

RECORDING REQUESTED BY:  
CHICAGO TITLE COMPANY  
ORDER NO. 7333186-U50

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 13.00

When Recorded Mail To:

Pardee Construction Company  
10880 Wilshire Boulevard, Suite 1900  
Los Angeles, California 90024

Attention: Barbara Bail



SPACE ABOVE THIS LINE FOR RECORDER'S USE

7333186-50

SUPPLEMENTARY DECLARATION OF ANNEXATION

OF

LOTS 1 THROUGH 19  
N.C.W. NEIGHBORHOOD 3 RESUBDIVISION OF UNIT NO. 9  
(MAYFIELD)

TO

DEL MAR HIGHLANDS NEIGHBORHOOD HOMEOWNERS ASSOCIATION

PREAMBLE

THIS SUPPLEMENTARY DECLARATION, made by PARDEE CONSTRUCTION COMPANY, a California corporation, hereinafter referred to as "GRANTOR", being the owner of that certain real property subject to this Supplementary Declaration and hereinafter more particularly described.

WITNESSETH:

WHEREAS, PARDEE CONSTRUCTION COMPANY, a California corporation, is the owner of certain property located in the County of San Diego, State of California, described as follows:

Lots One (1) through Nineteen (19) of N.C.W. Neighborhood 3 Resubdivision of Unit No. 9 in the City of San Diego, County of San Diego, State of California as per Map No. 13534 recorded on February 25, 1998, in the Office of the County Recorder of San Diego County, California.

WHEREAS, GRANTOR has recorded that certain Declaration of Covenants, Conditions and Restrictions for Del Mar Highlands Neighborhood Homeowners Association on November 7, 1983, in the Official Records of San Diego County, California, as File/Page 83-403114.

WHEREAS, Article X, Section 14 of the Declaration of Covenants, Conditions and Restrictions for Del Mar Highlands in San Diego County, California recorded on November 7, 1983 in the Official Records of San Diego County, California, as File/Page 83-403114, provides that additional real property may be annexed by Grantor and made a part of the Project;

NOW, THEREFORE, the Grantor hereby declares that all of the property described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the following limitations, covenants, conditions and restrictions, all of which are declared and agreed to be in furtherance of plan for the subdivision, improvement and sale of said property, and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of said property and every part and portion thereof. All of said limitations, covenants and restrictions shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in said property or any part thereof, whether as sole owners, lessees, tenants, occupants or otherwise.

#### ARTICLE I

#### DESCRIPTION OF LAND AND IMPROVEMENTS

##### Section 1.01 Subject Property:

The real property subject to said covenants, conditions and restrictions is located in the County of San Diego, State of California, described as follows:

Lots One (1) through Nineteen (19) of N.C.W. Neighborhood 3 Resubdivision of Unit No. 9 in the City of San Diego, County of San Diego, State of California as per Map No. 13534 recorded on February 25, 1998 in the Office of the County Recorder of San Diego County, California.

##### Section 1.02 Annexation:

Pursuant to Article X, Section 14 of the Declaration of the Covenants, Conditions and Restrictions for Del Mar Highlands in San Diego County, California, recorded on November 7, 1983 in the Official Records of San Diego County, California, as File/Page 83-403114, Subject Property shall be annexed to the properties and added to the scheme of said Declaration and subject to the jurisdiction of the Association at the close of the first sale of a Subdivision Interest by Declarant in Subject Property. Assessments will commence on the first of the month following the first closing in the Subject Property.

##### Section 1.03 Definitions:

I. The term "Subdivision Interest" as defined in Article I, Section 24 of the Declaration of Covenants, Conditions and Restrictions for Del Mar Highlands shall include Lots 1 through 19 of N.C.W. Neighborhood 3 Resubdivision of Unit No. 9 in the City of San Diego, County of San Diego, State of California as per Map No. 13534 recorded on February 25, 1998 in the Office of the County Recorder of San Diego County, California in the Office of the County Recorder of San Diego County, California.

2. The term "Common Area" as defined in Article I, Section 5 of the Declaration of Covenants, Conditions and Restrictions for Del Mar Highlands shall include Lot 20 of N.C.W. Neighborhood 3 Resubdivision of Unit No. 9 in the City of San Diego, County of San Diego, State of California as per Map No. 13534 recorded on February 25, 19 98, in the Office of the County Recorder of San Diego County, California.

3. The term "Real Property" as defined in Article I, Section 20 of the Declaration of Covenants, Conditions and Restrictions for Del Mar Highlands shall include Lots 1 through 19 of N.C.W. Neighborhood 3 Resubdivision of Unit No. 9 in the City of San Diego, County of San Diego, State of California as per Map No. 13534 recorded on February 25, 19 98, in the Office of the County Recorder of San Diego County, California.

IN WITNESS WHEREOF, GRANTOR has executed this SUPPLEMENTARY DECLARATION this 6th day of March, 1998.

GRANTOR: PARDEE CONSTRUCTION COMPANY

By [Signature]  
David Scoll, Senior Vice President

By [Signature]  
Barbara Bail, Assistant Secretary

STATE OF CALIFORNIA     )  
  ) SS.  
COUNTY OF LOS ANGELES    )

On March 9, 1998 before me, Helen Katopodis a Notary Public in and for said County and State, personally appeared David Scoll as Senior Vice President and Barbara Bail as Assistant Secretary personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose initial(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ initialled the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity(ies), and that by ~~his~~ ~~her~~ ~~their~~ initial(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.

Signature [Signature]



data/May19.swp