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CASITA DE CASTILIAN
643 W LAS LOMITAS RD
TUCSON AZ 85704

**CERTIFICATE OF FIRST AMENDMENT TO
THIRD AMENDED AND RESTATED
DECLARATION OF DEVELOPMENT AND OPERATING PLAN
FOR CASITA DE CASTILIAN, INC.**

WHEREAS, the *Third Amended and Restated Declaration of Development and Operating Plan for Casita de Castilian, Inc.* (the "Declaration") was recorded in the office of the Pima County Recorder on January 20, 2010, Sequence 20100120220; and

WHEREAS, Section 10.5 of the Declaration provides that the terms thereof may, at any time, be amended with the approval of Unit Owners to whom at least 67% of the votes in the Association are allocated; and

WHEREAS, the Owners wish to clarify the Declaration as it pertains to the scope of coverage for property insurance maintained on the Units by Casita de Castilian, Inc. (the "Association").

NOW, THEREFORE, Section 8.1(a)(1) of the Declaration is amended as follows:

REPLACE: Section 8.1(a)(1) Re: Scope of Coverage for Property Insurance on the Common Elements and Units as follows:

8.1 Scope of Coverage

(a) The Association shall maintain to the extent reasonably available, the following insurance coverage:

(1) Property insurance on the Common Elements and Units. The property insurance on the Units shall be "bare walls" out coverage, meaning it is exclusive of any improvements done by any owner including the developer/builder, located within the boundaries of the Unit. Property insurance shall be issued under a standard form "All Risk of Direct Physical Loss Form" in an amount equal to the maximum insurable replacement value of the Common Elements and Units, as determined by the Board of Directors; provided, however, that the total amount of insurance after application of any deductibles shall not be less than one hundred percent (100%) of the current replacement cost of the insured property, exclusive of land, excavations, foundations and other items normally excluded from a property insurance policy.

The boundaries of a Unit in Casita de Castilian (the "Condominium") are defined in Section 2.4 of the Declaration as follows: *Each Unit may be described hereafter by reference to the numerical number assigned to it on the attached development plat (See Exhibit A of the Declaration), as from time to time amended. The description of the cubic content of each Unit is that certain content space of each Unit located within the Condominium, as shown on the map of this development and which may be from to time amended as herein set forth.*

Except as amended herein, the Declaration shall remain in full force and effect. To the extent of any inconsistency between the terms and provisions of this First Amendment and those of the Declaration, the terms and provisions of this First Amendment shall govern and control.

IN WITNESS WHEREOF, the President of Casita de Castilian, Inc. certifies that this First Amendment to the *Third Amended and Restated Declaration of Development and Operating Plan for Casita de Castilian, Inc.* was approved by Unit Owners to whom at least 67% of the votes in the Association are allocated; and that there are no Eligible Mortgage Holders entitled to consent to this Amendment.

CASITA DE CASTILIAN, INC.,
an Arizona non-profit corporation

By: Craig Denenberg, President

ATTEST:

Nancy Swain, Secretary

STATE OF ARIZONA)

) ss:

County of Pima)

ACKNOWLEDGED before me this 14 day of 01, 2019,
by CRAIG DENENBERG, as President of Casita de Castilian, Inc., an Arizona non-profit corporation.

Cameron R. Robbins
Notary Public

STATE OF ARIZONA)



