

When Recorded, Please Return to:

Tevis Reich, Attorney
- Pick up -

**FOURTH AMENDMENT TO LINWOOD HEIGHTS
HOMEOWNERS' ASSOCIATION DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

Pursuant to the Declaration of Covenants, Conditions and Restrictions for Linwood Heights Subdivision recorded at Instrument Number 3154569 (As amended and Restated) on August 8, 2002, and amended by Instrument Number 3243127 on January 5, 2004 ("First Amendment") and Instrument Number 3539194 on September 21, 2009 ("Second Amendment"), and Instrument Number 3793779 on August 22, 2017 ("Third Amendment"), as those instruments are each recorded in the Official Records of Coconino County, Arizona, (collectively hereinafter the "Linwood Heights CC&Rs," the Linwood Heights CC&R's are further amended as follows:

Section V(a) is amended in its entirety to state as follows:

Section V. Permitted Property Uses

a. Primary Lot Restriction

Each of said lots is hereby restricted to use as a dwelling (with garage), for residential use by one (1) family only. All dwellings to be used for residential purposes shall be constructed on the lot entirely, at the building site, and on a permanent foundation. Mobile homes, modular homes, and manufactured homes are prohibited. Primary dwellings shall be constructed to be a minimum of 2,400 square feet of livable space. All structures of any nature shall comply with and be subject to applicable building codes and zoning regulations.

Section V, Subpart (a) is restated and amended in its entirety. Other articles, sections and subsections which are not mentioned, cited or restated are *not* amended or changed in any way.

The officers signing below certify that they have each reviewed and counted the ballots for the foregoing amendment. It is further certified that quorum was established with 58 votes being cast and quorum was met pursuant to § 3(e), as amended, of the CC&Rs, which satisfies the quorum requirements. The proposed amendment passed with an affirmative vote of 53 lots in favor of the amendment, 5 opposed. In accordance with Section X, subpart (b) of the CC&Rs, the amendment is approved and adopted by more than the number of lots necessary at a duly noticed meeting. The amendment was adopted at the special meeting held on April 7, 2018.

LINWOOD HEIGHTS HOMEOWNERS ASSOCIATION

By: *Adam Graff* ^{mp}
Adam Graff, *President*

By: *Cecelia Lodico*
Cecelia Lodico, *Secretary*

STATE OF ARIZONA)

ss.

COUNTY OF COCONINO)

On this 20th day of April, 2018 ADAM GRAFF personally appeared before me, the undersigned Notary Public, and acknowledged himself to be the President of LINWOOD HEIGHTS HOMEOWNERS ASSOCIATION, an Arizona Corporation, and that he being duly authorized to do so, executed the foregoing Amendment for the purposes therein contained by signing his name thereto as ADAM GRAFF, President.



Mark H. Bush
Notary Public

STATE OF ARIZONA)

ss.

COUNTY OF COCONINO)

On this 20th day of April, 2018 CECELIA LODICO personally appeared before me, the undersigned Notary Public, and acknowledged herself to be the Secretary of LINWOOD HEIGHTS HOMEOWNERS ASSOCIATION, an Arizona Corporation, and that she being duly authorized to do so, executed the foregoing Amendment for the purposes therein contained by signing her name thereto as CECELIA LODICO, Secretary.



Notary Public

