

First American Title Ins Co

125238630-5-1-1--  
Yorkm

When recorded, mail to:

**HBT of Rancho North LLC**  
**706 E. Bell Road, Suite #212**  
**Phoenix, AZ 85022**

**REVISED  
FIFTH AMENDMENT TO  
CONDOMINIUM DECLARATION FOR  
RANCHO NORTH, A CONDOMINIUM**

This Revised **Fifth** Amendment to Condominium Declaration for Rancho North, a Condominium (this "Revised **Fifth** Amendment") is made as of this **10th day of December, 2019**, by Rancho North Condominium Association, an Arizona nonprofit corporation (the "Association").

**RECITALS**

- A. A Condominium Declaration for Rancho North, a condominium (the "Declaration") was recorded on December 8, 2017, at Recording No. 2017-0908506, in the official records of the County Recorder of Maricopa County, Arizona, submitting certain real property described in the Declaration to a condominium pursuant to the Arizona Condominium Act, A.R.S. § 33-1201, et seq.
- B. A Condominium Plat for Lot 1 & 2 of the Rancho North, a Condominium (the "Plat") was recorded at Book 1346 of Maps, Page 28, in the official records of the County Recorder of Maricopa County, Arizona, which among other things, identifies Units, Buildings and allocates certain Limited Common Elements to specific Units.
- C. Unless otherwise defined in this **Fifth** Amendment, each capitalized term used in this **Fifth** Amendment shall have the meaning given to such term in the Declaration.
- D. Section 2.10 of the Declaration provides that the Declaration may be amended by the Declarant without the consent of the Association or any other Unit Owner to annex in Units for future phases and submitting to the Declaration all or any portion of the Additional Property.
- E. **HBT of Rancho North LLC, an Arizona Limited Liability Corporation**, is the Declarant under the Declaration and the owner of all of the Additional Property.

F. Declarant intends to add a portion of the, Additional Property to this Condominium by the authority set forth in Article 2 of the Declaration such that all Units added herein are subject to the use restrictions contained in the Declaration as subject in all respect to the Condominium Documents.

G. Therefore, as required by Section 2.10 of the Declaration:

a. The Legal Description of the portion of the Additional Property being annexed is:

**Units 1010, 1011, 2010, 2011, 2012 in Building 4, Units 1013, 1014, 2013, 2014, 2015 in Building 5, Units 1016, 1017, 2016, 2017, 2018 in Building 6, Units 1019, 1020, 2019, 2020, 2021 in Building 7, Units 1064, 1065, 2064, 2065, 2066 in Building 22, Units 1067, 1068, 2067, 2068, 2069 in Building 23, of Lot 1 & 2 of the Rancho North recorded as Book 1346 of Maps, Page 28, in the records of the County Recorder of Maricopa County Arizona.**

Along with the limited common elements assigned to each Unit and each Unit's undivided interest in the common elements as set forth in the Declaration

- b. The number of Units being added by this annexation is 30.
- c. The Units added herein shall share an undivided interest in the Common Elements with all other Units that are currently, or become at some time in the future, subject to the Declaration. The Limited Common Elements allocated to the Units added herein are set forth in the Plat.
- d. The allocation of Common Element Interest and Common Expense Liabilities is established by Section 2.6 of the Declaration and automatically incorporates any Additional Property as it is annexed into the Declaration. The effective date of the change in allocation is the date upon which this amendment is recorded as set forth in Section 2.10.2 of the Declaration.
- e. All Special Declarant Rights or Development Rights reserved by the Declarant or granted to the Declarant in the Declaration shall remain unchanged by this Sixth Amendment.

**AMENDMENT**

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

1. The legal description on Exhibit A to the Declaration is amended in its entirety to read as follows:

Lot 1 & 2 of the Rancho North recorded as Book 1346 of Maps, Page 28, in the records of the County Recorder of Maricopa County, Arizona.

**EXCEPT FOR**

Units 1022, 1023, 2022, 2023, 2024 in Building 8,  
Units 1026, 1026, 2025, 2026, 2027 in Building 9,  
Units 1028, 1029, 2028, 2029, 2030 in Building 10,  
Units 1031, 1032, 2031, 2032, 2033 in Building 11,  
Units 1034, 1035, 2034, 2035, 2036 in Building 12,  
Units 1037, 1038, 2037, 2038, 2039 in Building 13,  
Units 1040, 1041, 2040, 2041, 2042 in Building 14,  
Units 1043, 1044, 2043, 2044, 2045 in Building 15,  
Units 1046, 1047, 2046, 2047, 2048 in Building 16,  
Units 1049, 1050, 2049, 2050, 2051 in Building 17,  
Units 1052, 1053, 2052, 2053, 2054 in Building 18,  
Units 1055, 1056, 2055, 2056, 2057 in Building 19,  
Units 1070, 1071, 2070, 2071, 2072 in Building 24,  
Units 1073, 1074, 2073, 2074, 2075 in Building 25,  
Units 1076, 1077, 2076, 2077, 2078 in Building 26,  
Units 1079, 1080, 2079, 2080, 2081 in Building 27,  
Units 1082, 1083, 2082, 2083, 2084 in Building 28,  
Units 1085, 1086, 2085, 2086, 2087 in Building 29,  
Units 1088, 1089, 2088, 2089, 2090 in Building 30,

Along with the limited common elements assigned to each Unit and each Unit's undivided interest in the common elements as set forth in the Declaration and shown on the Plat.

2. The legal description on Exhibit B to the Declaration is amended in its entirety to read as follows:

**DESCRIPTION OF ADDITIONAL PROPERTY SECTION**

Units 1022, 1023, 2022, 2023, 2024 in Building 8,  
Units 1026, 1026, 2025, 2026, 2027 in Building 9,  
Units 1028, 1029, 2028, 2029, 2030 in Building 10,  
Units 1031, 1032, 2031, 2032, 2033 in Building 11,  
Units 1034, 1035, 2034, 2035, 2036 in Building 12,  
Units 1037, 1038, 2037, 2038, 2039 in Building 13,  
Units 1040, 1041, 2040, 2041, 2042 in Building 14,  
Units 1043, 1044, 2043, 2044, 2045 in Building 15,  
Units 1046, 1047, 2046, 2047, 2048 in Building 16,  
Units 1049, 1050, 2049, 2050, 2051 in Building 17,  
Units 1052, 1053, 2052, 2053, 2054 in Building 18,  
Units 1055, 1056, 2055, 2056, 2057 in Building 19,  
Units 1070, 1071, 2070, 2071, 2072 in Building 24,  
Units 1073, 1074, 2073, 2074, 2075 in Building 25,  
Units 1076, 1077, 2076, 2077, 2078 in Building 26,  
Units 1079, 1080, 2079, 2080, 2081 in Building 27,  
Units 1082, 1083, 2082, 2083, 2084 in Building 28,  
Units 1085, 1086, 2085, 2086, 2087 in Building 29,  
Units 1088, 1089, 2088, 2089, 2090 in Building 30,

Along with the limited common elements assigned to each Unit and each Unit's undivided interest in the common elements as set forth in the Declaration and shown on the Plat of Lot 1 & lot 2 of the Rancho North, a Condominium recorded as Book 1346 of Maps, Page 28, in the records of the County Recorder of Maricopa County, Arizona.

3. The Declarant certifies that this Revised **Fifth** Amendment has been approved as required by Section 2.10 of the Declaration.

- 4. Except as amended by this **Revised Fifth** Amendment, the Declaration shall remain unchanged and in full force and effect. In the event of any conflict or inconsistency between the provisions of this Revised **Fifth** Amendment and the Declaration, the Revised **Fifth** Amendment shall control.

DATED this 10th day of December, 2019.

**HBT OF Rancho North LLC**, an Arizona limited liability company

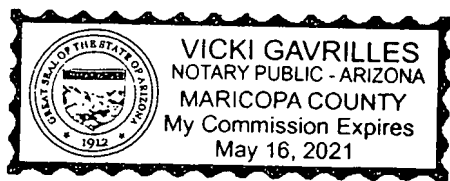
By: Towne Realty, Inc., a Wisconsin corporation, its Manager

By: *Kevin G. Kiesl*  
Kevin G. Kiesl, Authorized Agent

STATE OF ARIZONA        )  
  ) ss.  
COUNTY OF MARICOPA    )

Personally came before me this 10 day of December, 2019, Kevin G. Kiesl, Authorized Agent of Towne Realty, Inc., Manager of HBT of Rancho North LLC, to me known to be the person who executed the instrument and acknowledged the same.

*Vicki Gavrilles*



Notary Public, State of Arizona  
My Commission Expires: