

THE FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION, INC.

FIRST AMENDMENT TO THE AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOOTHILLS CLUSTERS

WHEREAS, the Amendment to the Declaration of Covenants, Conditions, and Restrictions for Foothills Clusters (the "Declaration"), dated January 14, 1975, and was recorded in Docket 5057 at Page 141, et seq. in the office of the Pima County Recorder; and

WHEREAS, Article VI, Section 3 provides for amendment of the Declaration by an instrument signed by no less than seventy-five percent (75%) of the Lot Owners.

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

REPLACE Article VI, Section 3 with the following:

This Declaration may be amended at any time by the affirmative vote of Owners of a majority of the Lots, casting one vote per Lot. Any amendment to this Declaration shall be evidenced by a written document signed by the President and Secretary of the Association, attesting that the requisite number of Owners approved such amendment. The Amendment shall become effective upon recordation with the Pima County Recorder's Office.

LOT OWNERS' CONSENT

In accordance with Article VI, Section 3 of the Declaration no less than seventy-five percent (75%) of the Lot Owners have approved the foregoing First Amendment to the Amendment to the Declaration of Covenants, Conditions and Restrictions for Foothills Clusters as shown by the attached Lot Owners' signed consents.

LOT OWNER CONSENT FORM

Owner Name(s): _____

Address: _____

LOT #: _____

Owner Signature(s):

**** NOTICE **** *The signature of one Owner of the Lot is required.*