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TFNTI
FIDELITY NATIONAL TITLE
7750 E BROADWAY STE #A200
TUCSON AZ 85710

WHEN RECORDED MAIL TO:

FIDELITY NATIONAL TITLE TRUST DEPT.
7750 E. BROADWAY, SUITE B222
TUCSON, AZ 85710

DOCUMENT TITLE:

FIRST AMENDMENT TO
THE DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS
AND GRANT OF EASEMENTS FOR
WILMOT FARMS

**THIS SHEET IS A PART OF THE ATTACHED DOCUMENT.
DO NOT DETACH THIS COVER SHEET FROM THE DOCUMENT.**

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FIRST AMENDMENT
TO
THE DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS
AND GRANT OF EASEMENTS FOR
WILMOT FARMS

THIS FIRST AMENDMENT TO THE DECLARATION, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS FOR WILMOT FARMS (THIS "AMENDMENT" IS MADE THIS _____ 16TH DAY OF September, 1999, BY AND AMONG WILMOT FARMS, INC., AN ARIZONA CORPORATION, AS THE DECLARANT, FIDELITY NATIONAL TITLE AGENCY, INC., AN

ARIZONA CORPORATION, AS TRUSTEE OF ITS TRUST NUMBER 10812 AND NOT PERSONALLY, AS THE TRUSTEE, AND THOSE "OWNERS" SIGNING THEIR NAME TO THIS DOCUMENT CONSTITUTING ADDITIONAL OWNERS OF PROPERTY SUBJECT TO THE ORIGINAL DECLARATION, WHICH OWNERS REPRESENT MORE THAN SIXTY SEVEN (67%) PERCENT OF THE OWNERS OF THE PROPERTY, OTHER THAN THE DECLARANT.

THIS AMENDMENT IS INTENDED TO AND SHALL SERVE TO AMEND AND MODIFY THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS FOR WILMOT FARMS DATED AS OF THE 18TH DAY OF APRIL 1997, AND RECORDED JULY 9, 1997 AT DOCKET 10583, PAGE 554, PIMA COUNTY RECORDER'S OFFICE, PIMA COUNTY, ARIZONA (THE "ORIGINAL DECLARATION").

PERSUANT TO SECTION 9.2 OF THE ORIGINAL DECLARATION, THE FOLLOWING AMENDMENTS ARE HEREBY ADOPTED:

1. SECTION 8.1, RESIDENTIAL AND RECREATIONAL PURPOSE, OF THE ORIGINAL DECLARATION IS HEREBY DELETED AND REPLACED WITH THE FOLLOWING:

8.1 RESIDENTIAL AND RECREATIONAL PURPOSES: EXCEPT AS PROVIDED IN THIS SECTION

8.1 NO PORTION OF THE PROPERTY SHALL BE USED FOR OTHER THAN SINGLE-FAMILY RESIDENTIAL PURPOSES. SITE BUILT HOMES SHALL BE ALLOWED ON ANY LOT WITHIN THE PROPERTY. MANUFACTURED OR MODULAR HOMES SHALL BE RESTRICTED TO ONLY LOTS 49 THROUGH 104 INCLUSIVE AND ALLOWED ON LOT 121. ALL MANUFACTURED HOMES MUST BE OF MODEL YEAR 1990 OR NEWER AND SHALL BE FULLY PERIMETER SKIRTED WITH MASONARY BLOCK OR PUMCRETE ON A CONCRETE FOOTER WITHIN SIXTY DAYS (60) DAYS OF PLACEMENT ON A LOT. IF GROUND SET, THE ABOVE 2 OPTIONS PLUS ANY OTHER METHOD APPROVED BY CITY OF TUCSON OR STATE OF ARIZONA DEPT. OF BUILDING AND FIRE SAFETY, MAY BE USED, PROVIDED SAID WORK IS COMPLETED WITHIN SIXTY(60) DAYS OF PLACEMENT ON A LOT. NO MANUFACTURED HOME THAT IS NOT BEING USED FOR SINGLE FAMILY RESIDENTIAL PURPOSES OR THAT IS USED FOR STORAGE SHALL BE PERMITTED ON ANY LOT. NO LOT SHALL BE USED, DIRECTLY OR INDIRECTLY, FOR ANY BUSINESS OR OTHER SIMILAR PURPOSE, EXCEPT FOR (1) THOSE BUSINESS USES ALLOWED IN ACCORDANCE WITH APPLICABLE ZONING ORDINANCE AND WHICH CONSTITUTE A SECONDARY USE OF THE LOT AND ARE COMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD, AND (2) USE BE DECLARANT (OR A DECLARANT AFFILIATE OR ASSIGNEE OF DECLARANT) OR BY A BUILDER WHO HAS BEEN SPECIFICALLY AUTHORIZED IN WRITING BY DECLARANT, FOR A PERIOD NOT TO EXCEED TEN (10) YEARS AFTER THE DATE THIS DECLARATION IS RECORDED, IN CONNECTION WITH CONSTRUCTION AND SALES ACTIVITIES WITH RESPECT TO THE PROPERTY (INCLUDING, BUT NOT LIMITED TO, MAINTENANCE AND OPERATION OF MODEL HOMES, SALES OFFICES AND SIGNS ADVERTISING THE PROPERTY OR PORTIONS THEREOF).

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS FIRST AMENDMENT AS OF THE DATE FIRST ABOVE WRITTEN.

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DECLARANT:

WILMOT FARMS, INC.,
AN ARIZONA CORPORATION

BY: Harold Lay

ITS: PRESIDENT

TRUSTEE:

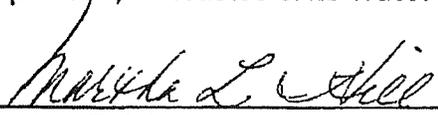
FIDELITY NATIONAL TITLE AGENCY, INC
AN ARIZONA CORPORATION, AS TRUSTEE
OF ITS TRUST NUMBER 10812 AND NOT
PERSONALLY, AS THE TRUSTEE

BY: [Signature]
ITS: Kevin French
Trust Officer

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STATE OF ARIZONA)
 : SS.
COUNTY OF PIMA)

SUBSCRIBED AND SWORN TO BEFORE me this 5th day of October, 1999,
by Kevin French its Sr. Trust Officer of Fidelity
National Title Agency, Inc., an Arizona corporation, as Trustee of its Trust Number 10812
and not personally, as the Trustee.



Notary Public

My Commission Expires:



111461994

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF California
COUNTY OF San Diego } SS.

On September 28, 1999 before me, the undersigned, a Notary Public in and for said State personally appeared Harold Laz
Name(s) of Signer(s)

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Janet Mc Caskey
Signature of Notary

Janet Mc Caskey
Name (Typed or Printed)

(This area for official notarial seal)

Capacity Claimed by Signer

Description of Attached Document

- Individual(s)
- Corporate Officer(s) - Title(s) President
- Partner(s)
- Attorney-In-Fact
- Trustee(s)
- Guardian/Conservator
- Other: _____

This certificate must be attached to the document described below:
Title or type of document First Amendment to Declaration of CCR
Number of Pages 1
Date of Document 9/28/99
Signer(s) Other than Named Above _____

Signer is Representing:
Name of person(s) or Entity(ies)

ATTENTION NOTARY
Although the information requested above is optional, it could prevent fraudulent attachment of this certificate to another document.

111461995

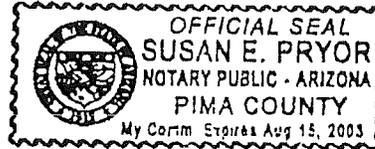
STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF Sept,
1999, BY GARY L. PAGE *[Signature]*, AS OWNER OF LOT 117
OF WILMOT FARMS HOMES.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

8/15/2003



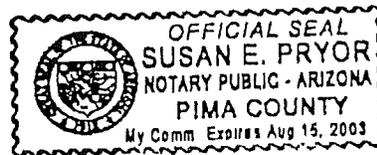
STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF Sept
1999, BY PENNY GAYLE WILLIAMS *[Signature]* AS OWNER OF LOT 14
OF WILMOT FARMS HOMES.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

8/15/2003



STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF Sept
1999, BY NICK AND MINERVA HERNANDEZ *[Signature]*, AS OWNERS OF LOT 50
OF WILMOT FARMS HOMES.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

8/15/2003

111401990

STATE OF ARIZONA)
)
) ss.
COUNTY OF PIMA)

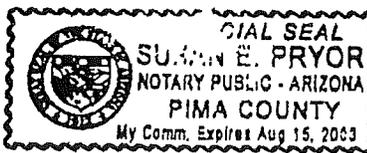
This instrument was acknowledged before me this 20 day of Sept,
1999, by Jeffrey A. Nickerson, as Owner of Lot 6 of WILMOT
Jeffrey A. Nickerson
FARMS HOMES.

Susan E. Pryor
Notary Public

My Commission Expires:

8/15/03

STATE OF ARIZONA)
)
) ss.
COUNTY OF PIMA)



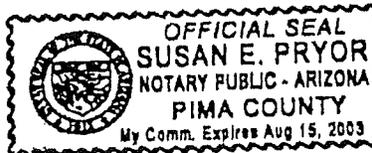
This instrument was acknowledged before me this 20 day of Sept,
Arthur E. Welton Arthur E. Welton and
Colette D. Welton, by Colette D. Welton, as Owner of Lot 9 of WILMOT
Kim Ganung FREDERIC GANUNG II
Kim Ganung KIMBERLEE GANUNG
FARMS HOMES.

Susan E. Pryor
Notary Public

My Commission Expires:

8/15/03

STATE OF ARIZONA)
)
) ss.
COUNTY OF PIMA)



This instrument was acknowledged before me this _____ day of _____,
Stephen J. Holbrook and
1999, by Beth Holbrook, as Owner of Lot 27 of WILMOT
FARMS HOMES.

Notary Public

My Commission Expires:

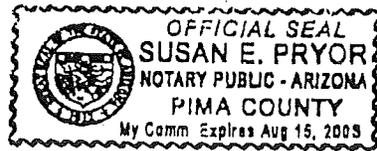
111461997

STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF Sept
1999, BY JAMES Q. AND CECILIA L. SEGRAVES, AS OWNERS OF LOT 10
James Q. Seagraves
of WILMOT FARMS HOMES.

Susan E. Pryor
NOTARY PUBLIC

MY COMMISSION EXPIRES:
8/15/003



STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

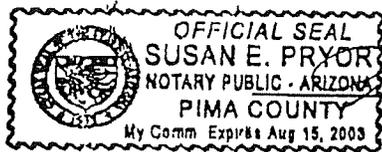
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____
1999, BY KEN ANDERSON, OF PRESTIGE HOMES. AS OWNERS OF LOT 121
OF WILMOT FARMS HOMES.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

STATE OF ARIZONA)
) SS
COUNTY OF PIMA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 20 DAY OF Sept
1999, BY JOHN E. MARSHALL, AS OWNER OF LOT 116
John E. Marshall
OF WILMOT FARMS HOMES.



Susan E. Pryor
NOTARY PUBLIC

MY COMMISSION EXPIRES:
8/15/003

1114619903

STATE OF ARIZONA)
)
COUNTY OF PIMA)

ss.

Kevin Hayes This instrument was acknowledged before me this 20 day of Sept,
Kevin L. Hayes and
1999, by Joyce Hayes, as Owner of Lot 71 of WILMOT
FARMS HOMES.

Susan E. Pryor

Notary Public

My Commission Expires:
8/15/0003



STATE OF ARIZONA)
)
COUNTY OF PIMA)

ss.

This instrument was acknowledged before me this 20 day of Sept,
1999, by David Alexander Gilbert and Debra K. Gilbert, as Owner of Lot 79 of
WILMOT FARMS HOMES.

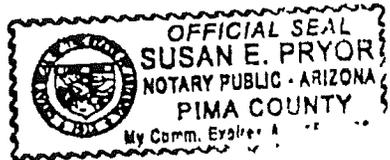
David Alexander Gilbert

Susan E. Pryor

Notary Public

My Commission Expires:

8/15/0003



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