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First American Title Insurance Company

AND WHEN RECORDED MAIL TO:
Somerset Condominiums LLC
8553 E. San Alberto
Scottsdale, AZ 85258

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Escrow No. **mar740-39** (mjc)

CAPTION HEADING: **First Amendment to Condominium Declaration for Scottsdale Somerset
Condominium**



**FIRST AMENDMENT TO CONDOMINIUM DECLARATION
FOR SCOTTSDALE SOMERSET CONDOMINIUM**

This First Amendment to Condominium Declaration for Scottsdale Somerset Condominium ("First Amendment") is dated for reference purposes as of the 15th day of June, 2005 by Somerset Condominiums, LLC, an Arizona limited liability company ("Declarant") with reference to the following recitals that are expressly made part of this First Amendment.

RECITALS:

A. On April 14, 2005, the Declarant caused to be recorded in the Official Records of the Maricopa County Recorder as Instrument No. 2005-0479455, that certain Condominium Declaration for Scottsdale Somerset Condominium (the "Declaration") pertaining to the property legally described on Exhibit "A" attached hereto.

B. Sections 2.8.1(e) and 2.8.4 of the Declaration provide that the Declarant has the right to allocate to the Unit Owners those Limited Common Elements consisting of Garages and Parking Spaces.

C. Sections 1.19 and 13.5 of the Declaration provide that the Declarant has the right to amend the Declaration during the Period of Declarant Control to comply with the Condominium Act or any other applicable law or to correct any error or inconsistency in the Declaration if the amendment does not adversely affect the rights of any Unit Owner.

D. This Declaration is executed and recorded within the Period of Declarant Control as that term is defined in Section 1.37 of the Declaration.

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In consideration of the foregoing and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. All capitalized terms used herein but not otherwise defined herein shall have the meanings set forth in the Declaration.
2. Attached hereto as Exhibit "C" is a Schedule of Assigned Parking Spaces and Garages made by the Declarant under the authority of Sections 2.8.1(e) and 2.8.4 of the Declaration.
3. Section 4.15 of the Declaration is amended to delete the sentence that reads as follows: "No Unit may be leased for a term of less than thirty (30) days."
4. Except as amended and/or modified by this First Amendment, the Declaration is hereby ratified and confirmed and all other terms of the Declaration shall remain in full force and effect, unaltered and unchanged by this First Amendment.

Dated as of the day written above.

SOMERSET CONDOMINIUMS, LLC,
an Arizona limited liability company

By: *Vicki Allison*
Vicki Allison, Manager

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 17th day of June, 2005, before me personally appeared Vicki Allison, who acknowledged herself to be the Manager of Somerset Condominiums, LLC, an Arizona limited liability company, and that she, in such capacity being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by herself as Manager.

Becky L. Harrington
Notary Public

My Commission Expires:

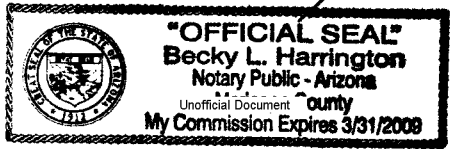


EXHIBIT "A"
Legal Description

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**EXHIBIT A
LEGAL DESCRIPTION OF
PROPERTY SUBMITTED TO CONDOMINIUM**

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

FROM THE WOUTHWEST CORNER OF THE SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, MEASURED SOUTH 89 DEGREES 48 MINUTES 40 SECONDS EAST (MEASURED SOUTH 89 DEGREES 48 MINUTES 59 SECONDS EAST) ALONG THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 208.30 (207.91 FEET MEASURED) FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS EAST (NORTH 00 DEGREES 11 MINUTES 01 SECONDS WEST MEASURED) 65.00 FEET;

THENCE NORTH 24 DEGREES 28 MINUTES 00 SECONDS EAST (NORTH 24 DEGREES 27 MINUTES 41 SECONDS EAST MEASURED) 350.80 FEET;

THENCE NORTH 53 DEGREES 39 MINUTES 30 SECONDS EAST (NORTH 53 DEGREES 39 MINUTES 11 SECONDS EAST MEASURED), 146.04 FEET;

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THENCE NORTH 26 DEGREES 43 MINUTES 00 SECONDS EAST (NORTH 26 DEGREES 42 MINUTES 41 SECONDS EAST MEASURED) 131.00 FEET;

THENCE NORTH 61 DEGREES 02 MINUTES 32 SECONDS EAST (NORTH 61 DEGREES 02 MINUTES 13 SECONDS EAST MEASURED), 96.14 FEET;

THENCE NORTH 46 DEGREES 52 MINUTES 17 SECONDS EAST (46 DEGREES 51 MINUTES 58 SECONDS EAST MEASURED) 148.98 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS POINT BEARING NORTH 28 DEGREES 24 MINUTES 21 SECONDS EAST (NORTH 28 DEGREES 24 MINUTES 02 SECONDS EAST MEASURED) 700.00 FEET;

THENCE SOUTHEASTERLY 346.43 FEET ALONG THE ARC OF THIS CURVE THROUGH 28 DEGREES 21 MINUTES 19 SECONDS OF A CENTRAL ANGLE;

THENCE SOUTH 89 DEGREES 56 MINUTES 58 SECONDS EAST (SOUTH 89 DEGREES 57 MINUTES 17 SECONDS EAST MEASURED) 265.00 FEET TO A POINT ON THE EAST LINE OF THE SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22;

THENCE SOUTH 00 DEGREES 03 MINUTES 02 SECONDS WEST (SOUTH 00 DEGREES 02 MINUTES 43 SECONDS WEST MEASURED) 655.41 FEET TO THE SOUTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 22;

THENCE NORTH 89 DEGREES 48 MINUTES 40 SECONDS WEST (NORTH 89 DEGREES 48 MINUTES 59 SECONDS WEST MEASURED) 1,111.69 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 55 FEET THEREOF.

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EXHIBIT "C"
Schedule of Assigned Parking Spaces and Garages

(See Attached)

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EXHIBIT "C"
Schedule of Assigned Parking Spaces and Garages

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
1001	317			
1002	315			
1003	313			
1004	311			
1005	220			
1006	222		A7	
1007	224			
1008	318		A4	
1010	101			
1011	103	Unofficial Document		
1012	228			
1013	226			
1014	114		A15	
1015	112		A20	
1016	125			
1017	120			
1018	122		A24	
1019	118			
1020	116			
1021	236			
1022	127			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
1023	108			
1024	132			
1025	130			
1026	128			
1027	240			
1028	237		A23	
1029	119			
1030	131	P		
1031	133		A18	
1032	107		A1	
1033	232	O		
1034	136	Unofficial Document		
1035	252			
1036	247			
1037	250		A22	
1038	242			
1039	246			U55
1040	244			
1041	135			
1042	303			
1043	216			
1044	106			
1045	218			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
1046	203			U12
1047	200			
1048	197			
1049	194			
1050	144			
1051	140			
1052	151			
1053	190			
1054	309			
1055	301			
1056	299			
1057	207	Unofficial Document		
1058	205			
1059	305			
1060	307			
1061	214			
1062	189	N		
1063	195		A11	
1064	156		A13	
1065	154	L		
1066	146			
1067	192			
1068	141			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
1069	255			
1070	256			
1071	253			
1072	251			
1073	138			
1074	178			
1075	257			
1076	260			
1077	180			
1078	163			
1079	172			
1080	159	Unofficial Document I		
1081	158			
1082	174			
1083	171			
1084	168			
1085	161			
1086	160			
1087	162			
1088	169			
1089	176			
1090	274			
1091	273			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
1092	263			
1093	265			
1094	267			
1095	269			
1096	181			
1097	183			U9
1098	284			
1099	280			
1100	277			
1101	275			
1102	184			
1103	186	Unofficial Document		
1104	282			
1105	286			
1106	295			
1107	210			
1108	292			
1109	288			
1110	290			
1111	294		A8	
1112	209			
1113	298			
2001	316		A5	

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
2002	314		A6	
2003	312			
2004	310		A3	
2005	219			
2006	221			
2007	223			
2008	225			
2010	102			
2011	104			
2012	229			
2013	227		A9	
2014	113	Unofficial Document	A14	
2015	123			
2016	124			
2019	117		A25	
2020	115			
2021	235			
2022	126		A26	
2023	234			U47
2024	111			
2025	230			
2026	129			
2027	239			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
2028	238		A21	
2029	121			
2030	109		A2	
2031	110		A16	
2032	233		A19	
2033	231		A17	
2034	137			
2035	139			
2036	248			
2037	249			
2038	241			
2039	245	Unofficial Document		
2040	243			
2041	134			
2042	304		A10	
2043	215			
2044	105	A,F,G		
2045	217	D		
2046	202			
2047	199			
2048	198			
2049	193			
2050	143			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
2051	142			
2052	191			
2053	201			
2054	308			
2055	300			
2056	208			
2057	206			
2058	204			
2059	302	C		
2060	306	H		
2061	213	B		
2062	196		A12	
2063	188	M		
2064	150	J		
2065	155			
2066	145			
2067	152			
2068	153			
2069	149			
2070	157			
2071	254			
2072	148			
2073	147			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
2074	177			
2075	258			
2076	259			
2077	179			
2078	164	K		
2079	165			
2082	173			
2083	261			
2084	167			
2087	166			
2088	170			
2089	175	Unofficial Document		
2090	271			
2091	270			
2092	262			
2093	264			
2094	266			
2095	268			
2096	272			
2097	182			
2098	287	E		
2099	279			
2100	278			

<u>Unit No.</u>	<u>Covered Parking Space</u>	<u>Garage</u>	<u>Extra Covered Parking Space</u>	<u>Extra Uncovered Parking Space</u>
2101	276			
2102	185			
2103	187			
2104	281			
2105	285			
2106	296			
2107	212			
2108	291			
2109	283			
2110	289			
2111	293			
2112	211			
2113	297			

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