

After recordation forward to:  
Pioneer National Trust Company of Arizona  
3033 North Central  
Phoenix, Arizona

02051

0110462R 41R

AMENDMENT TO DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That WHEREAS, the Pioneer National Trust Company of Arizona, an Arizona corporation, as trustee, is the owner of all of the lots located in MIMI-MOON ESTATES II, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 164 of Maps, page 20; and

WHEREAS, on July 20, 1973, Declaration of Restrictions affecting said subdivision were recorded in Book 10232, page 260 thereof, records of Maricopa County, Arizona; and

WHEREAS, it is now desirable and necessary to amend said Declaration of Restrictions insofar as paragraphs numbers 3 and 5 are concerned.

NOW, THEREFORE, it is understood and agreed as follows:

THAT paragraph 3 of said Declaration of Restrictions shall be and the same is hereby amended to read as follows:

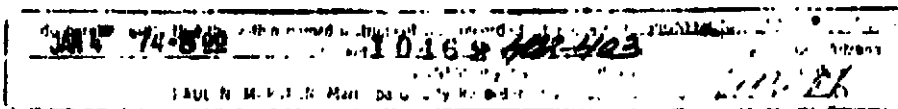
"3. SIZE: The floor area of the dwelling, exclusive of porches, garages, carport and patios, shall be not less than 2000 square feet unless otherwise approved by the Committee. No prefabricated building or other structure of any nature whatsoever, permanent or temporary, shall be moved or placed upon, or assembled or otherwise maintained on any lot, provided, however, that a temporary office, trailer office, tool shed, lumber shed and/or sales office may be maintained upon any lot or lots by any building contractor for the purpose of erecting and selling dwellings on any lot or lots, but such temporary structures shall be removed at completion of construction or selling of dwelling, whichever is later."

THAT Paragraph 5 of said Declaration of Restrictions shall be and the same is hereby amended to read as follows:

"5. FENCES: No fence or wall higher than six (6) feet shall be constructed across the rear property line of any lot; nor shall any fence or wall be constructed upon any lot unless its design and style are first approved by said Committee. Fences or walls constructed within the area of the minimum front or side street setback line (as defined in Paragraph No. 4 herein) shall not exceed two (2) feet Six (6) inches in height; fences or walls constructed on any side lot line shall not exceed six (6) feet in height. All fences or walls shall be constructed of concrete block materials, excepting where an existing fence is already constructed."

THAT in all other respects, the covenants, stipulations and restrictions as contained in and set forth in the Declaration of Restrictions for said subdivision are hereby reaffirmed and shall remain in full force and effect.

Dated this 27th day of August, 1973



MI104627 403

PIONEER NATIONAL TRUST COMPANY OF ARIZONA,  
an Arizona corporation, as Trustee

By [Signature]  
Trust Officer

RATIFICATION

PIONEER NATIONAL TITLE INSURANCE COMPANY,  
a California corporation

By [Signature]  
Its Assistant Vice President

[Signature]  
AUGUST JUSTICE

[Signature]  
VIVAL B. HENSERT

STATE OF ARIZONA )  
                          ) ss.  
COUNTY OF MARICOPA )

On this the 2nd day of January, 1971, before me, the undersigned Notary Public in and for said County, State of Arizona, on this day personally appeared [Signature], who acknowledged himself to be the [Signature] of PIONEER NATIONAL TRUST COMPANY OF ARIZONA, an Arizona corporation, as Trustee, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as Trustee, by himself as such officer.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

[Signature]  
Notary Public

My Commission Expires 2: 6

STATE OF ARIZONA }  
County of MARICOPA }

This instrument was acknowledged before me  
the 2 day of January 19 71 by  
AUGUST JUSTICE and VIVAL B. HENSERT, his wife

[Signature]  
Notary Public

My commission will expire

PIONEER NATIONAL TITLE INSURANCE COMPANY  
PIONEER ARIZONA

My commission expires May 23, 1972

"Restrictions herein, if any, based on race, color, religion, sex, handicap, familial status or national origin."

After recordation forward to:  
Pioneer National Trust Company of Arizona  
5011 North Central  
Phoenix, Arizona

02051

MARICOPA 412

AMENDMENT TO DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That WHEREAS, the PIONEER NATIONAL TRUST COMPANY OF ARIZONA, an Arizona corporation, as Trustee, is the owner of all of the lots located in MINI-MOON ESTATES II, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 164 of Maps, page 20; and

WHEREAS, on July 26, 1973, Declaration of Restrictions affecting said subdivision were recorded in Docket 10232, page 260 thereof, records of Maricopa County, Arizona; and

WHEREAS, it is now desirable and necessary to amend said Declaration of Restrictions insofar as paragraphs numbers 3 and 5 are concerned.

NOW, THEREFORE, it is understood and agreed as follows:

THAT paragraph 3 of said Declaration of Restrictions shall be and the same is hereby amended to read as follows:

"3. SIZE: The floor area of the dwelling, exclusive of porches, garages, carport and patio, shall be not less than 2000 square feet unless otherwise approved by the Committee. No prefabricated building or other structure of any nature whatsoever, permanent or temporary, shall be moved or placed upon, or assembled or otherwise maintained on any lot, provided, however, that a temporary office, trailer office, tool shed, lumber shed and/or sales office may be maintained upon any lot or lots by any building contractor for the purpose of erecting and selling dwellings on any lot or lots, but such temporary structures shall be removed at completion of construction or selling of dwelling, whichever is later."

THAT Paragraph 5 of said Declaration of Restrictions shall be and the same is hereby amended to read as follows:

"5. FENCES: No fence or wall higher than six (6) feet shall be constructed across the rear property line of any lot; nor shall any fence or wall be constructed upon any lot unless its design and style are first approved by said Committee. Fences or walls constructed within the area of the minimum front or side street setback line (as defined in Paragraph No. 4 herein) shall not exceed two (2) feet six (6) inches in height; fences or walls constructed on any side lot line shall not exceed six (6) feet in height. All fences or walls shall be constructed of concrete block materials, excepting where an existing fence is already constructed."

THAT in all other respects, the covenants, stipulations and restrictions as contained in and set forth in the Declaration of Restrictions for said subdivision are hereby reaffirmed and shall remain in full force and effect.

Dated this 28 day of December, 1973

PAUL H. MURPHY, Clerk of County Recorder  
MARIKOPA COUNTY, ARIZONA

W1101624 403

PIONEER NATIONAL TRUST COMPANY OF ARIZONA,  
an Arizona corporation, as Trustee

By [Signature]  
Trust Officer

RATIFICATION

PIONEER NATIONAL TITLE INSURANCE COMPANY,  
a California corporation

By [Signature]  
Assistant Vice President

[Signature]  
AUGUST JUNKERT

[Signature]  
VIVAL B. JUNKERT

STATE OF ARIZONA )  
COUNTY OF MARICOPA ) ss.

On this the 02nd day of January, 1976, before me, the undersigned Notary Public in and for said County, State of Arizona, on this day personally appeared [Signature], who acknowledged himself to be the [Signature] of PIONEER NATIONAL TRUST COMPANY OF ARIZONA, an Arizona corporation, as Trustee, and that he as such officer, being authorized to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as Trustee, by himself as such officer.

IN WITNESS WHEREOF I Hereunto set my hand and official seal.

[Signature]  
Notary Public

My Commission Expires: February 21, 1976

STATE OF ARIZONA )  
County of MARICOPA )

This instrument was acknowledged before me  
on the 2nd day of January, 1976, by  
AUGUST JUNKERT and VIVAL B. JUNKERT, his wife

[Signature]  
Notary Public

PIONEER NATIONAL TITLE INSURANCE COMPANY  
PHOENIX, ARIZONA

My Commission Expires May 21, 1976