

**First American Title**

201727570-4-1-1--  
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When recorded, mail to:

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

**NINTH AMENDMENT TO  
CONDOMINIUM DECLARATION FOR  
RANCHO NORTH, A CONDOMINIUM**

This **Ninth** Amendment to Condominium Declaration for Rancho North, a Condominium (this "**Ninth** Amendment") is made as of this **28th day of December, 2021**, 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 **Ninth** Amendment, each capitalized term used in this **Ninth** 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 1037, 1038, 2037, 2038, 2039 in Building 13**, 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 **5**.

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 **Ninth** 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 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 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 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 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 **Ninth** Amendment has been approved as required by Section 2.10 of the Declaration.
- 4. Except as amended by this **Ninth** 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 **Ninth** Amendment and the Declaration, the **Ninth** Amendment shall control.

DATED this **28th** day of **December, 2021**.

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

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

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

STATE OF ARIZONA            )  
  ) ss.  
COUNTY OF MARICOPA    )

Personally came before me this **28th** day of **December, 2021**, Kevin G. Kiesel, 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:

