

When recorded return to:

BURCH & CRACCHIOLO, P.A. (MD)

702 E. Osborn, Suite 200

Phoenix, Arizona 85014

SECOND AMENDED DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
CHANDLER CROSSING UNIT 1

DECLARATION

DATE: February 8, 1994

AMENDMENT

DATE: September 29, 1994

DECLARANT: ELLIOTT HOMES, INC., an Arizona corporation, referred to herein as "Declarant."

AMENDMENT OF: That certain Declaration of Covenants, Conditions and Restrictions of Chandler Crossing Homeowner's Association dated February 8, 1994 and placed of record on July 12, 1994 at Instrument No. 94-0536026 in the Office of the Maricopa County Recorder (the "original Declaration"), as amended by that certain First Amended Declaration of Covenants, Conditions and Restrictions of Chandler Crossing Estates dated August 26, 1994 and placed of record on September 6, 1994 at Instrument No. 94—0662108 in the Office of the Maricopa County Recorder (the "First Amended Declaration"). The original Declaration and First Amended Declaration are referred to herein collectively as "the Declaration".

SUBJECT

PROPERTY: All of Chandler Crossing Unit 1, a subdivision of part of Section 28, Township 1 South, Range 4 East, Gila and Salt River Base and Meridian, according to a plat recorded July 7, 1994 in Book 379 of Maps, page 44, in the Office of the Maricopa County Recorder.

TOGETHER with such further real property as may be

made subject to the original Declaration, as amended, as Annexed Property.

All of which is referred to herein as the "Property."

STATEMENT OF

PURPOSE: Declarant has heretofore caused the Declaration to be placed of record, thereby imposing its terms and conditions upon the Property as a covenant running with the land. By this instrument, Declarant desires to amend the Declaration in the manner and upon the terms specified herein. Declarant nevertheless desires that the previously existing covenants, conditions and restrictions in the Declaration shall be deemed to be in continuous and undiminished force and effect from the effective date thereof, except as the same may be amended hereby.

STATEMENT OF

AMENDMENT: For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by all persons signatory to this instrument, and pursuant to the power granted Declarant by law and in the Declaration, the same is hereby amended as follows:

1. Terms. Unless the context requires otherwise, terms used in this Second Amended Declaration shall have the meaning stated in the Declaration.
2. Subdivision **Name**. All references in the Declaration to the subdivision as Chandler Crossing or Chandler Crossing Estates are hereby deleted and, in lieu thereof, the subdivision shall be known as Chandler Crossing Unit 1.
3. Interpretation. This Second Amended Declaration shall be considered an integral part of the Declaration and shall be construed with said documents as if the provisions hereof were set forth therein as an article thereof. This Second Amended Declaration shall therefore run with title to the Property and be

enforceable in accordance with and as a part of the Declaration.

4. Reaffirmation. The Declaration is hereby ratified and approved. All provisions of said Declaration are hereby reaffirmed in their entirety and declared to be continuously in effect from and after their effective date, except as a provisions is amended or deleted by this instrument.

5. Approval. In accordance with Section 9.08 of the original Declaration, this Second Amended Declaration is hereby promulgated, ratified and approved by the Declarant, as evidenced by the acknowledged signature attached hereto.

6. Effective Date. Except as is otherwise provided herein, this Second Amended Declaration shall be effective on the later of the date first stated on page one hereof, or the date this instrument is placed of record in the Office of the Maricopa County Recorder.

IN WITNESS WHEREOF, Declarant has caused its name to be signed by the duly authorized undersigned officer.

DECLARANT: ELLIOTT HOMES, INC., an Arizona corporation

By:

STATE OF CALIFORNIA)

ss.

County of Sacramento)

On this day, personally appeared before me Harry C. Elliott, III, who is known to me to be the person whose name is above subscribed, and after being first duly sworn, acknowledged himself

3

to be the President of Elliott Homes, Inc., an Arizona corporation, and upon his oath acknowledged that he executed the foregoing instrument for and on behalf of that corporation for the purpose therein contained, being authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on _____, 1994.

Notary Public.

My Commission Expires: