

23  
8



2007-0051057

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FPOA  
P.O. BOX 151067  
SAN RAFAEL, CA 94915-1067

Recorded		REC FEE	73.00
Official Records			
County of			
Marin			
JOAN C. THAYER			
Assessor-Recorder			
		a	
08:52AM 22Aug-2007		Page 1 of 23	

**DECLARATION OF THE BY LAWS  
AND  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE  
FAIRHILLS PROPERTY OWNERS ASSOCIATION**

This Declaration of the By Laws and Covenants, Conditions and Restrictions amends the original version titled Declarations of Restrictions Applicable to Property in Fairhills Subdivision recorded in the office of the Mann County Recorder on April 6, 1945 in book 48I, page 398 and 399 and as subsequently amended.

1. Legal Description This Declaration governs all of the real property and improvements thereon located in the Fairhills Subdivision, City of San Rafael, County of Marin, California, described as  
  
Lots 1 through 183, as shown on the original Subdivision Map of FAIRHILLS. The APN number, property address and map depicting each lot in the Fairhills Subdivision is attached hereto as exhibit "A" The APN number, address and map are included as a reference and are not part of any legal description.
2. This Amended Declaration The Association determined that it's former filings were outdated. Therefore the membership caused and approved this new declaration for the purpose of enhancing and protecting the value, enjoyment, safety, desirability and attractiveness of Fairhills.
3. Applicability The By Laws and Covenants, Conditions and Restrictions shall run with the property and shall be binding on all parties having or acquiring any right, title, or interest in any portion of the property in the same manner as the original declaration and shall be for the benefit of all property owners.
4. Fees and Dues A one time initiation fee of \$250.00, (Two hundred fifty dollars) and annual dues are \$40.00 (Forty dollars) are payable thru escrow by the Buyer upon purchase of any property within the Subdivision. The initiation fee and annual dues may be modified by a vote of a majority of the membership.

**FAIRHILLS PROPERTY OWNERS ASSOCIATION**  
**(A Not For Profit Corporation)**

**OBJECTIVE: FAIRHILLS PROPERTY OWNERS ASSOCIATION**

The principal purpose of the Fairhills Property Owners Association is to inform and represent its membership with respect to matters which have a material effect on the quality of life and the value of property within the Fairhills area. Some of these matters are: property taxation, police and fire protection, enforcement of zoning ordinances and deed covenants, municipal improvements, and city and county general plans, insofar as same affect the Fairhills area.

The current activities include meetings for the purpose of informing the membership of issues that arise with respect to the above matters. At such meetings, the membership formulates the Association's position with respect to these issues. Members of the Association attend public hearings, e.g., Planning Commission and City Council, for the purpose of stating the Association's position with respect to pending Fairhills-related matters.

The Association is fully operational at this time. The Association's fiscal year is January 1<sup>st</sup> thru December 31<sup>st</sup>.

**BY-LAWS OF FAIRHILLS PROPERTY OWNERS ASSOCIATION**

**Article I – NAME**

The name of this Association is the Fairhills Property Owners Association, (Association or FPOA).

**Article II – PURPOSE**

The purpose of the FPOA shall be that of a non-profit association to promote and contribute to the general welfare and betterment of the Fairhills area through organized action and effort. These purposes shall be carried but by a Board of Directors (Board) elected by the members of the Association.

**Article III – MEMBERSHIP**

All persons owning property on Fairhills Drive, Treehaven Drive, Twin Oaks Avenue, Idlewood Place, Pepper Way, Valley View Avenue, Edgewood Way, Rustic Way, Oakmont Avenue, Wildwood Way, Oakmont Court and any additional residences which become part of Fairhills in the future shall be eligible for membership in this Association. A property owner shall become a member upon payment of the initiation fee and annual dues as established by the Board and approved by the membership.

#### **Article IV – FEES AND DUES**

- (a) The initiation fee for membership in this Association shall be two hundred and fifty dollars (\$250.00) per property owner.
- (b) The current annual dues are forty dollars (\$40.00). Annual dues may be revised in amount as is fixed by the Board each year. Dues are payable on or before February 1<sup>st</sup> of each year.
- (c) If a property is owned by more than one person, only one annual dues amount shall be payable, however if one or more persons owns more than one property then dues shall be payable for each property owned.

#### **Article V – GENERAL MEETINGS**

- (a) An annual meeting of the membership of this Association shall be held during the month of January each year. The exact date to be determined by the Board of Directors.
- (b) At the meeting the membership shall elect three or four or the appropriate number of Directors to serve staggered two year terms.
- (c) The Board shall be empowered to call such additional meetings of the membership as it shall deem advisable.
- (c) The Board shall call a meeting of the membership upon written petition filed with the Secretary containing sufficient signatures to represent at least ten (10) voting memberships.
- (d) Ten percent (10%) of the voting membership shall constitute a quorum at any general meeting.
- (e) Notice of all general meetings, stating date, place and time of such meetings, shall be mailed or delivered to each place of residence in Fairhills not less than seven (7) days prior to the meeting. Mailing or delivering of such notice shall constitute due notice.

#### **Article VI – VOTING PROCEDURES AND RIGHTS**

- (a) Only those members who are 18 years of age or older who have paid their initiation fee and current year's dues (if any) shall be eligible to vote.
- (b) There shall be a total of one (1) vote per member, except when:
  - (i) more than one person owns a property, they shall be entitled to one (1) vote as a group, or when:
  - (ii) one person or a group of persons own more than one parcel of property, they shall be entitled to one (1) vote for each property owned.
- (c) There shall be no cumulative voting rights.
- (d) Members may exercise their vote in person, by mail, e-mail, proxy or via the FPOA web site. If a vote is cast by any means other than in person it shall be delivered to the Secretary prior to the ballot closing date and time at the general meeting at which votes are cast.
- (e) The manner of voting shall be determined by the Board.

#### **Article VII – BOARD OF DIRECTORS**

- (a) Only those members entitled to vote shall be eligible to serve on the Board of Directors, hereinafter referred to as the Board.
- (b) The Board shall consist of seven (7) members, each elected for two year terms; four shall be elected in even-numbered years, three in odd-numbered years.
- (c) Each member of the Board shall serve until a successor has been elected.
- (d) Vacancies occurring on the Board shall be filled by appointment by the President with the approval of a majority of the Board for the unexpired term of office.
- (e) In case of two or more persons jointly owning property, only one (1) person of such a group may be a member of the Board at any one time.

#### **Article VIII – DUTIES OF THE BOARD OF DIRECTORS**

- (a) Each year, at the first meeting of the Board after the annual election of Directors by the membership the Board shall elect the Officers of the association.
- (b) The Board shall consider, promote and transact the business of this Association, shall order the disbursement of all funds and payments of all bills and invoices and shall discharge such other delegated duties as are set forth in the by-laws.
- (c) A majority of the Board shall approve all expenditures or any other disbursement of funds in excess of six hundred dollars, (\$600.00). When expenditure has been authorized it shall be paid by the Treasurer as described in Article XI-d.

#### **Article IX – MEETINGS OF THE BOARD OF DIRECTORS**

- (a) The Board shall meet regularly, or at a minimum each quarter of the year, in open meeting. All members of the association are encouraged to attend board meetings.
- (b) The Board of Directors shall establish a fixed meeting date and time.
- (c) The President may call additional meetings of the Board as he/she may deem necessary upon a minimum of seventy-two (72) hours notice to the Board members, which need not be in writing.
- (d) A majority of the total of all Board members constitutes a quorum for the purpose of convening Board meetings. A majority of Board members present at a meeting shall suffice to approve payment of bills and invoices, per Article VIII-(c).

## **Article X – OFFICERS**

- (a) The Officers of the Association shall be President, Vice-President, Secretary and Treasurer, who shall be elected by the Board of Directors. Board members may also serve as officers.
- (b) The officers shall be elected annually by a majority of the Board at the Board's first meeting of the new fiscal year and shall serve until their successors are duly elected.
- (c) Any officer may be removed at any time by a majority vote of the Board of Directors.
- (d) If at any time the above officers are unable to perform their duties for whatever cause, the presiding officer shall appoint a member of the Board to assume for the time being all the duties and functions prescribed above.

## **Article XI – DUTIES OF OFFICERS**

- (a) The President shall preside at all meetings, shall exercise general supervision over the affairs and activities of the Association and shall serve as an ex-officio member of all committees.
- (b) The Vice-President shall assume the duties of the President during his/her absence.
- (c) The Secretary shall keep a complete and accurate record of all the proceedings of the Association and of the Board, shall conduct all correspondence, keep file on all records and copies of official letters and give required notice of all meetings. The secretary shall assist the Treasurer in the collection of annual dues. The Secretary shall also maintain a membership record containing names and addresses of each member, an up-to-date copy of which shall be furnished to the various committees to be used as the official mailing roster. The membership record shall be for the exclusive use of this Association, serving only the purposes of the Association, and shall not be given to anyone outside this Association without specific approval of a majority of the Board at a regular Board meeting.
- (d) The Treasurer shall be responsible to receive all Association funds, collection of annual dues and initiation fees paid from escrow; keep them in a bank, or banks, approved by the Board, and pay out funds only after approval of the expenditure by the Board. Payment of funds shall be by check signed by the Treasurer. Payment of funds in excess of six hundred dollars, (\$600.00), shall be signed by the Treasurer and countersigned by the President or one other officer in the absence of the President. Payment of funds shall never be for an amount greater than funds available in the account.
- (e) If at any time any of the above officers are unable to perform their duties for, whatever cause, the Board of Directors may appoint any member of the association to assume all the duties and functions of that office, until the next annual meeting.

## **Article XII – COMMITTEES**

- (a) The President, with the approval of the Board, shall appoint the following standing committees: Finance, Communications, Public Improvement, Membership and other such committees as the Board shall deem necessary.
- (b) The Finance Committee shall assist the Treasurer and shall make recommendations regarding the financial structure of the Association. The Finance Committee shall prepare an annual budget and shall recommend the amount of annual dues. At the close of the fiscal year, the Finance Committee shall audit the records of the Treasurer and make a full report in writing to the Board.
- (c) The Communications Committee shall coordinate and disseminate information related to the FPOA and its activities to the general membership. Information may be distributed by mail, telephone, fliers or electronically by e-mail or via the FPOA web site.
- (d) The Public Improvements Committee shall study, review, recommend and supervise, if necessary, measures to be taken for the general welfare of the Fairhills area.
- (e) The Membership Committee shall greet new property owners and encourage all persons eligible for membership to join and actively participate in the Association. The committee shall also assist the Secretary and Treasurer in maintaining the membership record and the collection of annual dues.
- (f) Committees or members thereof shall not be empowered to initiate or conduct actions or activities which may have legal or financial consequences for this Association beyond the scope of the normal activities as intended in the previous sections (b) through (e). For this purpose, the Board of Directors shall regularly monitor committee activities and actions and if necessary set policy or approve special action by majority vote at a regular Board meeting.

## **Article XIII – NOMINATIONS AND ELECTIONS OF BOARD MEMBERS**

- (a) At each annual meeting of the membership, three or four members will be elected to serve as directors for a two year period. Candidates may be nominated by the Board, or any member of the association. Any member wishing to serve on the Board may declare their candidacy prior to or at the annual meeting.
- (b) The President shall close the ballot at the commencement of the annual meeting, and thereafter the Secretary shall place the names of all candidates before the assembled membership who shall elect by a show of hands the three or four candidates or any appropriate number and the candidates receiving the highest numerical votes shall be declared elected.
- (c) Newly elected members shall take office at the first regular meeting of the Board following the annual meeting and shall serve until their successors are duly elected.

**Article XIV- REFERENDUM AND RECALL**

(a) The membership shall have the power of referendum and recall.

**Article XV- AMENDMENTS**

- (a) Proposals to any changes in or repeal of these by-laws are subject to approval of a two-thirds majority of the Board and shall be ratified by a majority vote of the membership at a meeting duly called for such purpose. Notification of such proposals shall be submitted to all members fifteen (15) days in advance of the ratification meeting.
- (b) Action required for the adoption of amendments to the Articles of Incorporation may be taken by the membership by a vote or written consent of at least two-thirds of the members of a policy making committee created by the members of the Association to represent and act for the Association in this matter, with or without authority to represent and act for the Association members in other matters. Only members of the Association shall serve on such a committee.
- (c) The Secretary shall notify all members of the full text of any change to the By-Laws or to the Articles of Incorporation no more than thirty (30) days after such change.

**Article XVI- PARLIAMENTARY AUTHORITY**

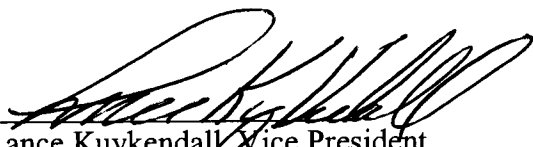
Robert's Rules of Order (revised) shall be the parliamentary authority of this Association.

**Article XVII- UNDELEGATED POWERS**

All powers not specifically delegated to the officers, the Board of Directors, or the committees, shall be reserved to this Association and to its members.

**Approved by the membership January 23, 2005**

  
Frank Smart, President  
Fairhills Property Owners Association

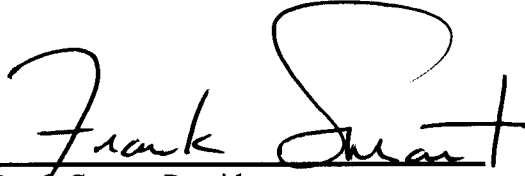
  
Lance Kuykendall, Vice President  
Fairhills Property Owners Association


**Covenants, Conditions and Restrictions**  
**Applicable to Property in the Fairhills Subdivision**  
**Adopted by the members in 2006 to replace those dated**  
**April 1945 as Amended**

1. The word "lot" as used herein refers to one of the deeded portions of the original filed map of the Fairhills Tract, (Fairhills), within which the above described real property is located or any portion sold prior to the filing of such map.
2. All the lots herein described are declared to be residential in character, and no dwelling or structure, except one private dwelling house, designated to accommodate one family only and or garage, guest house or other out building appurtenant thereto shall at any time be erected or maintained on any building lot.
3. No lot shall be conveyed, transferred or deeded except as a whole or in its entirety, except as to where adjoining property owners wish to change their common boundary lines and then only upon the approval by the Fairhills Property Owners Association.
4. No building or structure shall be erected upon any building lot in this tract until the site plan, exterior elevations, roof and specifications thereof have first been approved by the Fairhills Property Owners Association. The minimum inside floor area of said building shall be not less than 1600 square feet.
5. No person shall reside in any dwelling or structure until and unless the construction has been completed.
6. The construction or modification of any improvement on any lot within the Fairhills will adhere to the most current regulations of the city of San Rafael planning and building departments, local ordinances and the uniform building code of the state of California.
7. No store, shop or factory shall be erected or placed on any lot nor shall any business or trade conducted upon said property.
8. No fowl, birds, animals, nor creatures of any kind except usual and common household pets such as caged birds, cats, dogs or fish in reasonable numbers shall be kept on any lot or plot in the Fairhills subdivision.
9. All remedies in law or in equity are accorded to and may be prosecuted by any owner of any interest of record in property subject to these restrictions to enjoin, abate or realize damages or other dues of an attempted or existing violation thereof. Failure to enforce any provisions or measure of these covenants by the declarant hereof or any owner of an interest of record in property subject to these restrictions shall not be deemed a waiver of the right to do so thereafter or in connection with a similar violation on some other part of this subdivision.

10. The owner of any lot shall install and maintain thereon underground conduits for telephones, television, data, and electrical service and all utility service from the point of connection in the street to the residence. Overhead utility services shall not be allowed within Fairhills. Any utility service entrances along the street adjoining a property will be terminated in an underground box or underground termination riser approved by the utility. Pad mounted transformers and utility riser shall be screened or landscaped in accordance with the service provider's instructions.
  
12. The covenants and provisions hereof are declared to be severable. Invalidation of any single covenant or provision or part thereof by law, judgment or court order shall not in any way affect any other covenant hereof.

Approved by the members January 25, 2005

  
\_\_\_\_\_  
Frank Smart, President  
Fairhills Property Owners Association

  
\_\_\_\_\_  
Lance Kuykendall, Vice President  
Fairhills Property Owners Association

# EXHIBIT A

## FAIRHILLS SUBDIVISION MAP



**Exhibit A**

010-154-51  
Karen Nugent  
135 Fairhills Dr.  
San Rafael, CA 94901

010-154-48, 010-154-49  
Douglas & Elizabeth Chiang  
151 Fairhills Dr.  
San Rafael, CA 94901

010-154-45  
J. Robert Hahn & Beth Cannon  
155 Fairhills Dr.  
San Rafael, CA 94901

010-154-47  
Robert & Yvonne Fernandez  
159 Fairhills Dr.  
San Rafael, CA 94901

010-161-02  
Lance & Christian Kuykendall  
176 Fairhills Dr.  
San Rafael, CA 94901

010-161-17  
Betty & Larry Mulryan  
180 Fairhills Dr.  
San Rafael, CA 94901

010-161-08  
William Pierce & Barbara La  
Mair  
200 Fairhills Dr.  
San Rafael, CA 94901

010-161-05  
Richard Schneider  
208 Fairhills Dr.  
San Rafael, CA 94901

010-153-03  
Ann & Kenneth Davis  
209 Fairhills Dr.  
San Rafael, CA 94901

010-142-20  
Darrah Hallowitz  
212 Fairhills Dr.  
San Rafael, CA 94901

010-142-30  
John Coman & Diann Patton  
216 Fairhills Dr.  
San Rafael, CA 94901

010-141-02  
Stacy & Thames Kral  
271 Fairhills Dr.  
San Rafael, CA 94901

010-142-32  
Robert Valentino  
272 Fairhills Dr.  
San Rafael, CA 94901

010-142-29  
Elizabeth & Francis Kenney  
276 Fairhills Dr.  
San Rafael, CA 94901

010-142-05  
Richard Glantz  
280 Fairhills Dr.  
San Rafael, CA 94901

010-142-04  
Billie & David Lindemulder  
292 Fairhills Dr.  
San Rafael, CA 94901

010-142-03  
Bob Widinski & Carol Oakes  
312 Fairhills Dr.  
San Rafael, CA 94901

010-141-04  
Andrew & Norma Sass  
325 Fairhills Dr.  
San Rafael, CA 94901

010-121-11  
Peter Billington & Nicolle  
Henneuse  
10 Oakmont Ave.  
San Rafael, CA 94901

010-101-62  
Paul Henderson  
73-670 Irontree Dr.  
Palm Desert, CA 92260-6907

010-121-03  
Gary & Jacqueline Morey  
16 Oakmont Ave.  
San Rafael, CA 94901

010-101-63  
Bill Hughson  
33 Oakmont Ave.  
San Rafael, CA 94901

010-121-04  
Ross & Sue Kokos  
42 Oakmont Ave.  
San Rafael, CA 94901

010-101-15  
Frank & Suki Smart  
45 Oakmont Ave.  
San Rafael, CA 94901

010-121-20  
Rory Ward  
60 Oakmont Ave.  
San Rafael, CA 94901

010-131-23  
Maureen & Ronald Ashley  
64 Oakmont Ave.  
San Rafael, CA 94901

011-051-11  
Maureen & Ronald Ashley  
66 Oakmont Ave.  
San Rafael, CA 94901

010-101-18  
Alan Plisskin & Mary Kay  
Yamamoto  
67 Oakmont Ave.  
San Rafael, CA 94901

011-011-20  
Jason & Mary Anna Widmer  
72 Oakmont Ave.  
San Rafael, CA 94901

010-101-16  
Frank & Suki Smart  
75 Oakmont Ave.  
San Rafael, CA 94901

011-011-16  
Pamela & Stephen Watt  
76 Oakmont Ave.  
San Rafael, CA 94901

011-011-21  
Erlene & Gordon Flagg  
80 Oakmont Ave.  
San Rafael, CA 94901

011-011-31  
Noemi Bolvary & Bruce  
Guerney  
650 Harry Road  
San Jose, CA 95120

010-101-64  
Ann & James Clifford  
87 Oakmont Ave.  
San Rafael, CA 94901

010-101-17  
Gerry & Karen Paratore  
91 Oakmont Ave.  
San Rafael, CA 94901

010-101-35  
Joan You & Michael Hines  
92 Oakmont Ave.  
San Rafael, CA 94901

010-101-40  
Diane & Robert Neuhaus  
95 Oakmont Ave.  
San Rafael, CA 94901

010-101-34  
Douglas & Nicole Smith  
96 Oakmont Ave.  
San Rafael, CA 94901

010-101-21  
Ole & Alice Christensen  
97 Oakmont Ave.  
San Rafael, CA 94901

010-101-39  
Christine & Larry Terzian  
100 Oakmont Ave.  
San Rafael, CA 94901

010-101-50  
Ray & Diane Doubleday  
104 Oakmont Ave.  
San Rafael, CA 94901

010-101-27  
Rose Guatelli  
105 Oakmont Ave.  
San Rafael, CA 94901

010-101-52  
James Strack & Kathy McNally  
108 Oakmont Ave.  
San Rafael, CA 94901

010-101-41  
Bill & Caroline Perrino  
109 Oakmont Ave.  
San Rafael, CA 94901

010-101-42  
Catherine Van Hoesen  
113 Oakmont Ave.  
San Rafael, CA 94901

010-101-53  
Dorothy Vukota  
114 Oakmont Ave.  
San Rafael, CA 94901

010-101-57  
John & Rachael Bertone  
117 Oakmont Ave.  
San Rafael, CA 94901

010-101-60  
Ellen & Mitchell Loring  
118 Oakmont Ave.  
San Rafael, CA 94901

010-101-58  
Gene Zaglin & Ben Strasse  
119 Oakmont Ave.  
San Rafael, CA 94901

010-101-61  
William Weissenberger  
121 Oakmont Ave.  
San Rafael, CA 94901

010-101-44  
Susan Gartner & Rex Johnson  
7 Oakmont Ct.  
San Rafael, CA 94901

011-011-24  
Andrea & Semi Salmi  
12 Oakmont Ct.  
San Rafael, CA 94901

010-101-51  
Ilene & Michael Taekman  
15 Oakmont Ct.  
San Rafael, CA 94901

011-011-25  
Barbara & Christopher  
Townsend  
16 Oakmont Ct.  
San Rafael, CA 94901

011-011-26  
James & Martha Boughey  
20 Oakmont Ct.  
San Rafael, CA 94901

010-121-05  
George & Michelle Huff  
26 Wildwood Way  
San Rafael, CA 94901

010-121-06  
Ross & Susan McDonald  
30 Wildwood Way  
San Rafael, CA 94901

010-121-14  
Robert & Mary Ellen Irwin  
34 Wildwood Way  
San Rafael, CA 94901

010-121-17  
Elke & Larry Kaplan  
40 Wildwood Way  
San Rafael, CA 94901

010-121-18  
Kristie & Ronald Durand  
45 Wildwood Way  
San Rafael, CA 94901

010-164-05  
Audrey & Louis DeMartini  
5 Fairhills Dr.  
San Rafael, CA 94901

010-164-04  
Eleanor Geary  
15 Fairhills Dr.  
San Rafael, CA 94901

010-163-13  
Betsy & Neal Zimmerman  
20 Fairhills Dr.  
San Rafael, CA 94901

010-164-23  
Mike & Susanna Fakhoury  
21 Fairhills Dr.  
San Rafael, CA 94901

010-164-22  
Stewart & Lynn Ross  
29 Fairhills Dr.  
San Rafael, CA 94901

010-163-08  
Kevin Kroncke & Megan  
Kuykendall  
30 Fairhills Dr.  
San Rafael, CA 94901

010-162-08  
Richard & Ruth Fong  
52 Fairhills Dr.  
San Rafael, CA 94901

010-161-16, 010-161-13  
John Thuma  
80 Fairhills Dr.  
San Rafael, CA 94901

010-164-21  
Geoffrey Smith & Katherine  
McGregor  
121 Fairhills Dr.  
San Rafael, CA 94901

010-164-14  
Barbara & Daniel Turrentine  
125 Fairhills Dr.  
San Rafael, CA 94901

010-161-19  
Dennis & Lecia Sholl  
128 Fairhills Dr.  
San Rafael, CA 94901

010-154-17  
Ronald & Barbara Ann Brown  
131 Fairhills Dr.  
San Rafael, CA 94901

010-142-02  
Peggy & Phil Jaret  
328 Fairhills Dr.  
San Rafael, CA 94901

010-141-03  
Kenny & Shelly Buquen  
331 Fairhills Dr.  
San Rafael, CA 94901

010-131-18  
Donald & Ivy Wellington  
335 Fairhills Dr.  
San Rafael, CA 94901

010-132-01  
Yvonne Lawrence  
338 Fairhills Dr.  
San Rafael, CA 94901

010-131-57  
Sam & Laura Oryol  
339 Fairhills Dr.  
San Rafael, CA 94901

010-131-59  
Alice & Hadden Roth  
343 Fairhills Dr.  
San Rafael, CA 94901

010-131-32  
Svanhild Hoover  
349 Fairhills Dr.  
San Rafael, CA 94901

010-111-02  
Rod & Opal Pettis  
407 Fairhills Dr.  
San Rafael, CA 94901

010-111-28  
Elvira & Eric Hungermann  
427 Fairhills Dr.  
San Rafael, CA 94901

010-111-27  
Alan & Ginny Pabst  
447 Fairhills Dr.  
San Rafael, CA 94901

010-142-01  
Elliott & Pamela Baim  
6 Mohican Trail  
Searsdale, NY 10583

010-121-13  
Karl Weigl & Sarah Lamb  
460 Fairhills Dr.  
San Rafael, CA 94901

010-121-21  
Charles & Suzanne Daily  
464 Fairhills Dr.  
San Rafael, CA 94901

010-121-10, 010-121-16  
Tom & Linda Biesheuvel  
490 Fairhills Dr.  
San Rafael, CA 94901

010-101-55  
Ryan Ashley  
520 Fairhills Dr.  
San Rafael, CA 94901

010-111-10  
Serge & Stephanie Cincotta  
531 Fairhills Dr.  
San Rafael, CA 94901

010-101-01  
Bridget & Jake Peterson  
558 Fairhills Dr.  
San Rafael, CA 94901

010-091-16  
Jill & Peter Kamler  
559 Fairhills Dr.  
San Rafael, CA 94901

010-091-25  
Eugene & Katie Ceccotti  
570 Fairhills Dr.  
San Rafael, CA 94901

010-091-15, 010-082-11  
Cory & Christina Lund  
575 Fairhills Dr.  
San Rafael, CA 94901

010-091-24  
Hans & Susan Bernau  
584 Fairhills Dr.  
San Rafael, CA 94901

010-091-23  
Doris Bagley  
592 Fairhills Dr.  
San Rafael, CA 94901

010-091-33  
Lloyd Aubry & Vanessa Holton  
595 Fairhills Dr.  
San Rafael, CA 94901

010-091-31  
Bayley & Kenneth Moynihan  
597 Fairhills Dr.  
San Rafael, CA 94901

010-091-26  
Dan & Michelle Cherrick  
598 Fairhills Dr.  
San Rafael, CA 94901

010-111-21  
Francoise Stone  
15 Edgewood Way  
San Rafael, CA 94901

010-111-26  
Phyllis Rubinstein  
17 Edgewood Way  
San Rafael, CA 94901

010-111-30  
Barbara Bianchi  
19 Edgewood Way  
San Rafael, CA 94901

010-111-09  
Theodora Gauder  
20 Edgewood Way  
San Rafael, CA 94901

010-111-24  
Bill & Sandy Edinger  
21 Edgewood Way  
San Rafael, CA 94901

010-111-08  
Jean Killacky  
24 Edgewood Way  
San Rafael, CA 94901

010-111-34  
Jared Ede  
25 Edgewood Way  
San Rafael, CA 94901

010-154-45  
Marlene Guy  
28 Edgewood Way  
San Rafael, CA 94901

010-111-33  
David & Gail Perin  
29 Edgewood Way  
San Rafael, CA 94901

010-111-16  
Lawrence & Julianne Kaplan  
32 Edgewood Way  
San Rafael, CA 94901

010-111-32  
Roger Vancraeynest & Gaylene  
Becker  
112 Humboldt Ave  
San Anselmo, CA 94960

010-111-05  
Cathleen Collins  
42 Edgewood Way  
San Rafael, CA 94901

010-101-11  
Patricia & William Hasler  
8 Rustic Way  
San Rafael, CA 94901

010-101-23  
Michael & Patricia Thompson  
31 Rustic Way  
San Rafael, CA 94901

010-101-45  
Stan & Julie Burford  
32 Rustic Way  
San Rafael, CA 94901

010-101-24  
Kate & Wally Gallaway  
35 Rustic Way  
San Rafael, CA 94901

010-101-38  
Veronica Gonzales  
36 Rustic Way  
San Rafael, CA 94901

010-101-37  
Timothy & Virginia Bellettini  
38 Rustic Way  
San Rafael, CA 94901

010-101-07  
Gregg Kellogg  
39 Rustic Way  
San Rafael, CA 94901

010-082-14  
Gary & Sandra Goodman  
22 Valley View Ave.  
San Rafael, CA 94901

010-084-03  
John & Sandy Boeschen  
25 Valley View Ave.  
San Rafael, CA 94901

010-082-12  
Yuri & Hans Richter  
34 Valley View Ave.  
San Rafael, CA 94901

010-082-10  
Ona Coburn  
64 Valley View Ave.  
San Rafael, CA 94901

010-084-02  
Michael Caldwell  
65 Valley View Ave.  
San Rafael, CA 94901

010-084-31  
Ray & Sandy Hengst  
95 Valley View Ave.  
San Rafael, CA 94901

010-081-21  
Lisa Dal Gallo & George  
Sullivan  
127 Valley View Ave.  
San Rafael, CA 94901

010-082-01  
Larry Berkelhammer & Irma  
Botvin  
130 Valley View Ave.  
San Rafael, CA 94901

010-081-18  
Angelo Corvino  
PO Box 3125  
Napa, CA 94558

010-082-08  
Shayna Eskew  
134 Valley View Ave.  
San Rafael, CA 94901

010-081-23  
Scott McCrea & Peggy Seabourn  
135 Valley View Ave.  
San Rafael, CA 94901

010-082-07  
Roger & Susan Ranuio  
138 Valley View Ave.  
San Rafael, CA 94901

010-081-24  
Barbara Rossi  
PO Box 150184  
San Rafael, CA 94915-0184

010-091-21  
Selma Larson  
144 Valley View Ave.  
San Rafael, CA 94901

010-091-27  
Iolas Shirley  
150 Valley View Ave.  
San Rafael, CA 94901

010-091-17, 179-261-27  
Eric & Cristina Brandon  
175 Valley View Ave.  
San Rafael, CA 94901

010-091-28  
Bob & Colette Battaglia  
199 Valley View Ave.  
San Rafael, CA 94901

010-091-29  
Diane Hess  
200 Valley View Ave.  
San Rafael, CA 94901

010-131-21, 010-131-22  
James & Ronnie Dodds  
9 Pepper Way  
San Rafael, CA 94901

010-131-46  
Bonnie & Charles Lewis  
18 Pepper Way  
San Rafael, CA 94901

010-131-19  
Mary Ellen Robertson  
210 Country Oak Lane  
Arroyo Grande, CA 93420

010-131-20  
Ursula McCarthy  
21 Pepper Way  
San Rafael, CA 94901

010-131-24  
Faith & Hugo Rinaldi  
25 Pepper Way  
San Rafael, CA 94901

010-154-28  
Jane & Willard Vernon  
3 Idlewood Pl.  
San Rafael, CA 94901

010-153-02  
Diane Ellison  
20 Idlewood Pl.  
San Rafael, CA 94901

010-154-46  
Stanford & Wendy Kenyon  
21 Idlewood Pl.  
San Rafael, CA 94901

010-154-36  
Donald McGinty & Barbara  
Lane  
23 Idlewood Pl.  
San Rafael, CA 94901

010-153-01  
Marjorie & Richard Wright  
24 Idlewood Pl.  
San Rafael, CA 94901

010-131-23  
Nadia Anis & Michael Thune  
28 Idlewood Pl.  
San Rafael, CA 94901

010-154-31  
Graham & Theresa Campbell  
32 Idlewood Pl.  
San Rafael, CA 94901

010-163-11  
Daniel & Joanne Dufficy  
11 Treehaven Dr.  
San Rafael, CA 94901

010-163-03  
Hazel & Otis Gravem  
23 Treehaven Dr.  
San Rafael, CA 94901

010-162-14  
Jane Ayers  
24 Treehaven Dr.  
San Rafael, CA 94901

010-162-18  
Angela Leaper & Robert Caruso  
32 Treehaven Dr.  
San Rafael, CA 94901

010-163-02  
Richard & Carolyn Myhre  
33 Treehaven Dr.  
San Rafael, CA 94901

010-162-17  
Helen Geary  
42 Treehaven Dr.  
San Rafael, CA 94901

010-163-02  
John Kress  
49 Treehaven Dr.  
San Rafael, CA 94901

010-162-19, 010-162-20  
Mark & Terry Boyer  
58 Treehaven Dr.  
San Rafael, CA 94901

010-162-21  
Gloria Harootunian  
PO Box 106  
S. Lake Tahoe, CA 96156

010-163-09  
Ed & Jane Coyne  
65 Treehaven Dr.  
San Rafael, CA 94901

010-153-02  
Midge & Warren Ellis  
66 Treehaven Dr.  
San Rafael, CA 94901

010-163-10  
Linda Hill  
100 Forbes Ave.  
San Rafael, CA 94901

010-161-04  
Ed Schulman & Judy Sockolov  
7 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-36  
Ted Laubacher  
11 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-07  
Anne English  
14 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-37  
Malcolm & Sandra Reinhardt  
17 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-06  
Randall Kahn  
20 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-28, 010-142-06, 010-142-08  
John & Margot Richardson  
21 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-04  
Anne & Richard Markel  
24 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-40  
Elliot Lippman & Connie  
Treadwell  
27 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-03  
Diane & Tony Friend  
28 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-02  
Georgia & Stephen Meagher  
32 Twin Oaks Ave.  
San Rafael, CA 94901

010-162-01  
Lawson & Louise Owen  
34 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-41  
Norman Williams  
35 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-19  
Thomas & Janice Gioseffi  
38 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-11  
David & Elisabeth Bary  
41 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-27  
Joyce Asmussen  
48 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-12  
Carol & David Thomas  
49 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-13  
Gwen & Ole Henriksen  
55 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-39  
Margaret Keating  
63 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-38  
Robert McCreadie  
65 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-43  
Carter Njus & Carol Piette  
68 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-22  
Alan Plisskin & Mary Kay  
Yamamoto  
71 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-44, 010-142-45  
Tamara Goldsmith & Randal  
Zucker  
78 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-23

Ian Wilson & Adrienne Marcus  
79 Twin Oaks Ave.  
San Rafael, CA 94901

010-142-17

G. Wayne & Lillian Clerk  
95 Twin Oaks Ave.  
San Rafael, CA 94901

Exhibit - B



**Fairhills Property Owners Association**

P.O. Box 151067  
San Rafael, CA 94915-1067



Dear Property Owner,

June 10, 2005

At the annual meeting of the FPOA held on January 25, 2005, the membership voted to approve the modifications to the CC&R's and By -Laws as recommended by the Board of Directors. Following is a copy for your records.

Thank you for your continuing support.

Sincerely,

Handwritten signature of Frank M. Smart in cursive script.

Frank Smart  
President of the FPOA