

RECORDED RETURN TO
Jonathan M. Yarger
TOWER, BYRNE & BEAUGUREAU, P.C.
2111 East Highland Avenue
Suite 255
Phoenix, AZ 85016

84-531403:

3

SECOND AMENDMENT TO DECLARATION
OF HORIZONTAL PROPERTY REGIME AND
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
CASA REQUENA II

MCD RST

This Second Amendment is made as of the date hereinafter set forth by Fargo, Ltd., an Arizona corporation, hereinafter referred to as the "Declarant."

W I T N E S S E T H:

WHEREAS, a Declaration of Horizontal Property Regime and Covenants, Conditions and Restrictions for Casa Requena II, Homeowner's Association, hereinafter referred to as the "Declaration," dated August 16, 1983, was recorded in the records of the Maricopa County Recorder on August 17, 1983 at 83-328807, concerning the following described real property, to wit:

See Attached Exhibit "A"

hereinafter referred to as the "Parcel," and

WHEREAS, the Declarant is desirous of amending the Declaration and has obtained the consent of more than seventy-five percent (75%) of the owners of the parcel and has obtained the consent of more than seventy-five percent (75%) of the holders of all first mortgages on the lots within the parcel, pursuant to Section 24.05 of the Declaration, as evidenced by the signatures set forth below,

NOW THEREFORE, the Declaration is amended as follows:

1. Section 6.06 is amended by the addition of the following:

For purposes of this section 6.06, "transient or hotel purposes" shall be a leasing or renting for less than three (3) months.

2. All other provisions of the Declaration shall remain the same.

Recorded in official records of Maricopa County, Arizona

DATE DEC 10 1984 -4 30

FEE 5.20

PGS 5 2/4

BILL HENRY COUNTY RECORDER

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the 3rd day of December, 1984.

FARGO, LTD.

By *[Signature]*
George Drykerman,
Its Secretary

A C K N O W L D G M E N T

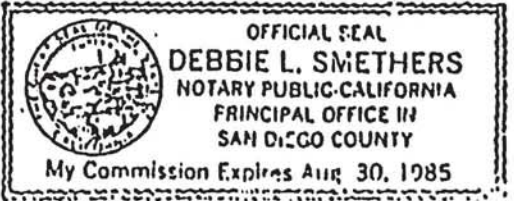
STATE OF CALIFORNIA)
) ss.
County of San Diego)

On this 3rd day of December, 1984, before me, the undersigned Notary Public, personally appeared George Drykerman, who acknowledged himself to be the Secretary of Fargo, Ltd., an Arizona corporation and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the Corporation.

IN WITNESS WHEREOF, I hereunder set my hand and official seal.

My Commission Expires:
August 30, 1985

Debbie L. Smethers
Notary Public



CONSENT TO AMENDMENT

Fargo, Ltd., the undersigned owner of more than seventy-five percent (75%) of the lots in the parcel, does hereby consent to this Amendment to the Declaration.

FARGO, LTD.

By

[Signature]
George Drykerman,
Its Secretary

A C K N O W L D G M E N T

STATE OF CALIFORNIA)
County of San Diego) ss.

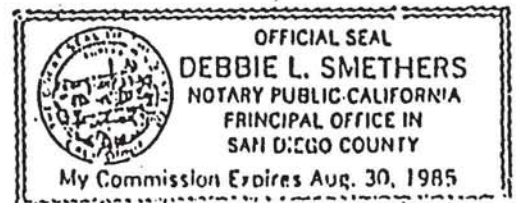
On this 3rd day of December, 1984, before me, the undersigned Notary Public, personally appeared George Drykerman, who acknowledged himself to be the Secretary of Fargo, Ltd., an Arizona corporation and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation.

IN WITNESS WHEREOF, I hereunder set my hand and official seal.

My Commission Expires:

August 30, 1985

[Signature]
Notary Public



CONSENT TO AMENDMENT

The Bank of America, the undersigned holder of more than seventy-five percent (75%) of all first mortgages on the lots within the parcel, does hereby consent to this Amendment to Declaration.

BANK OF AMERICA

By *Michael J. Morgan*

Michael Morgan,
Its Vice President,
Corporate Banking

STATE OF CALIFORNIA)
) ss.
County of San Diego)

On this 3rd day of December, 1984, before me, the undersigned Notary Public, personally appeared Michael Morgan, who acknowledged himself to be Vice President of the Bank of America and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the Bank of America.

IN WITNESS WHEREOF, I hereunder set my hand and official seal.

My Commission Expires:
June 15, 1987

Maria Engracia Luna
Notary Public



DESCRIPTION

84-381-02

84 531

83 329507

EXHIBIT "A"

Apartments 55, 56, 57, 58, 59, 73, 74, 75, 76, 77
91, 92, 93, 94 and 95, in Building 5;

Apartments 60, 61, 62, 63, 54, 78, 79, 80, 81, 82, 96,
97, 98, 99 and 100, in Building 6;

Apartments 65, 66, 67, 68, 33, 84, 85, 86, 101, 102, 103
and 104, in Building 7; and

Apartments 69, 70, 71, 72, 37, 83, 89, 90, 105, 106, 107,
and 108, in Building 8;

CASA REQUENA II, a Condominium Project, according to Declaration of
Horizontal Property Regime recorded in Document No. 73-53287
and in Book 255 of Maps, page 49, records of Maricopa
County, Arizona;

TOGETHER WITH the undivided interest in and to the common element
as set forth in said Declarations and Plat.