

When recorded, mail to:

Polynesian Shores 2 HOA
c/o Sandra Welcker, President
2053 Casual Court
Simi Valley, CA 93065

2017-01553

Page 1 of 5

Requested By: Polynesian Shores II
SHELLY D BAKER, RECORDER

OFFICIAL RECORDS OF LA PAZ COUNTY, AZ

04-18-2017 02:53 PM Recording Fee \$10.00

AMENDMENT TO DECLARATION OF RESTRICTIONS

This Amendment to Declaration of Restrictions (this "**Amendment**") is made as of this 8th day of April, 2017, by Polynesian Shores #2 Owners Association, an Arizona nonprofit corporation (the "**Association**").

RECITALS

A. A Declaration of Restrictions (the "**Original Declaration**") was recorded on in Docket 410, Page 2, in the records of the County Recorder of Yuma County, Arizona to establish a general plan for the development and use of the subdivision known as Polynesian Shores No. 2 according to the plat recorded in Book 4 of Plats, Page 113, in the records of the County Recorder of Yuma County, Arizona. The Original Declaration was amended by the documents recorded in Docket 414, Page 144 and in Docket 427, Page 224, in the records of the County Recorder of Yuma County, Arizona (the "**Prior Amendments**"). The Original Declaration, as amended by the Prior Amendments, shall be referred to in this Amendment as the "Declaration".

B. Unless otherwise defined in this Amendment, each capitalized term used in this Amendment shall have the meaning given to such term in the Declaration.

C. The amendments to the Declaration set forth in this Amendment have been approved in writing by the Owners of not less than sixty-seven percent (67%) of the Lots in Polynesian Shores No.2.

AMENDMENT

NOW, THEREFORE, the Declaration is amended as follows:

1. The following Sections 10 through 13 are added to the Declaration:

10. For purposes of this Declaration, the following definitions apply:

"Parcel A" means Parcel A as shown on the Plat.

"Plat" means the plat of Polynesian Shores No. 2 recorded in Book 4 of Plats, Page 113, in the records of the County Recorder of Yuma County, Arizona.

"Residential Lots" means Lots 2 through 12, Lots 17 through 25, and Parcel B as shown on the Plat. Lots 13 through 16 shall also be

Residential Lots at any time such Lots are used for single family residential purposes.

“Long Term Tenant” means a person who is leasing a Residential Lot under a written lease having a term of at least one (1) year.

“Short Term Tenant” means a person who is leasing a Residential Lot under a written lease having a term of less than one (1) year.

11. Parcel A and Lot 1 shall be owned by the owners of the Lots 2 through 25 and Parcel B as tenants in common with each owner having an undivided 1/25th interest in Parcel A and Lot 1. The undivided interest in Parcel A and Lot 1 shall be appurtenant to each of Lots 2 through 25 and Parcel B and shall not be separately conveyed.

12. The owners of the Residential Lots and the Long Term Tenants and the persons residing with the owner of a Residential Lot or a Long Term Tenant shall have the right to use Parcel A subject to the provisions of this Declaration, the Bylaws and such reasonable rules and regulations as may be adopted by the Board of Directors of the Association. Owners shall have priority regarding the use and enjoyment of Parcel A over Short Term Tenants and Long Term Tenants and persons residing with them. Short Term Tenants and persons residing with them on a Residential lot shall have the right to use Parcel A only from October 1 through March 31. Short Term Tenants and persons residing with them shall not have the right to use Parcel A between April 1 and September 30. An owner who leases its Residential Lot shall not have the right to use Parcel A during the term of the lease.

13. The owner of a Residential Lot that is leased to a Short Term Tenant or a Long Term Tenant shall provide a copy of this Declaration, the By-laws and any rules and regulations adopted by the Board of Directors of the Association to their tenant, and such owner shall be liable for any violation of this Declaration, the By-laws and any rules and regulations adopted by the Board of Directors of the Association by the tenant or any person residing with the tenant and their respective guests and invitees.

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

SIGNATURE OF ASSOCIATION APPEARS ON THE FOLLOWING PAGE

**POLYNESIAN SHORES #2 OWNERS
ASSOCIATION**, an Arizona nonprofit corporation

By: Saundra Welcker

Name: SAUNDRA WELCKER

Title: President, Polynesian Shores #2 Owners Association

SECRETARY'S ATTESTATION

I, Joyce Grassi, being the duly elected Secretary of the **POLYNESIAN SHORES #2 OWNERS ASSOCIATION**, an Arizona nonprofit corporation, hereby attest that Sixty-Nine and Thirty-Six Hundredths percent (69.36%) lot Owners have approved the foregoing Amendment, which is more than the requisite vote of Sixty-Seven percent (67%).

By: Joyce Grassi

Name: JOYCE GRASSI

Title: Secretary, Polynesian Shores #2 Owners Association

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

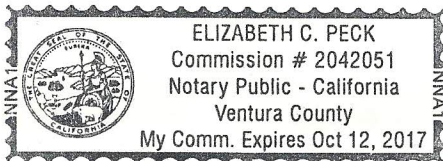
State of California)
County of Ventura)

On Apr 11, 2017 before me, Elizabeth C Peck Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Saundra Jo Welcher
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Elizabeth C Peck
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Amendment to Declaration of Restriction Document Date: 4/8/17
Number of Pages: 2 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

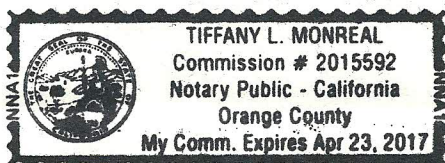
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On April 14, 2017 before me, Tiffany L Monreal, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared Joyce Grassi
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Tiffany L Monreal
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Amendment to Declaration of Restrictions Document Date: April 8, 2017
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

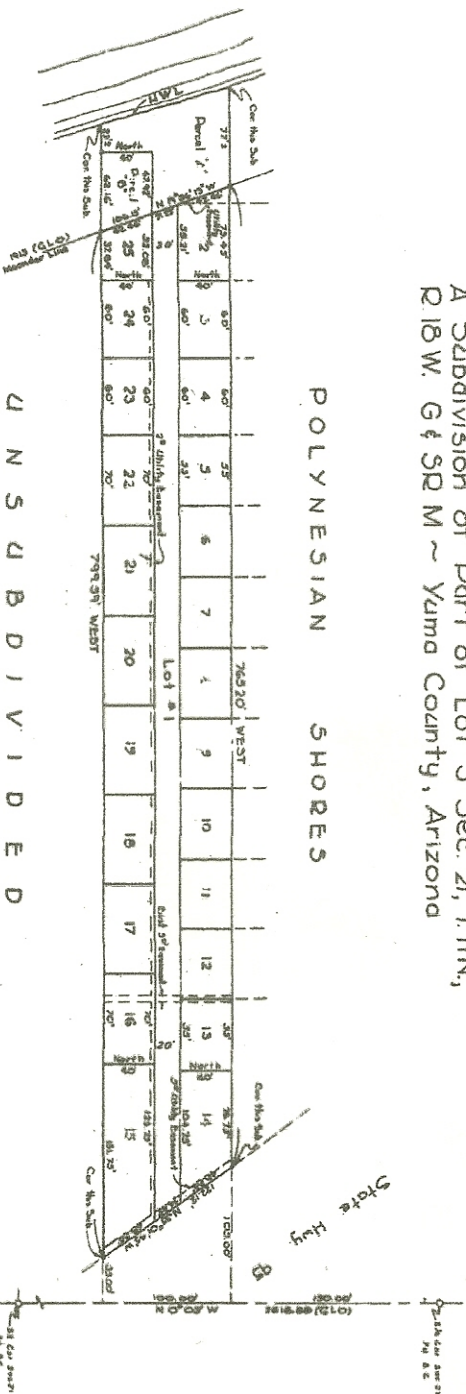
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

A Subdivision of Part of Lot 3 Sec. 21, T11N,
R18W, G4SR M ~ Yuma County, Arizona

COLORADO RIVER



IN WITNESS WHEREOF, Phoenix Tite and Trust Company, as trustees has caused its corporate name to be signed and its corporate seal to be affixed on, executed by signature of James D. Sellers, its Asst. Vice-President, this unto duly authorized.

Asst. Vice-President

On the 13th day of March, 1965, before me, blis M. Mink, the undersigned officer, personally appeared James J. who acknowledged himself to be the Asst. Vice-President of Phoenix T. H. and Trust Company, a corporation, and that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the said P.P.S. as himself, as such officer IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires: Feb 8, 1969
Date Base Mr. Fred Young
Notary Public

I hereby certify that this subdivision was made under my direction during May, 1965.

Robert F. Wilcox P.E. • 5074



DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That PHOENIX TITLE AND TRUST COMPANY, an Arizona corporation, as Trustee, being the owner of all the following described premises, situated within the County of Yuma, State of Arizona, to-wit:

Lots One (1) through Twenty-five (25), and Parcels A and B, POLYNESIAN SHORES NO. 2, according to the plat of record in the office of the Yuma County Recorder in Book 4 of Plats, page 113;

and desiring to establish the nature of the use and enjoyment thereof, do hereby declare said premises subject to the following express covenants, stipulations and restrictions as to the use and enjoyment thereof, all of which are to be construed as restrictive covenants running with the title to said premises and with each and every part and parcel thereof, to-wit:

1. Lots 2 through 12 and Lots 17 through 25 shall be known and described as residential lots, and Lots 13 through 16 may be used for commercial purposes. Lot 1 shall be used as a right of way for ingress and egress by the owners of Lots 2 through 25 and Parcels A and B. Parcel A shall be used for the mutual benefit of the owners of Lots 2 through 25.

2. All structures on said lots and parcels shall be of new construction, being new materials, and no building shall be moved from any other location onto any of said lots or parcels, without the prior consent of the architectural committee.

3. No structure shall be commenced or erected on any of said residential lots until the design of such structure and the kind of materials to be used in such structure have been approved, in writing, by William A. Olson, Jr., or three property owners selected by a majority of property owners, and these three persons shall be considered the architectural committee. No mobile homes may be placed on any of said residential lots without the approval of the architectural committee.

4. No residential lot or lots shall be subdivided into smaller lots nor conveyed or encumbered in less than the full original dimension of the lot as shown by the plat of POLYNESIAN SHORES NO. 2, except for public utilities.

5. The owner of each lot shall provide a suitable septic tank for sewage disposal, and no outdoor toilet facilities will be allowed on any lot.

6. No livestock or animals of any kind can be kept in said subdivision, excepting dogs and cats, as pets.

7. With the exception of one "For Rent" or "For Sale" sign (which shall not exceed 18 x 24 inches in size), no advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any residential lot; nor shall the lots be used in any way or for any purpose which may endanger the health or unreasonably disturb the holder of any other residential lot.

8. No equipment, service yards, woodpiles or storage piles, shall be kept or maintained on any residential lot. All rubbish, trash or garbage shall be removed from the lots and shall not be allowed to accumulate thereon. No incinerators, other than high combustion burners, shall be kept or maintained on any residential lot.

9. No elevated tanks of any kind shall be erected, placed or permitted upon any residential lot. Any tanks for use in connection with any residence on the lots, including tank for storage of gas, fuel oil, gasoline, or oil, must be buried or kept screened by adequate planting or fence work to conceal them from neighboring residential lots and streets.

IN WITNESS WHEREOF, the PHOENIX TITLE AND TRUST COMPANY, as Trustee, has hereunto caused its corporate name to be signed and its corporate seal to be affixed and the same to be attested by the signatures of its duly authorized officers this 11th day of June, 1965.

PHOENIX TITLE AND TRUST COMPANY, an Arizona corporation, as Trustee

By *James R. Sellers*
Assistant Vice President

STATE OF ARIZONA }
County of Yuma } ss.

This instrument was acknowledged before me this 11th day of June, 1965, by JAMES R. SELLERS, Assistant Vice President of Phoenix Title and Trust Company, an Arizona corporation.

Walter M. Haskin (Haskin)
Notary Public

My Commission Expires: February 8, 1969

State of Arizona } Photostated
County of Yuma } INDEXED
I hereby certify that the within instrument
was filed and recorded at the request of
PHOENIX TITLE & TRUST CO.
1965 JUN 18 PM 3 29
in Book 410
on Page 223
Witness my hand and official seal the day
and year aforesaid.
VERNON G. WRIGHT
County Recorder
By *Mary G. Chapman*
Deputy Recorder
2.50

DOCKET 410 PAGE 03

INDEXED

AMENDMENT TO RESTRICTIONS

State of Arizona
County of Yuma
I hereby certify that the within instrument
was filed and recorded at the request of
PHOENIX TITLE AND TRUST CO.

1965 AUG 17 PM 1 17
Docketed

on Page 144
Witness my hand on official seal the day
and year aforesaid.
VERNON C. WRIGHT
County Recorder

[Signature]
Deputy Recorder

KNOW ALL MEN BY THESE PRESENTS:

That PHOENIX TITLE AND TRUST COMPANY, an Arizona corporation, as
Trustee, being the owner of all of the following described premises situated
within the County of Yuma, State of Arizona, to-wit:

Lots One (1) through Twenty-five (25) and Parcels "A"
and "B", POLYNESIAN SHORES NO. 2, according to the plat
of record in the office of the Yuma County Recorder in
Book 4 of Plats, page 113;

and desiring to amend the original Declaration of Restrictions recorded in
Docket 410, page 2, records of Yuma County, Arizona, pertaining to said
property, does hereby amend Paragraph No. 1 of said Restrictions by deleting
the last sentence thereof and inserting the following:

"Parcel A shall be used for the mutual benefit of the owners of
Lots 2 through 25 and Parcel B. Notwithstanding the conveyance of an undivided
interest in Parcel A to the owners of Lots 13 through 16, at any time when said
Lots 13 through 16 are utilized for other than single family residential pur-
poses, the owners thereof may not use or participate in the benefit of Parcel A."

IN WITNESS WHEREOF, the PHOENIX TITLE AND TRUST COMPANY, as Trustee,
has hereunto caused its corporate name to be signed and the same to be attested
by the signature of its duly authorized officer this 10th day of August, 1965.

PHOENIX TITLE AND TRUST COMPANY, an Arizona
corporation, as Trustee

By *[Signature]*
Assistant Vice President

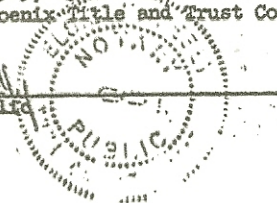
STATE OF ARIZONA }
County of Yuma }

ss.

This instrument was acknowledged before me this 17th
day of August, 1965, by JAMES R. SELLERS,
Assistant Vice President of Phoenix Title and Trust Company

My commission will expire Feb. 8, 1969

[Signature]
Notary Public



STATE OF ARIZONA, County of Yuma, ss.
I do hereby certify that the within instrument was filed and recorded at the request of

DOCKET 427 PAGE 224 2608
1966 FEB 9 AM 11:57 INDEXED
By *Carla H. Bette* Deputy Recorder

PHOENIX TITLE & TRUST CO.
In Docket 427 at Page 224-225
VERNON C. WRIGHT, County Recorder

William A. Olson, Jr.
William A. Olson, Jr.

AMENDMENT TO RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That the owners of the following described premises situated within the County of Yuma, State of Arizona, to-wit:

Lots One (1) through Twenty-five (25), and Parcels "A" and "B", POLYNESIAN SHORES NO. 2, according to the plat of record in the office of the Yuma County Recorder in Book 4 of Plats, page 113;

desiring to amend the original Declaration of Restrictions recorded at Docket 410, page 2, records of Yuma County, Arizona, pertaining to said property, do hereby amend said restrictions by the addition of the following:

"Buildings constructed on Lots Two (2), Three (3), Twenty-four (24) and Twenty-five (25), and Parcel "B", are hereby restricted to single-story buildings."

IN WITNESS WHEREOF, the undersigned have hereunto caused their names to be executed and acknowledged.

Dated this 28th day of December, 1965.

PHOENIX TITLE AND TRUST COMPANY, an Arizona corporation, as Trustee, Owner of Lots 3 - 13, 16 - 21, and 24

By *James R. Sellers*
Assistant Vice President

Glenn A. Coates
Glenn A. Coates - Owner of Lots 14 & 15

William K. Roundtree
William K. Roundtree - Owner of Lot 23

Roberta P. Roundtree
Roberta P. Roundtree - Owner of Lot 23

William E. Bouck
William E. Bouck - Owner of Lot 2

Charlys E. Bouck
Charlys E. Bouck - Owner of Lot 2

William A. Olson, Jr.
William A. Olson, Jr. - Owner of Lot 25 and Parcel "B"

Laurie J. Thompson
Laurie J. Thompson - Owner of Lot 22

Melinda L. Cunningham
Melinda L. Cunningham - Owner of Lot 22

STATE OF ARIZONA)
County of Yuma)

This instrument was acknowledged before me this 28th day of December, 1965, by JAMES R. SELLERS, Assistant Vice President of Phoenix Title and Trust Company, an Arizona corporation.

Notary Public
Notary Public

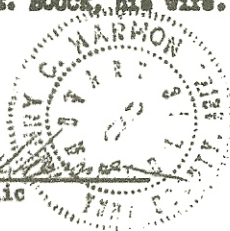
My Commission Expires July 10, 1969

STATE OF ARIZONA }
County of YAVAPAI } ss.

This instrument was acknowledged before me this
10 day of Jan, 1966 by
WILLIAM E. BOUCK and CHARLES E. BOUCK, his wife.

My commission will expire 6-21-68

Henry C. Harmon
Notary Public

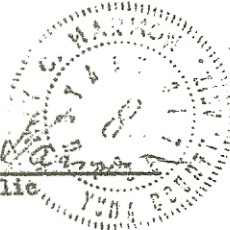


STATE OF Arizona }
County of Yuma } ss.

This instrument was acknowledged before me this
10 day of January, 1966 by
GLENN A. COATES.

My commission will expire 6-21-68

Henry C. Harmon
Notary Public

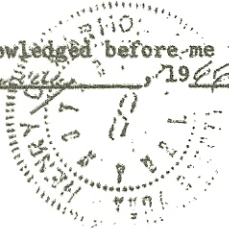


STATE OF Arizona }
County of Yuma } ss.

This instrument was acknowledged before me this
10 day of January, 1966 by
WILLIAM A. OLSON, JR.

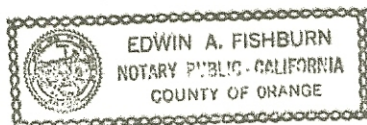
My commission will expire 6-21-68

Henry C. Harmon
Notary Public



STATE OF California }
County of Orange } ss.

This instrument was acknowledged before me this
14th day of January, 1966 by
WILLIAM K. HOUNTREE and ROBERTA P. HOUNTREE,
his wife.



My commission will expire

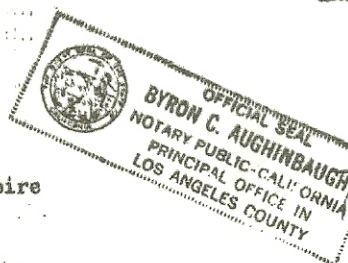
Edwin A. Fishburn
EDWIN A. FISHBURN, Notary Public
in and for the County of Orange, State of California
My Commission Expires April 1, 1966



STATE OF CALIFORNIA }
County of LOS ANGELES } ss.

This instrument was acknowledged before me this
27th day of JANUARY, 1966 by
LAURIE J. THOMPSON and MELINDA L. CUNNINGHAM.

My commission will expire



Byron C. Aughinbaugh
Notary Public
BYRON C. AUGHINBAUGH
My Commission Expires Nov. 28, 1969

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