

WHEN RECORDED RETURN TO:

Mogollon Estates Homeowners Association
PO Box 2559
Overgaard AZ 85933

PREPARED BY:

Mogollon Estates Homeowners Association
PO Box 2559, Overgaard AZ 85933

**AMENDMENT TO THE DECLARATION OF ESTABLISHMENT OF CONDITIONS,
RESERVATIONS AND RESTRICTIONS
AND MUTUAL AND RECIPROCAL COVENANTS AND LIENS RUNNING WITH THE
LAND
FOR MOGOLLON ESTATES**

RECITALS

WHEREAS, the Declaration of Establishment of Conditions, Reservations and Restrictions and Mutual and Reciprocal Covenants and Liens Running with the Land for Mogollon Estates was recorded on December 17, 1996, as Navajo County Recorder Instrument No. 1996-24175;

WHEREAS, Section 25 of the Declaration authorizes amendment upon approval of not less than seventy-five percent (75%) of the Owners;

WHEREAS, the required approval was obtained by written ballot, and the amendments were adopted on August 1, 2026;

NOW, THEREFORE, the Declaration is amended as follows:

1. Amendment to Section 5 – Architectural Control

The additional architectural restrictions beginning with "The following additional architectural restrictions are hereby placed on lots 266 thru 278 inclusive, lots 305 thru 307 inclusive, and lots 331 thru 335 inclusive." and ending with "The use of imitation cedar shake shall require the specific approval of the Association." are deleted in their entirety.

All remaining provisions of Section 5 shall remain unchanged and in full force and effect.

2. Amendment to Section 25

Section 25 is amended by deleting the words "and acknowledged" from the phrase "executed and acknowledged by the owners," so that the phrase reads "executed by the owners." All remaining provisions of Section 25 remain unchanged.

3. Ratification and Certification

Except as specifically amended herein, all provisions of the Declaration remain in full force and effect.

The Mogollon Estates Homeowners Association certifies that the foregoing amendments were approved by the Owners of not less than seventy-five percent (75%) of the lots subject to the Declaration, as required by Section 25 of the Declaration.

The Association further certifies that the amendments were duly adopted on August 1, 2026, that the vote was conducted by written ballot in accordance with the governing documents of the Association, and that the Association has retained the original ballots, notarized ballots, vote tabulations, and certifications evidencing approval among its official records.

IN WITNESS WHEREOF, the Mogollon Estates Homeowners Association has caused this Amendment to be executed this 10 day of August, 2026.

MOGOLLON ESTATES HOMEOWNERS ASSOCIATION

By: _____

President

By: _____

Secretary

STATE OF ARIZONA)

) ss.

County of Navajo)

The foregoing instrument was acknowledged before me this 10th day of August, 2026, by **Mark W. Strong**, President of the Mogollon Estates Homeowners Association, and **Daniel Spear**, Secretary of the Mogollon Estates Homeowners Association, on behalf of the Association.

Notary Public

My Commission Expires: 12/06/2026

