

## **Summary of Legal Documents for Los Ranchitos Homeowners Association Covenants, Conditions and Restrictions (CC&Rs), Articles of Incorporation, Bylaws**

### **Declaration of CC&R's for Lots 1 through 102, Tract 3552**

Establishes Covenants, Conditions and Restrictions (CC&Rs) for Lots 1 through 102, inclusive, of Tract No. 3552, as shown on a map recorded October 5, 1966 and owned by "Rancho California Partnership". Document was recorded October 11, 1966.

### **Amendment to Declaration of CC&R's regarding Lot #86, Tract 3552**

CC&Rs amended to state Architectural Committee must approve shape of each subdivided lot to be sold or leased, approve signs & improvements on Lot #86, Tract 3552 (This is a 15.31 acre lot at the SW corner of Santiago/Ynez). Document is dated September 5, 1967.

### **Addition of Territory to CC&Rs for Lots 1 through 34, Tract 3646**

Adds Lots 1 through 34, inclusive, of Tract 3646, as shown on a map recorded on September 30, 1967 and owned by "Rancho California Partnership" to Covenants, Conditions and Restrictions (CC&Rs). Document is dated September 20, 1967.

### **Addition of Territory to CC&Rs for Lots 1 through 49, Tract 3752**

Adds Lots 1 through 49, inclusive, of Tract 3752, as shown on a map recorded on July 31, 1968 and owned by "Rancho California Partnership" to Covenants, Conditions and Restrictions (CC&Rs). Document is dated August 20, 1968.

### **Addition of Territories for Lots 1 through 4, Tract 3750, subdividing Lots 12 & 13, Tract 3552**

Adds Lots 1 through 4, inclusive, of Tract No. 3750, as shown on a map recorded on October 2, 1968, including a Triangular Portion referred to as Exhibit "A" to Covenants, Condition and Restriction (CC&Rs), which is owned by "Rancho California Partnership". These lots are a subdivision of Lots 12 & 13, Tract 3552. Document is dated January 20, 1969.

### **Articles of Incorporation of Los Ranchitos Homeowners Association**

Establishes Articles of Incorporation for newly formed corporation with the name of Los Ranchitos Homeowners Association. The specific and primary purpose of the corporation is to enforce the Covenants, Conditions and Restrictions and to conceive and initiate programs which will enhance the entire community knows as Los Ranchitos. Document is dated August 7, 1978 and recorded with California Secretary of State on August 11, 1978.

### **Bylaws of Los Ranchitos Homeowners Association, a Nonprofit Corporation**

Bylaws for Los Ranchitos Homeowners Corporation are adopted simultaneously with the Articles of Incorporation on August 7, 1978. In addition to all operating and voting rules of the corporation, the Bylaws establish that each owner of a fee simple interest in a lot within Los Ranchitos Homeowners Association is a member. Co-owners are each members, but all such owners of the same lot shall be entitled collectively to only one vote. Dues shall be fixed at \$25 per year and can be changed with a majority vote of the homeowners' membership. Membership shall be forfeited for nonpayment of dues 60 days after they become delinquent. No member of the Association shall be personally liable for the debts, liabilities, or obligations of the Association.

### **Assignment and Assumption Agreement transferring management of CC&Rs to homeowners**

All operations and powers for CC&Rs transitioned from Kacor Realty, successor in interest from Rancho California Partnership to Los Ranchitos Homeowners Association. This agreement transfers management of

CC&Rs from original developers to the homeowners of Los Ranchitos. This Document is dated December 30, 1980 and was recorded February 9, 1981.

#### **Amendment to Declaration of CC&R's establishes Architectural & Environmental Committee**

Amends section 6.01 of CC&Rs to state that the Architectural & Environmental Control Committee (AECC) will be selected by the Board of Directors of Los Ranchitos Homeowners Association and will succeed all previous committees. The AECC will maintain minutes, copies of all plans submitted and concise records of any recommendations, all of which will be turned over to the Board of Directors at the end of the Fiscal year. The AECC will submit to Board of Directors for approval all plans that they approve, but are contrary to the CC&Rs, prior to notifying members submitting plans. Document is dated July 26, 1985 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Extension and Amendment to Declaration of Covenants, Conditions and Restrictions (CC&R's)**

Extends Covenants, Conditions and Restrictions (CC&Rs) to September 30, 2016. Document is dated August 30, 1996 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Agreement Affecting Real Property-City condemnation action to acquire Park and Ride Facility**

The City of Temecula is acquiring Lot 34, Tract 3646 (2.37 acre lot at northeastern corner of Temecula Parkway and La Paz Street) by condemnation action. The LRHOA Board of Directors has agreed not to contest City of Temecula's condemnation of Lot 34, Tract 3646 for future Park & Ride and that the association's CC&Rs will no longer apply to this property, provided that the City of Temecula agrees that access to Park and Ride will be only from Highway 79, Temecula Parkway, and that a berm, sound barrier and plant materials be placed along La Paz and Vallejo streets as identified in Exhibit "B" of the agreement. Document was recorded November 15, 1999.

#### **Amendment to Declaration of CC&R's to commercially develop four lots on Temecula Parkway**

Amends CC&Rs to allow commercial development of Lots 1, 2, 3 & 4, Tract 3750 subject to Operative Provisions and Development Agreement. Los Ranchitos Homeowners Association will receive a one-time capital contribution of \$15,000 for each lot (\$60,000 aggregate) and \$1,000 annual assessments for each lot (\$4,000 annually). This is known as the Moramarco/Bedford Court development agreement. Document was recorded January 21, 2000 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Amendment to Declaration of CC&R's to De-annex NE corner lot at Margarita and De Portola**

Amends CC&Rs to allow Lot 24, Tract 3752 (northeast corner lot at Margarita Road and De Portola Road) to be de-annexed from LRHOA for one-time capital contribution of \$25,000. Document is dated December 9, 2003 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Amendment to Declaration of CC&R's to De-annex SE corner lot at Margarita and De Portola**

Amends CC&Rs to allow Lot 25, Tract 3752 (southeast corner lot at Margarita Road and De Portola Road) to be de-annexed from LRHOA for one-time capital contribution of \$25,000. Document is dated January 20, 2006 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Amendment to Declaration of CC&R's establishing Minimum Lot Size**

Amends CC&Rs, section 3.01 to state that no portion of a lot shall be sold/leased if either the sold/leased lot or the remaining portion of the lot contains less than 2.5 acres, unless said lot was smaller than 2.5 acres on the date of recordation of this amendment. Document is dated May 7, 2008 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### **Amendment to Bylaws – Multiple Membership Classifications**

Amends Bylaws, Article II, Section 1, 4 and 6, to state that there shall be one membership for each lot in LRHOA, with multiple membership classifications. Single-family residences are considered "residential members" and dues shall be fixed at \$25 per year. Lots approved for development of commercial use shall be considered "commercial members" and will be subject to different dues/assessment schedules than for

residential members. Document is dated January 8, 2009 and was approved by a majority of a quorum vote of the property owners in Los Ranchitos Homeowners Association.

#### [Amendment to Declaration of CC&R's for De Portola Medical Center](#)

Amends CC&Rs to allow commercial development of Lot 26 Tract 3752, subject to Operative Provisions and Development Agreement that is part of this amendment. One-time capital contribution in the amount of \$18,276.04 with annual assessments in the amount of \$1,000 per year, subject to a 5% annual increase. This property is commonly known as De Portola Medical Center. Document is dated November 30, 2012 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### [Amendment to Declaration of CC&R's for Temecula Valley Hospital](#)

Amends CC&Rs to allow commercial development of Lot 28, Tract 3752, subject to Operative Provisions and Development Agreement that is part of this amendment. Temecula Valley Hospital owns Lot 28, Tract 3752, which is part of LRHOA. It also owns additional property that is not part of LRHOA that together has approximately 900 feet of frontage along De Portola Road.

These agreements require an annual assessment be paid to LRHOA in the amount of \$3,500 per year, subject to a stated consumer price index annual increase. An additional one-time capital contribution in the amount of \$35,000, plus a payment of \$10,000 for the Association's legal fees and costs associated with the mediation of the Dispute will also be paid to LRHOA. Additional landscaping to be completed and maintained includes a stormwater detention basin, continuation of the multi-use trail, with split rail fencing along both sides of the full length trail that connects from the west of the Hospital project and continuing to the property line to the east of the Hospital project (approximately 2,200 linear feet). This multi-use trail runs primarily east and west and is on the north side of the Temecula Valley Hospital property. It runs behind three residential properties for approximately 1,000 linear feet, turns toward De Portola Road for approximately 400 linear feet and then along De Portola Road for approximately 800 feet along open space frontage.

This Document is dated June 17, 2013 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### [Amendment to CC&R's to allow Julian Charter to operate school on former church property](#)

Amends CC&Rs to allow non-residential use of Lots 10 and 11, Tract 3552 to operate a school, subject to Use Agreement with Hope Lutheran Church and subsequent owners of said property. Annual assessment shall be in the amount of \$3,000 per year, subject to a 3% annual increase. One-time capital contribution in the amount of \$30,000.

These two lots were legally consolidated into Lot 11 at the time Rancho Community Church first built on this property in 1968. This agreement allows the previous church buildings to now be operated as a school, subject to Operative Provisions. Previous to this agreement, no limits to use and Operative Provisions existed. This Document is dated February 20, 2015 and was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association.

#### [Amendment to Declaration of CC&R's for Temecula Medical Office Building](#)

Amends CC&Rs to allow commercial development of Lot 27 Tract 3752, subject to Operative Provisions and Development Agreement that is part of this amendment. Annual assessments shall be in the amount of \$5,000 per year, subject to a 5% annual increase with a one-time capital contribution in the amount of \$40,000. The property is commonly known as Temecula Medical Office Building (TMOB). This amendment was approved by a majority vote of the property owners in Los Ranchitos Homeowners Association in February 2016.

#### [Lots 10 & 11, Tract 3552 merged to become one lot, Lot 11, Tract 3552](#)

Lots 10 & 11, Tract 3552 were used to build Rancho Community Church in 1968. The two lots were merged into one lot, Lot 11, Tract 3552 and the building of Rancho Community Church was approved by the original land developers of **Los Ranchitos**, the "Rancho California Partnership".

#### [Lot #86, Tract 3552 subdivided into four lots](#)

Lot #86, Tract 3552 was originally 15.31 acres when it became part of Los Ranchitos on October 11, 1966. The original land developers of **Los Ranchitos**, the "Rancho California Partnership", subdivided this lot with Parcel Map 14078 in July 1980. Parcel 10 became 7.72 acres and is currently vacant on the corner of Santiago

and Ynez. Parcel 11 became 2.54 acres, Parcel 12 became 2.50 acres, and Parcel 13 became 2.54 acres. All four lots were sold prior by Rancho California Partnership before the end of 1980 when LRHOA assigned all rights, operations and maintenance of the association to the homeowners.

**Lot 69, Tract 3552 split into two residential lots**

On April 1, 2007 homeowners Tomaszewski split their residential Lot 69, Tract 3552 into two residential lots of 2.5 acres each. Both lots are zoned "Residential-Very Low Density" by the City of Temecula.