

When Recorded, Return To:

K. Hovnanian Great Western Homes, LLC
3850 East Baseline Road, Suite 107
Mesa, Arizona 85206
Attention: Liz Vierkoetter

33-5212

OFFICIAL RECORDS OF MARICOPA
COUNTY RECORDER HELEN PURCELL
20041462703 12/13/2004 14:40
ELECTRONIC RECORDING
Other 335272-2-1-1--

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS
RESTRICTIONS AND EASEMENTS
FOR LAVEEN RANCH**

This First Amendment to Declaration of Covenants, Conditions Restrictions and Easements for Laveen Ranch (this "First Amendment") is made by K. HOVNANIAN GREAT WESTERN HOMES, LLC, an Arizona limited liability company ("Declarant"), to be effective as of the date recorded in the official records of Maricopa County, Arizona.

RECITALS:

A. On September 28, 2004, a Declaration of Covenants, Conditions Restrictions and Easements for Laveen Ranch was recorded at Recording No. 2004-1130424 in the official records of Maricopa County, Arizona (the "CC&Rs"). All capitalized terms in this First Amendment shall have the same meanings given them in the CC&Rs unless otherwise indicated.

B. As of the Effective Date, Declarant is the "Declarant" under the CC&Rs.

C. Section 10.5.3 of the CC&Rs provides that so long as Declarant owns at least two-thirds of the Lots in the Property (as defined in the Declaration), Declarant may amend the CC&Rs alone without requiring the consent or approval of any other Owner or Person. Declarant owns at least two-thirds of the Lots in the Property.

D. Declarant desires to amend the CC&Rs as set forth in this Amendment.

Therefore, in accordance with the terms and provisions of, and the procedures required by, the CC&Rs, Declarant hereby amends the CC&Rs as follows:

AMENDMENTS:

1. Section 1.12 of the CC&Rs. Section 1.12 of the CC&Rs is replaced in its entirety by the following language:

" 'Common Area' shall mean all areas (including the improvements thereon) owned, or to be owned, by the Association for the common use and enjoyment of the Owners and/or Residents of the Property. The Common Area to be owned by the Association at the time of the First Conveyance is described as follows:

Tracts E through P, inclusive, of LAVEEN RANCH, according to the final plat recorded in Book 712 of Maps, Page 28, Official Records of the Maricopa County Recorder, Maricopa County, Arizona.

- 2. Exhibit A of the CC&Rs. Exhibit A of the CC&Rs is replaced in its entirety by the following language:

“Lots 47 through 308, inclusive, together with Tracts E through P inclusive, of LAVEEN RANCH, according to the final plat recorded in Book 712 of Maps, Page 28, Official Records of the Maricopa County Recorder, Maricopa County, Arizona”

- 3. Affirmation. Except as specifically amended by this First Amendment, the CC&Rs shall continue in full force and effect.

DECLARANT:

K. HOVNANIAN GREAT WESTERN HOMES, LLC,
an Arizona limited liability company

By: [Signature]

Its: President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 10th day of November, 2004, by Scott W. Smith, the President of K. HOVNANIAN GREAT WESTERN HOMES, LLC, an Arizona limited liability company, on behalf of the company.

Kathy A. Reif
Notary Public

My commission expires:
12-10-04

