

When recorded mail to:
James L. Jarvis
Attorney at Law
Suite 1008 Transamerica Building
177 North Church
Tucson, Arizona 85701

WHITE MOUNTAIN LAKES UNIT NO. 1
AMENDMENT TO DECLARATION OF ESTABLISHMENT
OF CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, PHOENIX TITLE & TRUST CO., an Arizona Corporation, as Trustee of Trust No. 6271, established Conditions and Restrictions affecting the real property hereinafter described; and

WHEREAS, by Substitution of Trustee Agreement, STEWART TITLE AND TRUST OF TUCSON, an Arizona Corporation, as Trustee under Trust No. 0314, hereinafter referred to as TRUSTEE, was substituted as Trustee in the name, place and stead of said Phoenix Title & Trust Co.; and

WHEREAS, by Substitution of Trustee Agreement, Transamerica Title Insurance Co., an Arizona Corporation, as Trustee under Trust No. 5338, hereinafter referred to as TRUSTEE, was substituted as Trustee in the name, place and stead of said Stewart Title and Trust of Tucson; and

WHEREAS, FRANK E. DENNY and VIDA M. DENNY, husband and wife, are the owners of that certain real property situate in the County of Navajo, State of Arizona, described as follows, to-wit:

Lot 22, Block 26 of White Mountain Lakes, Unit No. 1, a subdivision of Navajo County, Arizona, according to the map thereof of record in the office of the Navajo County Recorder in Book 8 of Maps at pages 9, 10 and 11;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. TRUSTEE does, as to the lot hereinabove described, waive those certain conditions and restrictions as to the rear set back line as set forth in Article V of said Declaration of Establishment of Conditions and Restrictions dated the 16th day of June, 1964 and recorded in the office of the Navajo County Recorder.

2. The parties do hereby agree that the conditions and restrictions as to the rear set back line of said property shall be as follows:

The rear set back line for said lot herein described shall be six (6) feet.

In all other respects, except as hereinabove set forth, the Declaration of Establishment of Conditions and Restrictions for White Mountain Lakes Unit No. 1, dated June 16, 1964 and recorded in the Navajo County Recorder's Office shall be and remain in full force and effect, and the terms and conditions thereof are hereby incorporated by reference and made a part hereof.

Invalidation of any one of these restrictive covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

DATED this 19 day of February, 1970.

TRANSAMERICA TITLE INSURANCE CO.,
as Trustee under Trust No. 5338,
and not otherwise,

By [Signature] Trust Officer

[Signature]
Frank E. Denny
[Signature]
Vida M. Denny

STATE OF ARIZONA :
 : ss.
COUNTY OF MARICOPA :

This instrument was acknowledged before me this 19th day of February, 1970, by ERNEST DURRANT, COMPANY OF ARIZONA, Trust Officer of TRANSAMERICA TITLE INSURANCE CO., as Trustee.

[Signature]
Notary Public

My Commission Expires:
Aug. 4, 1972

STATE OF ARIZONA :
 : ss.
COUNTY OF Navajo :

^{5th} This instrument was acknowledged before me this day of February, 1970, by FRANK E. DENNY and VIDA M. DENNY, husband and wife.

[Signature]
Notary Public

My Commission Expires:
Commission Expires Aug. 19, 1971

#1308
FILED AND RECORDED AT THE REQUEST
TRANSAMERICA TITLE INSURANCE CO.

Feb. 24, A.D. 1970 AT 8:30 O'CLOCK A.M.
IN DOCKET 317, Off. Records, PAGES 920-921
RECORDS OF NAVALO COUNTY, ARIZONA
[Signature] RECORDER
BY [Signature] DEPUTY