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CAPTION HEADING:

**THIRD AMENDMENT TO CONDOMINIUM DECLARATION FOR  
CASA DE ORO HOMEOWNERS ASSOCIATION, DBA HACIENDA  
ROYALE HOMEOWNERS ASSOCIATION**

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**When Recorded, Return To:**

Casa De Oro Homeowners Association dba Hacienda Royale Homeowners Association  
 c/o Vision Community Management  
 16625 S Desert Foothills Pkwy  
 Phoenix, AZ 85048

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**THIRD AMENDMENT TO CONDOMINIUM DECLARATION FOR CASA DE ORO  
 HOMEOWNERS ASSOCIATION, DBA HACIENDA ROYALE HOMEOWNERS  
 ASSOCIATION**

This THIRD AMENDMENT to the Declaration of Submitting Property to Sub-Lot P.A.D. Together with Covenants, Conditions and Restrictions for Casa De Oro Townhomes is made this 1<sup>st</sup> day of October, 2020, by the Casa de Oro Homeowners Association dba Hacienda Royale Homeowners Association, an Arizona Non-profit Corporation.

**RECITALS**

WHEREAS, Declarant executed and recorded that certain Declaration of Submitting Property to Sub-Lot P.A.D. Together with Covenants, Conditions and Restrictions, and Bylaws, on March 7, 1980 at Instrument No. 1980-0086056, records of Maricopa County, Arizona (the "Declaration"); and

WHEREAS, the Declaration was amended on October 26, 1982, as recorded in Docket 16376, Pages 1019-1025;

WHEREAS, the Declaration was amended by the Second Amendment on February 10, 1987, as recorded in instrument number 1987-081410;

WHEREAS, Section 25 of the Declaration provides that the Declaration may be amended by an instrument in writing signed and acknowledged by Owners holding seventy-five percent (75%) of the votes in the Association;

WHEREAS, the Association is governed by the Arizona Condominium Act, A.R.S. §33-1201, et. seq. (the "Act"), including A.R.S. §33-1227.

WHEREAS, the Owners desire to amend the Declaration pursuant to the Act and the Declaration in order to require all leasing be a minimum of ninety (90) days and to prohibit all sub-leasing.

**AMENDMENT**

NOW, THEREFORE, the Owners, by the affirmative written approval of Owners representing the requisite percentage of the votes in the Association noted above, hereby amend the Declaration to amend Section 4 of the Declaration by adding subsection (o), which will read as follows:

Section 4(o)

**Leasing term; Prohibition Against Subleasing.** Notwithstanding any other provision contained in this Declaration, no townhouse may be leased for less than ninety (90) days. In addition to the limitations contained herein, no Owner may lease less than the entire Unit. All leases must expressly provide acknowledgment that the entire Unit is being leased. Further, subleasing is not permissible. All leases must expressly contain a statement prohibiting subleasing. Within five (5) calendar days of entering into a lease, the Owner must notify the Association, in writing, of the length of the lease, the name of all adult tenants, the vehicle description and license plate information for all vehicles. If an Owner fails to provide this information to the Association within five (5) calendar days, the Association may impose reasonable monetary penalties as determined by the Board, in addition to other remedies available under the Declaration and Arizona law.

Further, Section 4 (p) of the Declaration is hereby added as follows:

**Number of Units Leased Restriction.** Notwithstanding any other provision contained in this Declaration, no more than five (5) units may be leased or rented at any one time within Hacienda Royale. All Owners are prohibited from renting/leasing their Unit(s) if such rental would increase the number of Units then currently rented/leased over the limit (5 Units). A waiting list will be established by the Board of Directors if necessary. Units that have been rented, but which remain without an active tenancy for three (3) months shall be considered un-rented for purposes of the limitation and taken out of the list of rented Units. Those Owners would need to re-apply and be placed on the waiting list if the leasing limit reaches capacity. Owners may apply for a hearing before the Board for temporary or special variances in case of hardship.

All other portions and provisions of the Declaration remain in full force and effect.

[Remainder of page intentionally left blank]

**Certificate of Adoption**

I HEREBY CERTIFY that the foregoing is true and correct and the above amendment was approved in writing by the requisite number of Owners in the Association. I further certify that all requirements for this amendment as set forth in the Recitals were met.

DATED this 30 day of Sept., 2020.

**Hacienda Royale Homeowners Association**

By: *Patti J. Smith*

Signature

PATTI J. SMITH  
Print Name

Title: *Vice President*

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa     )

On this, the 30<sup>th</sup> day of September, 2020, before me, the undersigned Notary Public, personally appeared Patti J. Smith, and he/she, as the President of Hacienda Royale Homeowners Association, being so authorized, executed the foregoing instrument for the purposes therein express and contained.

WITNESS my hand and seal.

*Edward W. Gatti*

My commission expires: 03/19/2024

