

AMMENDMENT TO DECLARATION OF RESTRICTIONS
Applicable to lots in Lomã Topkie Subdivision, Yavapai County,
Arizona.

WHEREAS under date of Oct. 9, 1973, there was recorded in Book 873, pages 528-531 inclusive, of Records of Yavapai County, Az., a Declaration of Restrictions applicable to the lots in the Lomã Topkie Subdivision; and

WHEREAS PURSUANT TO PARAGRAPH 17 of said Declaration of Restrictions, the owners of seventy five percent of the lots in said subdivision desire to change the covenants and restrictions recited in said Declaration;

NOW THEREFORE it is declared that the following owners of three fourths of the lots in said subdivision, whose signatures appear below, do hereby amend said Declaration as follows:

Paragraph 2 is hereby amended to read:

2. No structure, including incinerators, shall be commenced or erected on any of said lots until a complete set of plans showing specifications and location of proposed building have been approved in writing by an Architectural Committee composed of HERBERT L. MARTIN, BETTY W. MARTIN, and OLIN H. PHILLIPS or their successor or assigns. A copy of such specifications and plans must be left with Architectural Committee until the building is completed, and the Committee shall have the right to inspect the building during construction. The Committee elected by a majority of the then owners of said lots. Any two (2) members of the Committee may give such approval; HOWEVER, if no Committee is in existence, or if said Committee fails to take action within thirty (30) days after such plans and written application for approval have been submitted to it, then such approval, provided all other requirements contained herein are complied with, shall not be required. After 75% of the lots in said subdivision have been sold, a Property owners Association, composed of owners of lots in said subdivision, shall be organized and empowered to draw up by-laws affecting activity in said subdivision and take such action as is deemed by a majority of the members of said Association, (one vote per lot), to be in the best interest of the owners of lots in said subdivision, and for the protection and mutual benefits of such lot owners.

The above amendment, taken together with the remaining amended and unamended provisions of said Declaration, to which reference is hereby made, therefore constitutes the new covenants and restrictions applicable to said Lomã Topkie Subdivision.

Signed hereinafter are the names of the owners of the respective lots as of the dates indicated:

NAME	LOT NO.	DATE
Herbert L. Martin	1 and 8	7.17.82
Betty W. Martin	1 and 8	7.17.82
Kelmar K LeMaster	4	7.19.82
Madge J. LeMaster	4	7.17.82
Elizabeth P. Welsh	2	7.17.82
Olin H. Philips	6	7.17.82
Lee L. Philips	6	7.17.82
George Allen	7	7.17.82
Nilah E. Allen	7	7.17.82
Albert Shontz	3	7.17.82
Ester Shontz	3	7.17.82

(The above homeowners signed and dated the Amendment on 17 July, 1982.)