973, IN BOOK 157 OF MAPS, PAGES 3, 4 AND 5, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS CAMPHOR DRIVE, AS SHOWN ON SAID MAP OF SUBDIVISION 4415.

Project 38

LOT 1, AS SHOWN ON THE MAP OF "SUBDIVISION 4553 (MUTUAL 38), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED JANUARY 25, 1974, IN BOOK 166 OF MAPS, PAGES 30, 31 AND 32, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THOSE AREAS DESIGNATED AS ROSSMOOR PARKWAY, TERRA CALIFORNIA DRIVE AND CACTUS COURT, AS SHOWN ON SAID MAP OF SUBDIVISION 4553.

Project 64

LOTS 1, AS SHOWN ON THE MAP OF SUBDIVISION 7403, FILED JUNE 22, 1990, IN MAP BOOK 348, PAGE 38, CONTRA COSTA COUNTY RECORDS.

DISTRICT XIV (Projects 36, 37)

Project 36

LOT 1, AS SAID LOT IS SHOWN ON THE MAP OF "SUBDIVISION 4436 (MUTUAL NO. 36), CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED JULY 19, 1973, IN BOOK 160 OF MAPS, PAGES 23, 24 AND 25, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THOSE AREAS DESIGNATED AS ROSSMOOR PARKWAY, GOLDEN RAIN ROAD, CACTUS COURT AND TERRA CALIFORNIA DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4436.

Project 37

LOT 1, AS SHOWN ON THE MAP OF "SUBDIVISION 4511, MUTUAL 37, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED SEPTEMBER 21, 1973, IN BOOK 163 OF MAPS, PAGES 28, 29 AND 30, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY

EXCEPTING THEREFORM:

ALL THOSE AREAS DESIGNATED AS CACTUS COURT AND TERRA CALIFORNIA DRIVE, AS SHOWN ON SAID MAP OF SUBDIVISION 4511.

DISTRICT XV (Projects 27,31,32)

Project 27

LOT 1, AS SAID LOT IS SHOWN ON THE MAP OF "SUBDIVISION 4128, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED MAY 5, 1971, IN BOOK 136 OF MAPS, PAGES 47 TO 49, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRACOSTA COUNTY.

Project 31

LOT 1, AS SHOWN ON THE MAP OF 'SUBDIVISION 4347, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED NOVEMBER 22, 1972, IN BOOK 152 OF MAPS, PAGES 41, 42 AND 43, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS PTARMIGAN DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4347.

Project 32

LOT 1, AS SHOWN ON THE MAP OF 'SUBDIVISION 4348, CITY OF WALNUT CREEK, CONTRA COSTA COUNTY, CALIFORNIA", FILED DECEMBER 1, 1972, IN BOOK 152 OF MAPS, PAGES 44, 45 AND 46, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY.

EXCEPTING THEREFORM:

ALL THAT CERTAIN AREA DESIGNATED AS PTARMIGAN DRIVE AS SHOWN ON SAID MAP OF SUBDIVISION 4348.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa

On 4-4-25 before me, Karen Kruth, Notary Public
(insert name and title of the officer)

personally appeared Thomas Lauck,
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 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.

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 Karen Kruth (Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa,

On 4-4-25 before me, Karen Kruth, Notary Public
(insert name and title of the officer)

personally appeared William Leary
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 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.

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 Karen Kruth (Seal)

