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WHEN RECORDED, RETURN TO:

Donald E. Dyekman, Esq.
O'Connor, Cavanagh, et al.
One E. Camelback
Suite 1100
Phoenix, Arizona 85012-1656

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AMENDMENT TO CONDOMINIUM DECLARATION FOR SUNLAND VILLAGE EAST GARDEN CONDOMINIUMS - PHASE THREE

This Amendment to Condominium Declaration for Sunland Village East Garden Condominiums - Phase Three is made as of this 30 day of Sept., 1992, by Sunland Village East Garden Condominiums - Phase Three Owners Association, an Arizona nonprofit corporation (the "Association").

RECITALS

A. A Condominium Declaration for Sunland Village East Garden Condominiums - Phase Three (the "Declaration") was recorded at Recording No. 92-483711, records of Maricopa County, Arizona, submitting the real property described on Exhibit A to the Declaration to a condominium pursuant to the provisions of the Arizona Condominium Act, A.R.S. § 33-1201, et seq.

B. Capitalized terms used in this Amendment without definition shall have the meanings given to such terms in the Declaration.

C. Section 2.6 of the Declaration allocated the undivided interest in the Common Elements and in the Common Expenses of the Association equally among the Units. Farnsworth Development Company, an Arizona corporation, the Declarant under the Declaration and the Owner of all of the Units in the Condominium, desires to amend Section 2.6 of the Declaration to allocate the undivided interest in the Common Elements and in the Common Expenses of the Association among the Units based upon the square footage of the Units.

D. Under Section 10.5.2 of the Declaration, any amendment changing the allocated interest of a Unit requires the unanimous consent of the Owners. Farnsworth Development Company is the Owner of all of the Units and has consented to this Amendment.

NOW, THEREFORE, the Declaration is amended as follows:

1. Section 2.6 is amended to read as follows:

2.6 Allocation of Common Element Interest and Common Expense Liabilities. The undivided interest in the Common Elements and in the Common Expenses of the Association shall be allocated among the Units based upon the square footage of the Units. Each Unit's percentage interest in the Common Elements and in the Common Expenses shall be allocated based upon the square footage of each Unit as compared to the square footage of all Units in the Condominium. For the purposes of such allocations, the square footage of a Unit shall not include the square footage of the garage which is part of the Unit. Thus, the square footages of the Units are as follows: 1,000 square feet for each Type B Unit; 1,191 square feet for each Type C Unit; 1,400 square feet for each Type D Unit; and 1,566 square feet for each Type E Unit. The total square footage of all Units is 118,712 square feet. Based upon those square footages, the undivided interest in the Common Elements and in the Common Expenses of the Association of the ^{Unofficial Document} Units is as follows: .00842 for each Type B Unit; .01003 for each Type C Unit; .01179 for each Type D Unit; and .01319 for each Type E Unit. If the Condominium is expanded by the annexation of all or any part of the Additional Property pursuant to Section 2.9 of this Declaration, the undivided interest in the Common Elements and in the Common Expenses of the Association for each Unit shall be reallocated in the manner set forth in Subsection 2.9.1(iv) of this Declaration.

2. Subsection 2.9.1(iv) is amended to read as follows:

(iv) a reallocation to each Unit of a percentage undivided interest in the Common Elements and in the Common Expenses of the Association and in the votes of the Association. The undivided interest in the Common Elements and in the Common Expenses of the Association shall be allocated based upon the square footage of each Unit as compared to the total square footage of all Units in the Condominium. In making

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such allocation, the square footage of each Unit shall not include the garage included within the boundaries of the Unit. The votes in the Association shall be allocated equally to each Unit so that each Unit has one (1) vote.

3. 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 the provisions of this Amendment and the Declaration, this Amendment shall prevail.

**SUNLAND VILLAGE EAST
GARDEN CONDOMINIUMS -
PHASE THREE OWNERS
ASSOCIATION**

By: Craig M. Allen

Its: Director

APPROVED AND AGREED TO:

Unofficial Document

**FARNSWORTH DEVELOPMENT
COMPANY, an Arizona corporation**

By: David A. Palmer

Its: D.R.V.D.

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STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 20th day of September, 1992, by Craig M. Whitehorn, the Director of Sunland Village East Garden Condominiums - Phase Three Owners Association, an Arizona corporation, on behalf of the corporation.

Cornelia C. Stevenson
Notary Public

My Commission Expires:

1/16/93

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 30th day of September, 1992, by David L. ... Unofficial Document, the Pres. V.P. of Farnsworth Development Company, an Arizona corporation, on behalf of the corporation.

Cornelia C. Stevenson
Notary Public

My Commission Expires:

1-16-93

CONSENT OF LIENHOLDER

The Valley National Bank of Arizona, a national banking association, as Beneficiary under the Deed of Trust recorded at Recording No. 87-765451, records of Maricopa County, Arizona, hereby consents to and approves the foregoing Amendment to Condominium Declaration for Sunland Village East Garden Condominiums - Phase Three.

Dated this 5th day of October, 1992.

**THE VALLEY NATIONAL BANK
OF ARIZONA**, a national banking
association

By: [Signature]
Its: Vice President

STATE OF ARIZONA)
County of Maricopa) SS. Unofficial Document

The foregoing instrument was acknowledged before me this 5th day of October, 1992, by Fred R. Sutter, Jr., the Vice President of The Valley National Bank of Arizona, a national banking association, on behalf of the association.

[Signature]
Notary Public

My Commission Expires:

