

STATE OF ARIZONA }
County of Yavapai } ss.

I do hereby certify that the within instrument was filed and recorded at request of VOCA on September 1 A.D. 1982 at 4:15 o'clock P.M., Book 1483 Official Records, Page 121-153 inclusive, 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

**RED ROCK COVE EAST
AMENDED AND RESTATED
DECLARATION OF RESTRICTIONS**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned Owners constituting a majority of the owners of Lots One (1) through Ninety-Seven (97), inclusive, RED ROCK COVE EAST, 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 13 of Maps, Page 85, (Premises) desire to amend the Declaration of Restrictions recorded June 11, 1969, in Book 553 of Official Records, Pages 430 to 435, inclusive, Records of County Recorder of Yavapai County, Arizona, and as amended by the First Amendment to Declaration of Restrictions, recorded March 17, 1977, in Book 1063 of Official Records, Pages 930-946, inclusive, and 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, 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 provisions of the Master Declaration of Restrictive Covenants for All Property in the Village of Oakcreek (Master Declaration), 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 this reference and incorporated herein as if fully set forth in this Declaration.

2. The property described below and as reflected in the records of the Office of the Yavapai County Recorder in Book 1233, Official Records, Pages 782-783 (hereinafter Parcel D) is declared to be subject to the Amended and Restated Declaration of Restrictions, and for all purposes of this Declaration, constitutes a

lot and is included in the Premises. The property consists of that portion of Tract A, Red Rock Cove East particularly described as:

That part of Tract A of Red Rock Cove East Subdivision as of record in the Yavapai County, Arizona, Records Office in Book 13 of Maps and Plats at Page 85 thereof, more particularly described as follows:

Beginning at a point of reverse curve on the Easterly Right-of-Way line of Merry Go Round Rock Road, as shown on said Subdivision Plat, that bears North 36142'57" East a chord distance of 35.40 feet from the most Northerly corner of Lot 1 of said Subdivision;

Thence South 66112'50" East a distance of 124.32 feet;

Thence North 35139'08" East a distance of 209.40 feet;

Thence North 60141'35" West a distance of 131.12 feet to a point of reverse curve on the Easterly Right-of-Way line of said Merry Go Round Rock Road;

Thence Southerly, along said Right-of-Way line, along the arc of a 16.34 foot radius curve, concave to the Southeast, tangent to a line bearing North 86150'04" West, a distance of 23.27 feet to a point of reverse curve;

Thence Southerly, along said Right-of-Way line, along the arc of a 181.66 feet radius curve, concave to the West, a distance of 87.53 feet;

Thence South 39109'27" West, along said Right-of-Way line, a distance of 75.52 feet to a point of curve;

Thence Southerly, along said Right-of-Way line, along the arc of a 123.72 foot radius curve, concave to the East, a distance of 39.71 feet to the place of beginning.

Containing 27,048 square feet, more or less.

3. No building, except one single family dwelling and a storage building, garage, or carport for use in connection with the dwelling, shall be erected, maintained, or permitted on a lot.

4. No dwelling shall be erected upon any of the following single family Lots One (1) through Three (3), Forty-Six (46) through Fifty-One (51), Fifty-Four (54) through Seventy-Three (73), and Parcel D, unless such dwelling contains at

least 1,600 square feet of enclosed living area floor space. No dwelling shall be erected upon any of the following single family Lots Four (4) through Forty-Five (45), Fifty-Two (52), Fifth-Three (53), and Seventy-Four (74) through Ninety-Seven (97) unless such dwelling contains at least 1,400 square feet of enclosed living area floor space.

5. The height of a dwelling or other permissible building shall not exceed sixteen (16) feet above the highest point of the lot, and no full two-story buildings shall be approved by the Architectural Control Committee.

6. All dwellings shall be of brick, cement block or other substantial masonry construction, or insulated frame construction. No plans for manufactured or pre-fabricated dwellings or buildings shall be approved by the Architectural Control Committee.

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

- (a) No fence, hedge, or solid wall, other than the wall of a dwelling, in excess of 5 feet in height shall be constructed, planted or maintained on the Premises, except as provided in paragraph 8 below.
- (b) Plans for a dwelling must include a carport or garage.
- (c) No fence, hedge or wall shall be constructed, planted, or maintained closer to the front lot line than the walls of the dwelling on the lot, or, if there is no dwelling on the lot, within 20 feet of the front lot line.
- (d) No fence, hedge, wall or rail in excess of 3 feet in height shall be constructed, planted, or maintained within 18 feet of any lot line common to the golf course and the lot.

8. All swimming pools must be enclosed by a 6-foot fence with a locking gate. Gates are to be locked when pool is not in use.

9. No reflective materials shall be installed, maintained, or permitted for use as a roof covering.

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

11. These restrictive covenants run with title to the Premises and each and every portion thereof, and shall be binding upon the owner or owners of any lot in the Premises until twenty (20) years from the date of recordation of the Master Declaration, 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, 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.

12. 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 Red Rock Cove East has been or have been recorded in the Office of the County Recorder of Yavapai County, Arizona.