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DONALD E. DYKMAN  
4110 N. Scottsdale Road  
Suite 308  
Scottsdale, Arizona 85251

|                                                             |            |
|-------------------------------------------------------------|------------|
| RECORDED IN OFFICIAL RECORDS<br>OF MARICOPA COUNTY, ARIZONA |            |
| SEP 18 1986 - 4 00                                          |            |
| KEITH POLETIS, County Recorder                              |            |
| FEE 10 00                                                   | PGS 3 H.L. |

86 505727

SECOND AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
SUMMER PLACE PHASE II

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Summer Place Phase II (this "Second Amendment") is made this 16th day of September, 1986, by Summer Place Phase II Homeowners Association, Inc., an Arizona corporation (the "Association").

R E C I T A L S:

A. A Declaration of Covenants, Conditions and Restrictions for Summer Place Phase II was recorded in Docket 15307, pages 217 through 232, records of Maricopa County, Arizona, imposing certain covenants, conditions and restrictions upon the real property described in the Declaration. The Declaration of Covenants, Conditions and Restrictions was subsequently amended by the instrument recorded in Docket 15548, pages 475 through 477, records of Maricopa County, Arizona. The Declaration of Covenants, Conditions and Restrictions, as amended, shall be hereinafter referred to as the "Declaration."

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

C. The Declaration provides that it may be amended by the Owners of not less than ninety percent (90%) of the Lots.

D. The person signing this Second Amendment on behalf of the Association certifies that the amendments to the Declaration set forth below have been approved in writing by the Owners of ninety percent (90%) or more of the Lots.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Article VIII, Section 12, is amended to read as follows:

Section 12. Automobiles, Boats, Trailers, Etc. Except as expressly hereinafter provided, no Lot shall be used for parking, storing, displaying or accommodating any type of recreational vehicle, boat, trailer or camper. No Lot, including driveway, may be used for the purpose of performing maintenance, repair, rebuilding, dismantling, repainting or servicing any kind of vehicle. Such activities may be performed within the garage out of sight and sound of adjoining properties. The foregoing shall not prohibit the washing and polishing of any private automobile or motor driven cycle, together with those activities normally incident and necessary to such washing and polishing.

Except as expressly amended by this Second Amendment, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has executed this Second Amendment on the day and year first above written.

SUMMER PLACE PHASE II HOME-  
OWNERS ASSOCIATION, INC., an  
Arizona corporation

By: Milton Feldman  
Milton Feldman  
Its: President

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State of Arizona    )  
                          ) ss.  
County of Maricopa)

The foregoing instrument was acknowledged before me this 16th day of September, 1986, by Milton Feldman, the President of SUMMER PLACE PHASE II HOMEOWNERS ASSOCIATION, INC., an Arizona corporation, on behalf of the corporation.

Barbara Forbes  
Notary Public

My Commission Expires:

My Commission Expires Sept. 25, 1992