

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: MDR
DEPUTY RECORDER
0324 AS2
TFATI
FIRST AMERICAN TITLE
PICK UP



DOCKET: 12689
PAGE: 6924
NO. OF PAGES: 3
SEQUENCE: 20052301212
11/29/2005
ARSTRT 17:30
PICKUP
AMOUNT PAID \$ 9.00

WHEN RECORDED, MAIL TO:
First American Title
1880 E. River Road #120
Tucson, Arizona 85718
Attn: Builder Services / Trust Dept.

FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS,
AND EASEMENTS
FOR VILLA MILANO AT RANCHO SIN VACAS

11/29/2005 09:03:14

**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS,
AND EASEMENTS
FOR VILLA MILANO AT RANCHO SIN VACAS**

KNOW ALL MEN BY THESE PRESENTS:

THAT FIRST AMERICAN TITLE COMPANY, a California corporation, as Trustee under Trust No. 9058, and not in its corporate capacity, ("Declarant"), which did execute and cause to be recorded in the official records of Pima County, Arizona in Docket 12434, commencing at page 2177, that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Villa Milano at Rancho Sin Vacas ("Declaration");

THAT Article X, Section 10.2A of the Declaration provides that the Declaration may be amended by an instrument in writing, signed and acknowledged by the President and Secretary of the Association, certifying that such Amendment has been approved by the vote or written consent of the then Owners, including Declarant, of not less than seventy-five percent (75%) of the Lots within the Properties, with such amendment becoming effective upon its recordation with the Pima County Recorder, Pima County, Arizona;

THAT the undersigned is the Declarant under the Declaration and holds the record title of not less than seventy-five percent (75%) of the Lots within the Property, and the undersigned desires to amend the Declaration as set forth below; and

THAT this First Amendment is recorded for the purpose of defining the initial collection of assessments and adding a provision for collection of a One-Time Membership Fee.

NOW, THEREFORE, the Declaration is further amended as follows:

Article 6, Section 6.3A, "Initial Maximum Annual Assessment," is hereby amended to include the following paragraph:

The initial maximum annual assessment will not be collected until January 1, 2006, until which time the Association shall be fully subsidized by the Declarant. On January 1, 2006, homeowners shall begin to pay assessments in accordance with the provisions of the CC&Rs and as determined by the estimated annual expenses outlined in the operating budget.

Article 6, Section 6.13, "One-Time Membership Fee," is hereby added as follows:

One-Time Membership Fee. At the close of escrow of each initial purchase of a Lot from the Declarant, and for all subsequent resales, the Owner shall pay to the Association a one-time membership fee. This will be a nonrefundable fee in an amount to be determined by the Board, but not to exceed \$100. This fee will be used to fund a reserve account for the benefit of the Association. The one-time membership fee shall be payable in addition to the annual assessment

FIRST AMERICAN TITLE

amount to be paid by such owner, as provided in this Article VI. Notwithstanding anything to the contrary herein, the Declarant shall not be required to pay the one-time membership fee.

IN WITNESS WHEREOF, the undersigned has executed this First Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Villa Milano at Rancho Sin Vacas as of this 29th day of November, 2005.

FIRST AMERICAN TITLE COMPANY, a California corporation, as Trustee under Trust No. 9058, and not in its corporate capacity

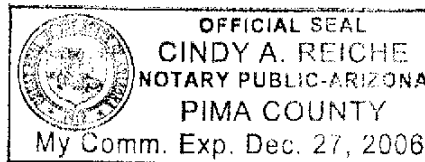
By: Rachel L. Turnipseed
Rachel L. Turnipseed
Its: Trust Officer

STATE OF ARIZONA)
)SS.
COUNTY OF PIMA)

The forgoing instrument was acknowledged before me this 29th day of November, 2005, by Rachel L. Turnipseed as Trust Officer of FIRST AMERICAN TITLE COMPANY, a California corporation, as Trustee under Trust No. 9058, and not in its corporate capacity.

Cindy A. Reiche
NOTARY PUBLIC

My commission expires:



1199000 0000190