F. ANN RODRIGUEZ, RECORDER

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## CERTIFICATE OF AMENDMENT TO DECLARATION ANNUAL ASSESSMENTS FOR THE ENTRADA PROPERTY OWNERS ASSOCIATION

This Certificate of Amendment to Declaration, Annual Assessments for the Entrada Property Owners Association ("Annual Assessment Amendment") is made and executed as of this /s day of fugust 2008 by the Entrada Property Owners Association.

## **BACKGROUND**

A. The Amendment and Restatement of Declaration of Restrictions, Covenants and Conditions for the Entrada Property Owners Association was recorded in **Docket 10456 at Page 2136** in the Official Records of Pima County, Arizona ("<u>Declaration</u>") on January 7, 1997. The Amendment to the Declaration was recorded in **Docket 10944 at Page 1347** in the Official Records of Pima County, Arizona ("<u>First Amendment</u>") on December 16, 1998. The Declaration subjects certain real property located in Pima County, Arizona consisting of various houses and related tracts depicted on the Plat to the covenants, conditions, restrictions, liens, and easements as more fully set forth in the Declaration and the other Project Documents. This Amendment applies to the Entrada Property Owners Association, Lots 1 through 48, as shown on the Plat recorded in Book 5 of Maps and Plats at Page 47, in the records of the Pima County, Arizona Recorder: and

B. Pursuant to Paragraph 3.6 of the Amended Declaration, the Declaration may be amended at any time, and from time to time, by duly recorded documents executed by the then owners of not less than twenty-five percent (25%) of the Lots.

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C. Capitalized terms used but not defined in this Annual Assessment Amendment will be ascribed the meanings specified in the Declaration.

## **ANNUAL ASSESSMENT AMENDMENT**

Pursuant to the Declaration, the Members amend the Declaration as follows:

Paragraph 3.8.1 is revoked in its entirety.

A new Paragraph 3.8.1 is added as follows:

3.8.1 ANNUAL ASSESSMENTS. At each annual meeting of the Association, the Board shall present to the Members estimates of the expenses of the Association for the current fiscal year (January 1 -December 31), and shall recommend the amount of the annual assessment upon each Member needed for that year to meet Association obligations. If a Member owns more than one Lot, the amount of the annual assessment upon such Member shall be multiplied by the number of Lots such Member owns at the time of the annual assessment. Notwithstanding the provisions above, multiple annual assessments will NOT be charged for additional unimproved contiguous subdivided Lots owned by a Member who is currently paying assessments for the original Lot. Restated, a Member shall not pay an additional annual assessment if the original Lot has been subdivided and issued a separate tax code parcel number, but no transfer of title or site improvements have taken place. Such subdivided Lots shall be subject to annual assessments beginning upon the conveyance, transfer of title or addition of improvements to the subdivided Lot or Lots. Separate noncontiguous Lots will be assessed separate annual assessments. A vote of not less than twenty-five percent (25%) of the Members or their proxies at such annual meeting (provided that a quorum under the Bylaws is present at such meeting) shall be required to approve the recommended amount of the annual assessment for that year.

## **CERTIFICATION**

Pursuant ARS §10-3708 Action by Written Ballot, the undersigned President and Secretary of the Entrada Property Owners Association hereby certify that this Amendment, Annual Assessments was approved by an instrument signed by the Owners of not less than twenty-five percent (25%) of the Lots.

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By: MAN Alay J. President
STATE OF ARIZONA ) ss.
County of Pima )
The foregoing instrument was acknowledged before me this day of August 2008, by the President of the Entrada Property Owners Association, who executed the foregoing on behalf of the corporation, being authorized so to do for the purposes therein contained.
<u>Almin Nowacki</u> Notary Public
My Commission Expires: May 28, 2012  OFFICIAL SEAL KIMM NOWACKI HOTARY PUBLIC-ARIZONA PIMA COUNTY
By: Secretary  My Comm. Exp. May 28, 2012
STATE OF ARIZONA ) ) ss. County of Pima )
The foregoing instrument was acknowledged before me this day of August 2008, by the Secretary of the Entrada Property Owners Association, who executed the foregoing on behalf of the corporation, being authorized so to do for the purposes therein contained.
Blood (S
Notary Public
My Commission Expires:  March 30 7012  BRAD C SPECHT NOTARY PUBLIC ARIZONA PIMA COUNTY My Commission Expires March 30, 2012