

LegendAmd-3-1-1--
yorkm

Recorded at the Request of:

WHEN RECORDED, MAIL TO: Beth Mulcahy Mulcahy Law Firm, P.C. 3001 E. Camelback Road, Suite 130 Phoenix, Arizona 85016

The Owner's Association for The Legend at Gainey Ranch Community Association

**CERTIFICATE OF SECOND AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE LEGEND AT GAINEY
RANCH**

This Certificate of Amendment to the Declaration of Covenants, Conditions and Restrictions for The Legend at Gainey Ranch is made this 20 day of December, 2021, by The Owner's Association for The Legend at Gainey Ranch ("Association").

RECITALS

A. The Declaration of Covenants, Conditions, Restriction for The Legend at Gainey Ranch was recorded on 02/16/1988 in Document No. 88-069710 and Amended on 05/10/2007 in Document No. 2007-0548865, records of Maricopa County, Arizona ("Declaration"), and subjected the real property described in the Declaration to the Declaration and required that the property be held, sold, used, and conveyed subject to the easements, restrictions, covenants and conditions, which run with the title to the real property subject to this Declaration.

B. The Declaration is binding on all parties having any right, title or interest in any portion of the Properties, their heirs, successors, successors-in-title, and assigns, and shall inure to the benefit of each owner of any portion of the properties.

C. The Members of the Association wish to amend the Declaration.

D. In order for the proposed amendments to pass, the Association must obtain the affirmative vote of 75% of the Owners and 50% of the Eligible Mortgagees. Pursuant to the Association's records, there are no current Eligible Mortgagees (as that term is defined within the Declaration).

E. The Association certifies that at least 75% of the Owner voted in favor of this Amendment.

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

1. Article 10, Section 10.9 of the Declaration is hereby amended as follows:

10.9. Delivery of Notices and Documents. Any written notice or other documents relating to or required by this Declaration may be delivered either personally, via email or by mail. If by mail, it shall be deemed to have been delivered 48 hours after it is deposited in the United States mail, first class postage prepaid, addressed as follows: If to the Association, at 7720 Gainey Ranch Rd., Scottsdale, AZ 85258; if to an Owner, to the address on his Lot or to any other address last furnished at any time by an Owner giving notice to the Association or by the Association giving notice to the Owners. Each Owner of a Lot shall file his correct mailing address with the Association, and shall promptly notify the Association in writing of any subsequent change of address. If delivered by email, it shall be deemed to have been delivered immediately after it is electronically delivered to the email address on file for the Owner. Each Owner of a Lot shall file his/her correct email address within the Association, and shall promptly notify the Association in writing of any subsequent change of email address. Furthermore, in the event that Arizona law requires delivery of any notice or other document via mail and/or hand-delivery, Owners shall have the option to opt to receive such notices via email by maintaining a current email address on file with the Association, and in such case, notice shall be considered delivered immediately after it is electronically delivered to the email address on file for the Owner.

- 2. The terms used in this Amendment without definition shall have the same meanings given to such terms in the Declaration (as amended).
- 3. By attesting to this Amendment, the undersigned certify that the amendments to the Declaration set forth in this Amendment were properly adopted in accordance with the requirements of the Declaration.
- 4. Except as expressly amended by this Amendment, the Declaration shall remain in full force and effect. In the event of any inconsistency or conflict between the provisions of this Amendment and the Declaration this Amendment shall prevail.

The Owner's Association for The Legend at Gainey Ranch

Certified by: Michael W. Gregg (Signature)

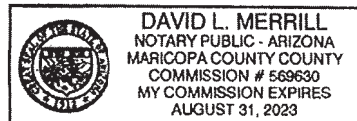
MICHAEL W. GREGG (Print Name)
ITS: President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 20 day of December, 2021, by Michael W Gregg, the President of The Owner's Association for The Legend at Gainey Ranch, an Arizona non-profit corporation, on behalf of the non-profit corporation.

Notary Public: David L Merrill

My commission Expires: August 31, 2023



Attested by: Donald E. Zumwalt (Signature)

Donald E. Zumwalt (Print Name)
ITS: Secretary

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 22nd day of December, 2021, by Tami Dodge, the Secretary of The Owner's Association for The Legend at Gainey Ranch, an Arizona non-profit corporation, on behalf of the non-profit corporation.

Notary Public: Tami Dodge

My commission Expires: Feb 21, 2025

