

OFF MARICOP

HELEN PURCELL RECORDER

98-0606593 07/15/98 03:33

ANH 1 OF 1

When recorded, return to:

Whitewing Development, LLC
4141 N. Scottsdale Road, #311
Scottsdale, AZ 85251

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
WHITEWING AT WIEHL ESTATES**

The undersigned, President of Whitewing at Wiehl Estates Homeowners Association, an Arizona nonprofit corporation, hereby amends the Declaration of Covenants, Conditions and Restrictions for Whitewing at Wiehl Estates, as recorded May 15, 1998 as instrument No. 98-0404936, records of Maricopa County, Arizona (the "Declaration"), as follows:

Section 8.6 of ARTICLE 8 of the Declaration is amended in its entirety to read as follows:

8.6 Other Approvals; Liability. No approval by the Architectural Committee of any proposed construction, installation, modification, addition or alteration shall be deemed to replace or be substituted for any building permit or similar approval required by any applicable governmental authority, nor shall any such approval be deemed to make the Architectural Committee (or the Board or the Association) liable or responsible for any damage or injury resulting or arising from any such construction, modification, addition or alteration. Declarant, the Association, the Board of the Architectural Committee (or any member thereof) shall not be liable to the Association, any Owner or any other party for any damage, loss or prejudice suffered or claimed on account of:

(Sections 8.6.1, 8.6.2, and 8.6.3 remain unchanged)

The undersigned hereby certifies that this first Amendment has been approved as required by Section 11.2 of the Declaration.

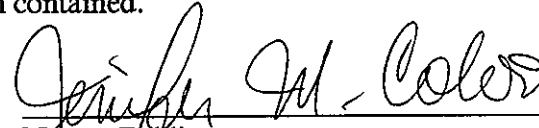
15th IN WITNESS WHEREOF, the undersigned has executed this First Amendment this day of July, 1998.

WHITEWING AT WIEHL ESTATES HOMEOWNERS ASSOCIATION, an Arizona nonprofit corporation

By: Gregory L. Bamford
Gregory L. Bamford, President

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 15th day of July, 1998, before me, the undersigned Notary Public, personally appeared Gregory L. Bamford, who acknowledged himself to be the president of WHITEWING AT WIEHL ESTATES HOMEOWNERS ASSOCIATION, an Arizona nonprofit corporation, and that as such officer being authorized to do so, executed the foregoing instrument for the purposes therein contained.



Notary Public

Unofficial Document

My commission expires: 1-30-2000

