

165871

1st Amendment

AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

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RECEIVED JUN - 5 1980

Pursuant to the provisions of Article XIV, Section 3 of the Declaration of Covenants, Conditions and Restrictions for HALLCRAFT VILLAS WEST NINE, as recorded in Book 163, Page 48 of Maps, in the office of the County Recorder of Maricopa County, hereinafter referred to as "The Declaration" as previously recorded on September 12, 1979, in Docket 13893, Pages 218-243, the Declaration is hereby amended as follows:

ARTICLE VII
INTERIOR AND EXTERIOR MAINTENANCE

SECTION 1. EXTERIOR MAINTENANCE. In addition to maintenance upon the Common Area and appurtenances thereto, the Association shall provide exterior maintenance upon each lot which is subject to assessment hereunder as follows: paint, repair, replace and care for roofs, gutters, downspouts, exterior building surfaces, and such trees, shrubs, grass, walks, and other exterior improvements not located within individual patios. Such exterior maintenance shall not include glass surfaces.

In the event the need for maintenance or repair to the exterior of the townhouse, except as to individual patios, is caused through the willful or negligent act of the owner, his family, guests, invitees, persons or animals for whom he is responsible, the Association shall cause the maintenance or repair to be performed and the cost of such maintenance or repair shall be added to and become a part of the assessment to which such lot is subject.

SECTION 2. INTERIOR AND OTHER MAINTENANCE. Each owner shall be responsible for the upkeep and the maintenance of the interior of his townhouse, and for the upkeep and maintenance of his individual patio and all other areas, features, or parts of his townhouse and property not otherwise maintained by the Association. Further, all fixtures and equipment installed within a townhouse, commencing at a point where the utility lines, pipes, wires, conduits or systems enter the exterior walls of a townhouse, shall be maintained and kept in repair by the Owner thereof. Termite control shall be the responsibility of the Owner. An owner shall do no act or any work that will impair any easement or hereditament, nor do any act nor allow any condition to exist which will adversely affect the other townhouses or their owners.

In all other respects, the Declaration shall remain in full force and effect pursuant to its terms and conditions.

IN WITNESS WHEREOF, the undersigned constituting not less than ninety percent (90%) of the Lot Owners of HALLCRAFT VILLAS WEST NINE have executed this document this 5th day of MAY, 1980.



FIRST AMERICAN TITLE INSURANCE COMPANY
OF ARIZONA, an Arizona corporation, as Trustee

BY: Stanley D. Johnson
ITS: vice President

DEGEN DEVELOPMENT COMPANY OF ARIZONA

BY: Robert L. Kuntz
ITS: vice President

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STATE OF ARIZONA)
) ss.
COUNTY OF Maricopa)

On this the 15 day of May, 1980, before me, the undersigned Notary Public, personally appeared Stanley Mathew who acknowledged himself to be the Vice President of FIRST AMERICAN TITLE INSURANCE COMPANY OF ARIZONA, an Arizona corporation, as Trustee, and that he being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation, by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:
July 12, 1983

Dolores C. Hernandez
NOTARY PUBLIC

STATE OF ARIZONA)
) ss.
COUNTY OF Maricopa)

On this the 6th day of May, 1980, before me, the undersigned Notary Public, personally appeared Robert L. Kivist who acknowledged himself to be the Vice-President of DEGEN DEVELOPMENT COMPANY OF ARIZONA, a California corporation, and that he being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation, by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires:
My Commission Expires Mar. 9, 1981

[Signature]
NOTARY PUBLIC

MAY 20 1980 - 12 30

STATE OF ARIZONA } ss
County of Maricopa }
I hereby certify that the with-
in instrument was filed and re-
corded at request of
FIRST AMERICAN TITLE

in Docket 14429
on Page 814-815

Witness my hand and official seal the day and year aforesaid.
Bill Henry

County Recorder
By [Signature]
Deputy Recorder

300