

TEMPE0001-4-1-1--
sarabiam

WHEN RECORDED RETURN TO:

Carpenter, Hazlewood, Delgado & Wood, PLC
1400 East Southern Avenue, Suite 400
Tempe, Arizona 85282

**FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TEMPE ROYAL PALMS VILLAGE**

This Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for Tempe Royal Palms Villas ("the Amendment") is made as of this 26th day of July, 2010, by Villas Las Palmas, Inc., an Arizona nonprofit corporation (the "Association").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for Tempe Royal Palms Village (the "Declaration") was recorded on April 13, 1982 at docket 15954, page 1440 in the official records of the Maricopa County Recorder.

B. The Declaration was amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions for Villas Las Palmas recorded on September 13, 1982 at docket 16283, page 754 in the official records of the Maricopa County Recorder.

C. The Declaration was amended by the Second Amendment to Declaration of Covenants, Conditions and Restrictions for Tempe Royal Palms Village aka Villas Las Palmas recorded on November 22, 1982 at docket 16437, page 879 in the official records of the Maricopa County Recorder.

D. The Declaration was amended by the Third Amendment to Declaration of Covenants, Conditions and Restrictions for Tempe Royal Palms Village aka Villas Las Palmas recorded on June 17, 1983 at instrument number 83-235209 in the official records of the Maricopa County Recorder.

E. The Declaration is silent as to amendment after the first 20 year term of the Declaration.

F. Section 6.10 of the Restatement Third, Property (Servitudes) provides that the Declaration may be amended by members holding two-thirds of the voting power.

G. This amendment was adopted and approved by members holding two-thirds of the voting power.

AMENDMENT

NOW, THEREFORE, the Declaration is amended as follows:

Article I, Section 20 is deleted in its entirety and replaced with the following:

“Structural maintenance area” or “structural maintenance areas” shall mean the exterior building surfaces (structural walls only, excluding glass surfaces), trees, shrubs, grass, walks and other exterior improvements.

Except as expressly amended by this Fourth Amendment, the Declaration shall remain in full force and effect. In the event of any conflict or inconsistency between this Fourth Amendment and the Declaration, this Fourth Amendment shall prevail.

IN WITNESS WHEREOF, Villas Las Palmas, Inc., an Arizona nonprofit corporation, has executed this Fourth Amendment as of the day and year first above written.

VILLAS LAS PALMAS, INC.,
an Arizona nonprofit corporation

By: David C Phoenix

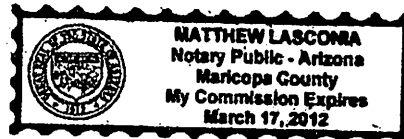
Its: President

State of Arizona)
) ss.
County of Maricopa)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 26
day of July, 20010, by David C. Phoenix, the
President of Villas Las Palmas, Inc., an Arizona nonprofit corporation, for
and on behalf of the corporation.

My Commission Expires:
March 17, 2012

[Signature]
Notary Public



SECRETARY'S ATTESTATION

I, Martha Knight, being the duly elected Secretary of Villas Las Palmas, Inc., hereby attest that the foregoing Amendment was approved by members holding two-thirds of the voting power.

By: *Martha Knight*

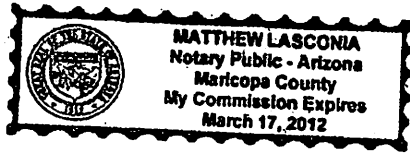
Secretary, Villas Las Palmas, Inc.

State of Arizona)
) ss.
County of Maricopa)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 26 day of July, 20010, by Martha Knight, the Secretary of Villas Las Palmas, Inc., an Arizona nonprofit corporation, for and on behalf of the corporation.

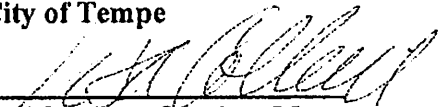
Matthew Lasconia
Notary Public

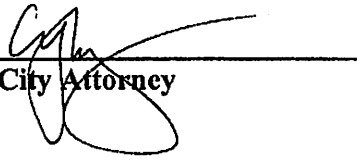
My Commission Expires:
March 17, 2012



Approved as to form:

City of Tempe


Development Services Manager

ASST 
City Attorney