

**ARTICLE**  
**3**  
**PERSONS AND PROPERTY SUBJECT TO THIS**  
**DECLARATION**

Section 3.01. **Application to Persons.** All Owners, Occupants, and all other persons using the Community including, without limitation, the invitees of Owners and Occupants, are subject to this Declaration.

Section 3.02. **Owners' Interest.** The real property interest in each Lot shall include the components set forth in this Section. No such component may be severed from the Lot to which it is appurtenant. The components are as set forth below:

A. Title to a Lot.

B. The rights and obligations provided by this Declaration.

Section 3.03. **Annexation.** Any real property not included within the Community, and which consists of one or more legal parcels or lots, may be annexed from time to time to the Community by (i) Declarant in its sole discretion and without the consent of the Owners in accordance with the provisions of this Section, or (ii) by the MHCS D in its sole discretion and without the consent of the Owners in accordance with the provisions of this Section, and shall thereupon become subject to this Declaration. The MHCS D has the power to annex to the Community only real property which is either located within the then boundaries of the MHCS D or property which is in the process of being annexed to the territory of the MHCS D pursuant to California Government Code Section 61800, in which case the annexation to the Community shall only become effective when such property is annexed into the territory of the MHCS D. Annexation into the Community pursuant to this Section does not refer to annexation by the MHCS D of property into the territory of the MHCS D, pursuant to California Government Code Section 61800.

A. **Rescission and Amendment of Annexation.** At any time prior to the first conveyance of a Lot within a Phase contained within the annexed property, the person or entity annexing the property may, without the consent of the Owners, rescind or amend such Declaration of Annexation as to such Phase. Conveyance of all of the property annexed by a Declaration of Annexation or all of the property contained within a Phase is not a conveyance of a Lot for this purpose.

B. **Method of Annexation.** Any annexation or recession or amendment to an annexation undertaken in accordance with this Section shall be effective upon the Recording of a Declaration of Annexation, recession or amendment that is signed and acknowledged by the person or entity annexing the property and, in addition, by the Owners of the property described in the Declaration if such Owners are different from the person or entity annexing the property.

C. **Additional Restrictions.** The person or entity annexing the property may provide for additional or different limitations, restrictions, covenants, conditions, and

easements, with respect to the use of the annexed property in the Declaration of Annexation or by the incorporation of other documents. Any additional provisions may be made as a result of characteristics of the property to be annexed, including, without limitation, zoning, use area, surface features of the land, method of subdivision, whether common use facilities are public or private, the character and type of the improvements, and the architectural styles and characteristics desired in the area annexed. Any additional provisions shall be approved in the same manner as the Declaration of Annexation.

**D. Effect of Declaration of Annexation.** Upon any annexation becoming effective, the Declaration of Annexation shall become a part of this Declaration, and shall be deemed amended by any amendment to this Declaration.