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JOHN ESCHER III
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**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LOTS 1 THROUGH 140 AND COMMON AREAS
A THROUGH F OF RIVERWALK**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Lots 1 through 140 and Common Areas A through F of Riverwalk ("Amendment") is made by Title Security Agency of Arizona, an Arizona corporation, as Trustee of Trust Number 872, and not in its individual corporate capacity (the "Declarant").

RECITALS

A. On January 6, 2006, Declarant recorded that Declaration of Covenants, Conditions and Restrictions for Lots 1 through 140 and Common Areas A through F of Riverwalk (the "Declaration") at Docket 12715, Page 1740 of the official records of the Pima County Recorder, Pima County, Arizona.

B. Declarant owns all of the real property that is subject to the Declaration, holds all votes in the homeowners association and desires to amend the Declaration as described below.

AGREEMENT

1. Section 1.8 of the Declaration is hereby deleted in its entirety and replaced with the following Section:

1.8 "Association" means Riverwalk Tucson Homeowners Association, an Arizona nonprofit corporation, and its successors and assigns.

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2. Section 1.12 of the Declaration is hereby deleted in its entirety and replaced with the following Section:

1.12 **"Common Area"** means: (a) Common Area "A" (Private Streets and Parking), Common Area "B" (Landscape, Pedestrian & Recreation Areas), Common Area "C" (Private Recreation), Common Area "D" (Private Street), Common Area "E" (Drainage), and Common Area "F" (Guard House and Landscape Area) of Riverwalk, a subdivision of Pima County, Arizona, according to the plat recorded in Book 60 of Maps, Page 68, records of Pima County, Arizona; (b) all land, together with all Improvements situated thereon, which the Association at any time owns in fee or in which the Association has a leasehold interest for as long as the Association is the owner of the fee of leasehold interest, except that Common Area shall not include any Lot the Association acquires by the foreclosure of the Assessment Lien or any deed in lieu of foreclosure.

3. Section 1.33 of the Declaration is hereby deleted in its entirety and replaced with the following Section:

1.33 **"Property" or "Project"** means the real property described as follows, together with all Improvements located thereon, and any part of the Additional Property, and all Improvements situated thereon:

Lots 1 through 140 and Common Area "A" (Private Streets and Parking), Common Area "B" (Landscape, Pedestrian & Recreation Areas), Common Area "C" (Private Recreation), Common Area "D" (Private Street), Common Area "E" (Drainage), and Common Area "F" (Guard House and Landscape Area) of Riverwalk, a subdivision of Pima County, Arizona, according to the plat recorded in Book 60 of Maps, Page 68, records of Pima County, Arizona.

4. Except as expressly set forth in this Amendment, the Declaration shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be duly executed on the day, month and year set forth beneath its signature below.

DECLARANT:

TITLE SECURITY AGENCY OF ARIZONA, an Arizona corporation, as Trustee Under Trust No. 872 and not in its individual corporate capacity

By:


Diane Sloane, Trust Officer

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this 25th day of February, 2006, by Diane Sloane, Trust Officer, of Title Security Agency of Arizona, an Arizona corporation, as Trustee Under Trust No. 872, and not in its individual corporate capacity.

(Seal)

Esperanza Villalobos
Notary Public

