

WHEN RECORDED RETURN TO:

Carpenter, Hazlewood, Delgado & Bolen, LLP
333 N. Wilmot Road, Suite 237
Tucson, Arizona 85711

**AMENDMENT TO
THE DECLARATION OF ESTABLISHMENT OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CANOA HILLS TOWNHOMES**

This Amendment to the Declaration of Establishment of Conditions, Covenants and Restrictions for Canoa Hills Townhomes Lots 1 Through 143 and Common Areas A and B (“the Amendment”) is made as of this ___ day of March, 2021, by Canoa Hills Townhomes, Inc., an Arizona nonprofit corporation (the “Association”).

RECITALS

A. A *Declaration of Establishment of Conditions, Covenants and Restrictions for Canoa Hills Townhomes, Inc.* was recorded on June 9, 1986 at Book 7801, page 719 of the Office of the Pima County Recorder; on June 9, 1986 an additional *Declaration of Establishment of Conditions, Covenants and Restrictions* was recorded at Book 7801, page 716 in the Office of the Pima County Recorder; on February 10, 1987 an *Amendment to Declaration of Establishment of Conditions, Covenants and Restriction of Canoa Hills Townhomes, Inc.* was recorded at Book 7969, page 1278 in the Office of the Pima County Recorder; on August 18, 1988 a *First Amended and Restated Declaration of Establishment of Conditions, Covenants and Restrictions for Canoa Hills Townhomes Lots 1 through 64 and Common Areas A and B* was recorded Sequence number 88110034 in the Office of the Pima County Recorder; on October 11, 1997, an *Amendment to Declaration of Establishment of Conditions, Covenants and Restrictions of Canoa Hills Townhomes, Inc.* was recorded at Docket 08139, page 1168 in the Office of the Pima County Recorder; on November 10, 1992 a *Declaration of Establishment of Conditions, Covenants and Restrictions for Canoa Hills Townhomes* was recorded at Sequence Number 92168594 in the Office of the Pima County Recorder (the November 10, 1992 document is referred to herein as the “Declaration”).

B. Pursuant to the Declaration at Article XVI, Section 5, the Declaration may be amended by approval of fifty-one percent (51%) of the total votes held by Owners within the Association and shall be made by an instrument in writing signed by the President and Secretary of the Association and recorded with the County Recorder of Pima County, Arizona.

C. This Amendment has been approved by the affirmative vote of at least fifty-one percent (51%) of the total votes held by Owners within the Association at a duly-called meeting of the Members on March 11, 2021.

AMENDMENT

NOW, THEREFORE, the Declaration is amended as follows:

Article XIV, Section 4 of the Declaration is hereby amended and restated in its entirety as follows:

Section 4: Amendment: This Article may be amended in the same fashion as the Declaration.

Article XVI, Section 5 of the Declaration is hereby amended and restated as follows:

Section 5: Amendment.

Except as provided elsewhere in this Declaration, the terms hereof may be amended by the Association; provided, however, that any amendments made by the Association shall be approved by at least sixty-seven percent (67%) of the votes cast by Owners at a meeting of the members duly called for that purpose at which a quorum is present and shall be made only by an instrument in writing signed by the President and Secretary of the Association and recorded with the County Recorder of Pima County, Arizona.

Except as expressly amended by this Amendment, the Declaration shall remain in full force and effect. In the event of any conflict or inconsistency between this Amendment and the Declaration, this Amendment shall prevail. Unless otherwise defined herein, each capitalized term used in this Amendment shall have the meaning given to such term in the Declaration.

[Intentionally Blank]

IN WITNESS WHEREOF, this Amendment is adopted by vote of 51% of the total votes held by Owners within the Association pursuant to the Declaration at Section XVI, Section 5 as of the date of the meeting of the Members above.

CANOA HILLS TOWNHOMES, INC.
an Arizona nonprofit corporation

By: Galen R. Schroeder
Galen Schroeder, President

Date: 4/2/2021

Attested by:

By: Rhonda L. Jared
Rhonda Jared, Secretary

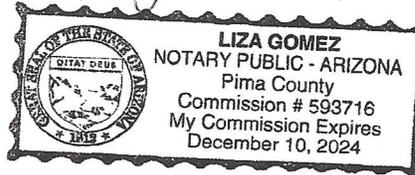
Date: 04/02/2021

State of Arizona)
County of Pima) ss.
~~Maricopa~~

April SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 2nd day of ~~March~~, 2021 by Galen Schroeder, the President of Canoa Hills Townhomes, Inc., an Arizona nonprofit corporation, for and on behalf of the corporation.

My Commission Expires:
Dec 10, 2024

Liza Gomez
Notary Public



State of Arizona)
County of Pima) ss.
~~Maricopa~~

April SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 2nd day of ~~March~~, 2021 by Rhonda Jared, the Secretary of Canoa Hills Townhomes, Inc., an Arizona nonprofit corporation, for and on behalf of the corporation.

My Commission Expires:
Dec 10, 2024

Liza Gomez
Notary Public

