

FEE
\$
\$8
\$1
\$14.00

WHEN RECORDED RETURN TO:
The Ranch at Prescott
P.O. Box 471
Prescott, AZ 86302-0471

**AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS AND
RESTRICTIONS FOR MYSTIC HEIGHTS, UNIT IX
IN THE RANCH AT PRESCOTT**

This Amendment to the Amended Unit Declaration for The Ranch at Prescott Unit IX is made this 30 day of April 2003, by Bullwhacker Associates, an Arizona limited partnership (the Declarant).

RECITALS

- A. This Amendment supercedes the Declaration of Covenants Conditions and Restrictions for Mystic Heights Unit IX in The Ranch at Prescott, recorded in Book 3972 page 445, and they are hereby made and declared to be null and void
- B. A Second Amended and Restated Declaration of Covenants Conditions and Restrictions for the Ranch at Prescott (the Declaration) was recorded in Book 2950 page 430 Records of Yavapai County, Arizona to establish a general plan for the development, sale, lease and use of the master planned community known as The Ranch at Prescott.
- C. Terms used in this Amendment without definition shall have the meanings given to such terms in the Declaration.
- D. Section 2.2 of the Declaration grants the Declarant the right to Annex and subject to the Declaration all or any portion of the Additional Property which includes Lots M1 through M54, The Ranch at Prescott Unit IX, according to the Plat recorded in Book 46 of Maps and Plats, pages 3-4, records of Yavapai County, Arizona (the Annexed Property).
- E. Declarant desires to annex and subject the Annexed Property to the Declaration.
- F. The Declarant is the owner of all of the lots annexed hereunder, and the Declarant desires to add certain restrictions with respect to the design and construction of Residential Units and other improvements to be constructed on the Lots annexed to the Declaration hereunder.

AMENDMENT

NOW THEREFORE, Declarant declares as follows:

1. Pursuant to Section 2.2 of the Declaration, Declarant hereby annexes and subjects the Annexed Property to the Declaration. The annexation of the Annexed Property shall be effective upon the recording of this Amendment with the County Recorder of Yavapai County, Arizona.

2. Residential Construction. All residential design must be approved by the Architectural Committee of The Ranch at Prescott. The Master Design Guide Lines will be used with following exceptions:


a. A minimum square footage of eighteen hundred square feet on the level with a two car garage is permitted.

b. Exterior construction must be masonry or stucco construction. Roofs must be concrete tile or equivalent. Flat roofs may be used with approval of the Architectural Committee.

c. Exterior colors are to be basic earth tones. Landscape aggregate will be of volcanic origin similar in color to ssite material aand as approved by the Architectural Committee.

In witness whereof, Declarant has executed this Declaration as of the 30 day of April 2003.

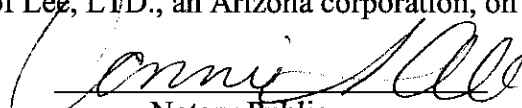
Bullwhacker Associates, an Arizona limited partnership
 Lee, LTD., General Partner


By: 
 J.N. Lee, President

STATE OF ARIZONA)
) ss
 County of Yavapai)



This instrument was acknowledged before me, the undersigned officer, on this 30th day of April, 2003, By J.N. Lee, President of Lee, LTD., an Arizona corporation, on behalf of the corporation.
 My Commission expires: 12/2/2005


 Notary Public

Approved by: 
 Alan C. Abare, on behalf of Yavapai Title Agency, Inc., Trustee