

When Recorded Mail to:
Eric Gruber
Cheney-Hope Partnership
9830 N. 32nd St., C101
Phoenix, AZ 85028

TITLE INSURANCE CO.....

MOD RSTR (DF)

COURTESY RECORDING
TITLE INSURANCE COMPANY OF MINNESOTA
NO TITLE CO. LIABILITY

THE SECOND

SUPPLEMENTAL DECLARATION

TO

DECLARATION OF HORIZONTAL PROPERTY REGIME

AND

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

ESTABLISHING AND GOVERNING

THE CENTER COURT, SCOTTSDALE

RECORDED IN OFFICIAL RECORDS
OF MARICOPA COUNTY, ARIZONA
JUN 16 1986 -2 00
KEY TO POLICE Dept Recorder
FEE 10 - PMS 9 R.D.

86-301054

THIS SUPPLEMENTAL DECLARATION is made and entered into pursuant to that certain Declaration of Horizontal Property Regime and Declaration of Covenants, Conditions, and Restrictions Establishing and Governing The Center Court, Scottsdale, which Declaration was recorded on the 16th day of January, 1984 in Official Record No. 84 019865, in the Office of the County Recorder of Maricopa County, Arizona, by THE CENTER COURT, SCOTTSDALE, an Arizona Joint Venture, comprised of STAR RENTALS INCORPORATED, a Minnesota Corporation authorized to transact business within the State of Arizona, and ALEXANDER & SONS, INC. a Minnesota Corporation. CHENEY-HOPE PARTNERSHIP, an Arizona general partnership (hereinafter referred to as the "Declarant") is successor in interest to THE CENTER COURT, SCOTTSDALE, an Arizona Joint Venture.

RECITALS

Declarant is the fee owner of that certain real property situated in the City of Scottsdale, County of Maricopa, State of Arizona, which real property is more particularly described in Exhibit "A" attached hereto

86 301054

and incorporated herein, (hereinafter referred to as the "Annexed Parcel");

and

The above-referenced Declaration of Horizontal Property Regime and Declaration of Covenants, Conditions, and Restrictions, (hereinafter referred to as the "Declaration") provides in Article XIV thereof that the Declarant may, at any time with Seven (7) years from the letter of (1) the date the Declaration was originally recorded, or (2) the date of recordation of the Supplemental Declaration annexing the most recent phase of the Property, if recorded within Seven (7) years from the date the Declaration was originally recorded, annex all or any portion of the real property described in Exhibit "B" to the Declaration by recording a legal description of such Additional Parcel or portion thereof (hereinafter referred to as the "Additional Parcel") within a Supplemental Declaration Incorporating by reference all of the Restrictions and other provisions of the Declaration and re-allocating by a complete re-statement the percentage interest in the Common Elements for the then total number of Condominium Units within the Property based upon proportionate floor space; and

The Declaration was originally recorded on the 16th day of January, 1984; a Supplemental Declaration was recorded on the 28th day of February, 1984; an Amendment to the Declaration was recorded on the 10th day of October, 1984; the Declarant desires and intends to annex the Annexed Parcel to the Declaration and to the Property as that latter term is defined and set forth in the Declaration and to the Horizontal Property Regime established pursuant thereto and the Annexed Parcel is a part of the Additional Parcel as that term is defined and set forth herein and in the Declaration.

NOW, THEREFORE, Declarant as present owner of all of the Annexed

86 301054

Parcel, for the purposes above set forth, and pursuant to the terms, conditions, and provisions of Article XIV of the Declaration, declares as follows:

1. Effective upon the date of recordation of this Supplemental Declaration with the Office of the Maricopa County Recorder, the Annexed Parcel as described and set forth in Exhibit "A" attached hereto and incorporated herein, is hereby submitted to the Declaration as Phases III and IV of the Property, and shall be subject to all the terms, conditions, and provisions of the Declaration as more particularly set forth and described therein subject to the following stipulations and conditions as hereinafter set forth. Accordingly, the Owners, Occupants, Mortgagees, Beneficiaries, and Trustees under the Mortgages or Deeds of Trust, as the case may be, and all other Persons hereafter acquiring any interest in the Annexed Parcel shall at all times enjoy the benefits of, and shall hold their interest subject to, the Declaration ^{Unofficial Document} rights, privileges, and Restrictions set forth therein.

2. The Buildings, as that term is defined and set forth in the Declaration, which encompass a part of the Property or Condominium Project, are hereby designated upon the Plat recorded with the Declaration to contain the Condominium Units as shown below:

<u>BUILDING</u>	<u>CONDOMINIUM UNITS</u>
A	101, 201, 301, 102, 202, 302 103, 203, 303, 104, 204, 304 105, 205, 305, 106, 206, 306 107, 207, 307
B	108, 208, 308, 109, 209, 309, 110, 210, 310, 111, 211, 311 112, 212, 312, 113, 213, 313

86 301054

C	114, 214, 314, 115, 215, 315 116, 216, 316, 117, 217, 317
D	118, 218, 318, 119, 219, 319 120, 220, 320, 121, 221, 321
E	126, 226, 326, 127, 227, 327, 128, 228, 328, 129, 229, 329 130, 230, 330, 131, 231, 331
F	122, 222, 322, 123, 223, 323, 124, 224, 324, 125, 225, 325
G	132, 232, 332, 133, 233, 333, 134, 234, 334, 135, 235, 335, 136, 236, 336, 137, 237, 337
H	138, 238, 338, 139, 239, 339 140, 240, 340, 141, 241, 341 142, 242, 342.

3. The Plat evidencing the survey of the Annexed Parcel submitted to the Declaration by and pursuant to this Supplemental Declaration is attached as Exhibit "C" to the Declaration and was recorded on January 16, 1984 in Book 261 of Maps at Page 19 in the ^{Unofficial Document} Office of the Maricopa County Recorder, Arizona.

4. The designation of the percentage interest which each Condominium Unit bears to the entire Horizontal Property Regime, which percentage interest is based on proportionate floor space and which percentage interest shall constitute the percentage interest of each Owner in the Common Elements is, as a result of the recordation of this Supplemental Declaration, re-stated and set forth in Exhibit "B" attached hereto and incorporated herein.

5. Pursuant to the recordation of this Supplemental Declaration, the Property shall be comprised of a total of One Hundred Twenty-Six (126) Condominium Units designated or intended for independent use as dwelling

86 301054

units.

6. The voting rights and Assessment obligations of an Owner shall, notwithstanding the recordation of this Supplemental Declaration, remain unchanged since the Declaration provides that there shall be one (1) vote for each Owner or a Condominium Unit which is designated or intended for Independent use as a dwelling Unit, and since the Declaration further provides that Assessments shall be uniform for Condominium Units designated or intended for independent use as dwelling Units; to be determined by a fraction the numerator of which is one (1) and the denominator of which is the then aggregate number of such Condominium Units contained within the Property.

7. In all other respects, except as amended hereby to facilitate the incorporation of the Annexed Parcel into the Property and the Declaration as hereinabove set forth, the Declaration shall remain in full force and effect.

IN WITNESS THEREOF, the Declarant Unofficial Document has caused this Supplemental Declaration to be executed in its behalf as of this 13th day of JUNE, 1986.

CHENEY-HOPE PARTNERSHIP

Robert J. Hope
By *Roger M. Cheney*

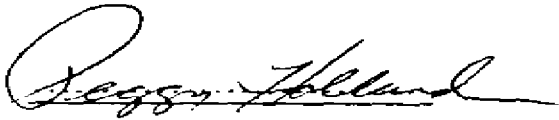
STATE OF ARIZONA)
) SS:
County of Maricopa)

Before me, the undersigned Notary Public, on this 13th day of June,
1986, personally appeared Robert J. Hope and Roger M. Cheney, known to me to

86 301054

be the general partners.....of CHENEY-HOPE PARTNERSHIP, an Arizona general partnership, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes contained therein on behalf of the Partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public

My Commission Expires:

11/26/1986.....

Unofficial Document

EXHIBIT 'A'

LEGAL DESCRIPTION FOR CENTER COURT, PHASE 1186 301054

BEGINNING at the South quarter corner of Section 26, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

thence North 89°41'50" West, along the South line of said Section 26, also being the monument line of Thomas Road a distance of 1,312.74 feet to the intersection of said South section line with the monument line of 74th Street;

thence North, along the monument line of 74th Street, a distance of 562.53 feet;

thence North 89°46'30" East, a distance of 40.00 feet to the East right of way line of 74th Street to a Point "A";

thence North 00°00'00" West, a distance of 430.16 feet;

thence North 89°48'51" East, a distance of 126.50 feet;

thence South 00°00'30" West, a distance of 6.00 feet;

thence North 89°48'51" East, a distance of 15.50 feet;

thence South 00°11'09" East, a distance of 0.31 feet;

thence South 59°06'30" East, a distance of 90.57 feet;

thence South 00°13'30" East, a distance of 112.94 feet to the

TRUE POINT OF BEGINNING;

thence North 89°46'30" East, a distance of 350.31 feet;

thence South 00°00'30" West, a distance of 5.78 feet;

thence South 89°59'30" East, a distance of 40.00 feet;

thence South 00°00'30" West, a distance of 135.00 feet;

thence North 89°59'30" West, a distance of 16.00 feet;

thence North 00°00'30" East, a distance of 8.67 feet;

thence North 89°59'30" West, a distance of 52.00 feet;

thence North 00°00'30" East, a distance of 42.00 feet;

thence South 89°46'30" West, a distance of 321.95 feet;

thence North 00°13'30" West, a distance of 90.00 feet to the

TRUE POINT OF BEGINNING;

Unofficial Document

TOGETHER WITH THE FOLLOWING:

BEGINNING at above mentioned Point "A";

thence North 89°46'30" East, a distance of 412.24 feet;

thence North 00°13'30" West, a distance of 46.00 feet to the

TRUE POINT OF BEGINNING;

thence North 00°13'30" West, a distance of 16.00 feet;

thence North 89°46'30" East, a distance of 81.00 feet;

thence South 00°13'30" East, a distance of 16.00 feet;

thence South 89°46'30" West, a distance of 81.00 feet to the

TRUE POINT OF BEGINNING;

TOGETHER WITH THE FOLLOWING:

BEGINNING at above mentioned Point "A";

thence North 89°46'30" East, a distance of 205.24 feet;

thence North 00°13'30" West, a distance of 46.00 feet to the

TRUE POINT OF BEGINNING;

thence North 00°13'30" West, a distance of 16.00 feet;

thence North 89°46'30" East, a distance of 90.00 feet;

thence South 00°13'30" East, a distance of 16.00 feet;

thence South 89°46'30" West, a distance of 90.00 feet to the

TRUE POINT OF BEGINNING.

Said parcel contains 40,617.19 square feet or 0.9324 acres more or less.

12/14/83 #1662

LEGAL DESCRIPTION FOR CENTER COURT, PHASE IV

BEGINNING at the South quarter corner of Section 26, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

thence North 89°41'50" West, along the South line of said Section 26, also being the monument line of Thomas Road a distance of 1,312.74 feet to the intersection of said South section line with the monument line of 74th Street;

thence North, along the monument line of 74th Street, a distance of 562.53 feet;

thence North 89°46'30" East, a distance of 40.00 feet to the East right of way line of 74th Street;

thence North 00°00'00" West, a distance of 430.16 feet;

thence North 89°48'51" East, a distance of 126.50 feet;

thence South 00°00'30" West, a distance of 6.00 feet;

thence North 89°48'51" East, a distance of 15.50 feet;

thence South 00°11'09" East, a distance of 0.31 feet;

thence South 59°06'30" East, a distance of 90.57 feet to the

TRUE POINT OF BEGINNING;

thence South 59°06'30" East, a distance of 20.51 feet;

thence North 89°46'30" East, a distance of 27.20 feet to the beginning of a curve concave to the West and having a radius of 1.34 feet;

thence Northerly along the arc of said curve, a distance of 3.51 feet through a central angle of 150°00'00";

thence North 60°13'30" West, a distance of 8.00 feet;

thence North 29°46'30" East, a distance of 12.00 feet;

thence South 60°13'30" East, a distance of 35.32 feet;

thence North 89°46'30" East, a distance of 283.59 feet to the beginning of a curve concave to the Northwest and having a radius of 2.06 feet;

thence Northeasterly along the arc of said curve a distance of 3.23 feet through a central angle of 90°00'00";

thence North 00°13'30" West, a distance of 8.49 feet;

thence North 89°46'30" East, a distance of 30.03 feet;

thence South 00°00'30" West, a distance of 118.07 feet;

thence North 89°59'30" West, a distance of 40.00 feet;

thence North 00°00'30" East, a distance of 5.78 feet;

thence South 89°46'30" West, a distance of 350.31 feet;

thence North 00°13'30" West, a distance of 112.94 feet to the

TRUE POINT OF BEGINNING.

Said parcel contains 40,653.41 square feet or 0.9333 acres more or less.

86 301054

EXHIBIT-B

<u>UNITS</u>	<u>PERCENTAGE INTEREST IN COMMON ELEMENTS</u>
107, 207, 307, 106, 206, 306 122, 123, 124, 125, 222, 223 224, 225, 322, 323, 324, 325 132, 133, 134, 135, 232, 233 234, 235, 332, 333, 334, 335	.61426% each
105, 205, 305	.85775% each
101, 102, 103, 104, 108, 109 110, 111, 112, 113, 114, 115 116, 117, 118, 119, 120, 121 201, 202, 203, 204, 208, 209 210, 211, 212, 213, 214, 215 216, 217, 218, 219, 220, 221 301, 302, 303, 304, 308, 309 310, 311, 312, 313, 314, 315 316, 317, 318, 319, 320, 321 126, 127, 128, 129, 130, 131 226, 227, 228, 229, 230, 231 326, 327, 328, 329, 330, 331 136, 137, 138, 139, 140, 141 142, 236, 237, 238, 239, 240 241, 242, 336, 337, 338, 339 340, 341, 342	.84945% each

Unofficial Document