



When recorded return to:

Aliso Springs Property Owners Association, Inc.
P.O. Box 1283
Tubac, AZ 85646

**CERTIFICATE OF SECOND AMENDMENT TO
THE DEED RESTRICTIONS FOR ALISO SPRINGS PROPERTY OWNERS ASSOCIATION**

THIS SECOND AMENDMENT to the *DEED RESTRICTIONS FOR ALISO SPRINGS PROPERTY OWNERS ASSOCIATION* (the "Restrictions") is made this 31st day of January 2019, by the Aliso Springs Property Owners Association, Inc., an Arizona non-profit corporation (the "Association").

RECITALS

WHEREAS the Restrictions were recorded on June 18, 2013, in Docket 2013-04616, Official Records of Santa Cruz County, Arizona, by owners of the property described as follows:

Section 23, Township 21 South, Range 12 East, Gila and Salt River Base and Meridian, located in Santa Cruz County, State of Arizona; and

WHEREAS the Restrictions, *inter alia*, establish the Association's control and authority over the Community Water System and provide for the obligations of the Lot Owners as to the Community Water System; and

WHEREAS the Restrictions, *inter alia*, establish the Association's control and authority over the Community Road System and provide for the obligations of the Lot Owners as to the Community Road System; and

WHEREAS the Restrictions, *inter alia*, establish the Association's control and authority over the Community Pool Policy and provide for the obligations of the Lot Owners as to the Community Pool Policy; and

WHEREAS the Members of the Aliso Springs Property Owners Association, consisting of the Lot Owners of Property subject to the Restrictions, desire to amend the Restrictions to the extent and in the manner set forth herein.

NOW THEREFORE, the Restrictions are amended as follows:

AMENDMENTS

- I. **REPLACE** "The purpose of each ASPOA water connection is to serve the water needs of one single family residence."

WITH “The purpose of each ASPOA water connection is to serve the water needs of one single family residence residing at one single parcel. ASPOA water cannot be re-metered or sold.”

II. REPLACE COMPLETELY; ASPOA Deed Restrictions, Appendix A, Road Acceptance Policy
WITH; ASPOA Deed Restrictions, Appendix A Road Acceptance Policy
General Policies for Roads maintained by ASPOA

1. Maintenance is dependent upon necessity determined by the Road Committee (RC).
2. Maintenance is dependent upon available funds determined by the Treasurer.
3. Speed limit within the Association is 17.5 miles per hour, paved and non-paved alike.

Acceptance Policy

1. Any road which is constructed in order to give access to any ASPOA property shall be engineered and constructed so as to provide proper drainage, crowning and road base if such a road is intended to be considered by ASPOA for maintenance. The occasional summer downpours should not seriously affect the road.
2. The criteria for acceptance by Aliso Springs Property Owners Association for maintenance responsibility shall be that the road in question will not be more than 10% grade, will be made up of recycled asphalt-based (RAP) material or better, and will be constructed such that it will maintain itself through one full year of use and weather exposure. This is designed to ensure that the road construction is adequate to survive the often-heavy rains we experience. The owner must submit the road to the road committee in writing – the date of the letter will begin the trial period. During the yearlong trial period it will be the responsibility of the road committee to monitor the road.
3. Once the year has elapsed, the BOD and road committee will make a decision on acceptance. If the road acceptance is denied, then a written explanation along with accompanying reasons and recommendations shall be made to the property owner(s).
4. It will be the property owner’s responsibility to make these corrections to ensure acceptance. A new trial period will also be determined.

Abandonment Policy

Any road previously accepted may be abandoned by the association in the event the road has been restricted by residents i.e. fenced or gated, etc. (see Deed Restrictions, p4, Restriction A, Uniform General Restrictions, Paragraph 2)

Fines

Road Damage: if the RC determines there was ‘abnormal’ damage due to construction, vandalism and/or negligence, the member is charged a flat fee to be determined by the RC not to exceed the total clean up and/or repair charge.

III. REPLACE COMPLETELY; ASPOA Deed Restrictions, Appendix A, Pool Policy
WITH; ASPOA Deed Restrictions, Appendix A Pool Policy

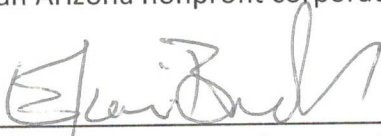
1. Pools require Architecture Committee review.
2. It is highly recommended that a pool cover be utilized to minimize evaporation.
3. Before the initial filling of a new pool, approval must be obtained from the Architecture Committee to fill with ASPOA water, based on Water Committee assessment of availability. The Water Committee will determine if our ASPOA Water Company is able to provide the needed water at the time of request. If the water can be provided by

ASPOA it will be billed at the current ASPOA rates. If ASPOA is not able to provide the needed water, it must be trucked in from an outside source.

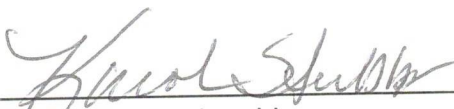
- 4. The Architecture Committee must also pre-approve any plans to empty and refill an existing pool. All other #3 provisions apply.
- 5. Policies 3 and 4 pertain to any container capacity of 1,000 gallons or greater.
- 6. Failure to follow this Pool Policy will result in a fine based on the Architecture Committee fine structure.

IN WITNESS WHEREOF, the President and Secretary of the Association hereby certify that these amendments have been approved by the vote or written consent of not less than two-thirds (2/3rds) of the Members.

ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., an Arizona nonprofit corporation

By: 
Its: President, Elaine Bender

ATTEST:

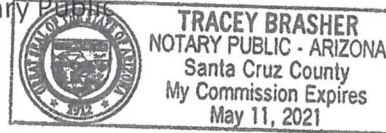
By: 
Its: Secretary, Karol Stubbs

STATE OF ARIZONA)
) ss.
COUNTY OF SANTA CRUZ)

The foregoing instrument was acknowledged before me this 31 day of December 2019, by Elaine Bender, as the President of Aliso Springs Property Owners Association, Inc., an Arizona nonprofit corporation.



Notary Public

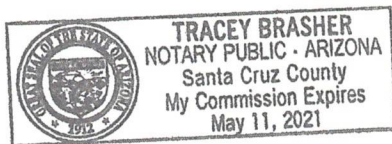


STATE OF ARIZONA)
) ss.
COUNTY OF SANTA CRUZ)

The foregoing instrument was acknowledged before me this 31 day of December 2019, by Karol Stubbs, as the Secretary of Aliso Springs Property Owners Association, Inc., an Arizona nonprofit corporation.



Notary Public



When recorded return to:

Aliso Springs Property Owners Association, Inc.
P. O. Box 1283
Tubac, AZ 85646

**CERTIFICATE OF THIRD AMENDMENT TO
THE DEED RESTRICTIONS FOR ALISO SPRINGS PROPERTY OWNERS ASSOCIATION**

THIS THIRD AMENDMENT to the *DEED RESTRICTIONS FOR ALISO SPRINGS PROPERTY OWNERS ASSOCIATION* (the "Restrictions") is made this 8th day of August 2019, by the Aliso Springs Property Owners Association, Inc., an Arizona non-profit corporation (the "Association").

RECITALS

WHEREAS the Restrictions were recorded on June 18, 2013, in Docket 2013-04616, Official Records of Santa Cruz County, Arizona, by owners of the property described as follows:

Section 23, Township 21 South, Range 12 East, Gila and Salt River Base and Meridian, located in Santa Cruz County, State of Arizona; and

WHEREAS the Restrictions, *inter alia*, establish the Association's control and authority over the Community Water System and provide for the obligations of the Lot Owners as to the Community Water System; and

WHEREAS the Members of the Aliso Springs Property Owners Association, consisting of the Lot Owners of Property subject to the Restrictions, desire to amend the Restrictions to the extent and in the manner set forth herein.

NOW THEREFORE, the Restrictions are amended as follows:

AMENDMENTS

- I. ADD**, the following to the end of the second paragraph of Section 13 of Restriction A:

"The Aliso Springs Property Owners Association, Inc. is authorized to acquire water and/or water sources outside the GT Ranches, and any associated rights related thereto, for the purpose of expanding, supplementing and/or replacing the water services offered by Aliso Springs Property Owners Association, Inc."

- II. REPLACE** "(including bringing new water sources on-line)" in the first paragraph of the Background Section of Appendix B, with the following:

