

STATE OF ARIZONA }
County of Yavapai } ss.

I do hereby certify that the within instrument was filed and recorded at request of VOCA on October 14th A.D. 1981 at 4:15 o'clock P.M., Book 1417 Official Records, Page 615 – 642 incl. Records of Yavapai County Arizona.

WITNESS my hand and official seal the day and year first above written.
Patsy C. Jenney, County Recorder
By _____ Deputy

**PINE CREEK
AMENDED AND RESTATED
DECLARATION OF RESTRICTIONS**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned Owners of lots in PINE CREEK, a subdivision of Yavapai County, Arizona, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, in Book 12 of Maps, page 94, desiring to amend the Declaration of Restrictions recorded December 18, 1967, in the Office of the County Recorder of Yavapai County, Arizona, in Book 473, Pages 363 – 369 thereof, as amended by the Amendment to Declaration of Restrictions, recorded March 8, 1968, in Book 484, page 54, ("Premises"), do hereby amend and restate such restrictions and declare the Premises subject to the following express covenants, stipulations and restrictions as to use and enjoyment thereof, all of which are to be construed as restrictive covenants running with title to the Premises and with each and every part and parcel thereof.

1. All of the provisions of the Master Declaration of Restrictive Covenants for all Property in the Village of Oakcreek as recorded June 17, 1981, in the Office of the County Recorder of Yavapai County, Arizona, in Book 1389 of Official Records, pages 950 – 976, inclusive, as the same may be amended, are adopted by reference thereto and incorporated herein as if fully set forth in this Declaration.

2. No building except one single family dwelling or one permanently installed single family mobile home, and a storage building or carport for use in connection with the dwelling or mobile home, shall be erected, maintained, or permitted on a lot.

3. In addition to any other criteria for approval of the Architectural Control Committee:

- (a) Mobile homes must comply with H. U. D. construction and safety standards for plumbing, electrical and heating and have been built no earlier than two (2) years prior to placement.
- (b) The space under a mobile home and the porches, decks and out-buildings used in connection with a mobile home must, within forty-five (45) days from the date of placement or installation, be enclosed with stone, metal or other attractive weatherproof material to give the appearance of a permanent foundation.

4. No dwelling, mobile home or other structure shall be more than one story in height.

5. All single family dwellings and mobile homes must contain not less than 750 square feet of living space. The term "living space" is exclusive of floor space in porches, garages and carports whether open or enclosed.

6. The Association shall have the right and power to levy periodic assessments against each lot pursuant to the Master Declaration.

7. All dwellings shall be constructed of brick, cement block or other substantial masonry construction, or insulated frame construction.

8. These restrictive covenants run with title to the Premises and each and every portion thereof, and shall be binding upon all parties and all persons claiming under the undersigned until twenty (20) years from the date hereof, at which time the covenants and restrictions shall automatically be extended for successive periods of ten (10) years each; provided, however, subject to Section 9.03 of the Master Declaration, that at any time the covenants and restrictions may be changed in whole or in part or revoked entirely by a vote of a majority of the Owners of the lots within the Premises.

9. The covenants, stipulations and restrictions of this Declaration shall not affect the lien of any mortgage now of record, or which may hereafter be placed or recorded, upon the lots or any part thereof, and shall be subject to enforcement under Section 9.05 of the Master Declaration.

This instrument may be executed in one or more counterparts and, if executed in more than one counterpart, all the executed counterparts shall be construed as one instrument. This Amended and Restated Declaration of Restrictions shall not become effective until such time as this instrument or a sufficient number of counterparts thereof containing signatures of the owners of a majority of the lots in Pine Creek has been or have been recorded in the Office of the County Recorder of Yavapai County, Arizona.