

TonHillsScriv-3-1-1--
GarciaC

Recorded at the Request of:

WHEN RECORDED, MAIL TO:
Beth Mulcahy
Mulcahy Law Firm, P.C.
3001 E. Camelback Road, Suite 130
Phoenix, Arizona 85016

**Tonto Hills Improvement Association
AMENDMENT TO DECLARATION OF RESTRICTIONS**

This document is being recorded solely for the purpose of correcting a scrivener's error

Tonto Hills Improvement Association

AMENDMENT TO DECLARATION OF RESTRICTIONS, AMENDED MAY 2, 1987, recorded in Document No. 1988-0046577, records of Maricopa County, Arizona.

AMENDMENT TO DECLARATION OF RESTRICTIONS FOR TONTO HILLS is made this 5 day of September, 2018, by Tonto Hills Improvement Association (“Association”).

RECITALS

- A. The Association recorded an amended Declaration of Restrictions on February 1, 1988, in Document No. 1988-0046577, records of Maricopa County, Arizona (“1988 Declaration”), and subjected the real property described in the 1988 Declaration (and any Supplemental Declaration) to the 1988 Declaration and required that the property be held, sold, used, and conveyed subject to the easements, restrictions, covenants and conditions, which run with the title to the real property subject to the 1988 Declaration. The 1988 Declaration amended a Declaration of Restrictions that was recorded on January 23, 1961, at Document No. 1961-0098678, records of Maricopa County, Arizona (“Original Declaration”).
- B. The 1988 Declaration is binding on all parties having any right, title or interest in any portion of the Properties, their heirs, successors, successors-in-title, and assigns, and shall inure to the benefit of each owner of any portion of the properties.
- C. As a result of a scrivener’s error based on typographical errors, Paragraph 17 of the 1988 Declaration is incorrect and inconsistent with the Original Declaration.
- D. The Board has resolved to amend the 1988 Declaration in order to correct the scrivener’s error and bring Paragraph 17 into compliance with the Original Declaration.

NOW, THEREFORE, the 1988 Declaration is hereby amended as follows:

1. Amend Paragraph 17 and replace the introduction sentence of this Paragraph with:

The area of Tonto Hills within the section created by lots 201 and 223 inclusive is designed, planned and laid out as a high class business section and to that end is particularly restricted as to its use and enjoyment as hereinafter set out:

2. The terms used in this Amendment without definition shall have the same meanings given to such terms contained in the 1988 Declaration (as amended).
3. By attesting to this Amendment, the undersigned certifies that this Amendment was properly adopted by the Board.
4. Except as expressly amended by this Amendment, which is being recorded for the purpose of correcting a scrivener’s error, the 1988 Declaration (as amended) shall remain in full force and effect. In the event of any inconsistency or conflict between the provisions of this Amendment and the 1988 Declaration, this Amendment shall prevail.

TONTO HILLS IMPROVEMENT ASSOCIATION, an Arizona Non-Profit Corporation

BY: [Signature] (Signature)

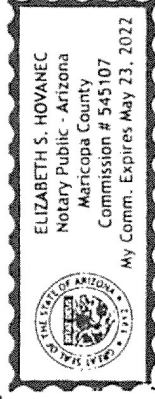
ITS: Henry P. Tolp Jr. (Print Name)
President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 4th day of September, 2018,
by Henry P. Tolp Jr., the President of Tonto Hills Improvement Association, an Arizona
non-profit corporation, on behalf of the non-profit corporation.

Notary Public: Elizabeth Sporne

My commission Expires: 05/23/22



TONTO HILLS IMPROVEMENT ASSOCIATION, an Arizona Non-Profit Corporation

BY: Diana E. Cole (Signature)

ITS: Diana E. Cole (Print Name)
Secretary

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 5 day of September, 2018,
by Diana E. Cole, the Secretary of Tonto Hills Improvement Association, an Arizona
non-profit corporation, on behalf of the non-profit corporation.

Notary Public: [Signature]

My commission Expires: Jan 20 2019

