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When recorded return to:
Mark A. Heiser, Secretary
Mesa Vista Property Owners Association
1829 Boulder Creek Way
Fort Mohave, Arizona 86424

2005071802 BK 5693 PG 395
OFFICIAL RECORDS OF MOHAVE COUNTY
JOAN MC CALL, MOHAVE COUNTY RECORDER
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MESA VISTA PROPERTY OWNERS ASSN
RECORDING FEE 14.00

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

**THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS ("First Amendment") is made effective this 15th
day of June, 2005, by THE ROSSBERG FAMILY TRUST, UAD November 19, 2004
(the "Trust").**

I. Recitals

- 1.1 The Trust is the owner of certain real property located in Mohave County, Arizona, more particularly described on Exhibit "1" attached hereto and by this reference incorporated herein ("Parcel A").
- 1.2 Parcel A is subject to that Declaration of Easements, Covenants, Conditions and Restrictions, dated April 8, 2004, as recorded April 26 2004, in Document 2005043532, Bk 5563, Pg 758, records of Mohave County, Arizona, ("Declaration").
- 1.3 Section 7.2 of the Declaration provides that the Declaration may be amended if such amendment is approved by the then Members of the Association. The Declarants/Trust holds all Membership interests at this time.
- 1.4 Because the Association has now been created, and because the Association will not provide water or wastewater services to the Subdivision, the Trust desires to amend the Declaration on the terms and conditions set forth herein.

II. Terms and Conditions

NOW, THEREFORE, the Trust declares as follows:

- 2.1. The Second Recital of the Declaration is hereby amended and restated as follows:**

WHEREAS, the Declarants desire to provide conditions, covenants, and restrictions as hereinafter set forth to insure that the Property will continuously be maintained as an attractive setting for residential use with ample landscaped areas, to provide roadway ingress, egress and maintenance of the Common Areas available to the Owners (as such capitalized terms are hereinafter defined), to encourage the erection of attractive, high-quality homes and appurtenant structures, to prevent haphazard and inharmonious improvement of the Property, and in general to provide adequately for a high quality improvement and development of the Property.

- 2.2. Sections 3.1 and 3.3 of the Declaration are hereby amended and restated as follows:**

3.1. Creation of the Association.

The Declarants have formed the Association to assist in the management, controlled use, and enjoyment by the Members, and to enhance the value of the Property. The Bylaws of the Association shall reflect the conditions of this Article III with respect to membership and voting.

3.3. Articles of Incorporation and Bylaws.

The Association shall be governed pursuant to the Articles of Incorporation and Bylaws. Such Articles of Incorporation and Bylaws shall be deemed to be incorporated herein and made a part hereof and shall be deemed to run with and bind the land.

- 2.3. Conflict. In the event of any conflict between the terms and provisions of this First Amendment and the Declaration, the terms and provisions of this First Amendment shall govern and control. Except as otherwise provided in this First Amendment to the contrary, the terms and provisions of the Declaration shall remain in full force and effect.**

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment on the day and year first set forth above.

DECLARANTS

THE ROSSBERG FAMILY TRUST, UAD
November 19, 2004

By: [Signature]
Its: [Signature]

STATE OF CALIFORNIA)

County of Los Angeles) ss.

The foregoing instrument was acknowledged before me this 22 day of June, 2005, by [Signature] Co-Trustee of THE ROSSBERG FAMILY TRUST.

My Commission Expires:

3/20/09

[Signature]
Notary Public



MESA VISTA TRACT 4169

LEGAL DESCRIPTION

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A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 22 WEST OF THE GILAND SALT RIVER MERIDIAN, MOHAVE COUNTY, ARIZONA, AS SHOWN ON THE RECORD OF SURVEY AS RECORDED IN RECEPTION NUMBER 90-49587 IN BOOK 6 OF RECORD OF SURVEY MAPS ON PAGE 55 OF SAID COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 24, THENCE NORTH 00 DEGREES 46 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 42.00 FEET TO THE NORTH RIGHT OF WAY LINE OF EL RODEO ROAD;

THENCE CONTINUING NORTH 00 DEGREES 46 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 952.12 FEET TO THE POINT OF BEGINNING ON THE NORTHEAST RIGHT OF WAY LINE OF A FLOOD CONTROL RIGHT OF WAY;

THENCE CONTINUING NORTH 00 DEGREES 46 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 330.49 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24;

THENCE NORTH 00 DEGREES 50 MINUTES 28 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 662.68 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE NORTH 89 DEGREES 19 MINUTES 29 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 661.04 FEET TO THE NORTHEAST CORNER THEREOF;



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Exhibit 1
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THENCE SOUTH 00 DEGREES 49 MINUTES 19 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 662.22 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION;

THENCE NORTH 89 DEGREES 10 MINUTES 34 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 661.19 FEET TO THE NORTHEAST CORNER OF SAID THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE SOUTH 00 DEGREES 43 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1219.43 FEET TO A POINT ON THE NORTH LINE OF AFORESAID FLOOD CONTROL RIGHT OF WAY, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 2113.00 FEET A RADIAL BEARING PASSING THROUGH SAID POINT BEARS SOUTH 11 DEGREES 11 MINUTES 52 SECONDS WEST;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40 DEGREES 37 MINUTES 44 SECONDS AN ARC LENGTH OF 1498.34 FEET;

THENCE NORTH 38 DEGREES 10 MINUTES 24 SECONDS WEST A DISTANCE OF 63.49 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF MOUNTAIN VIEW ROAD, THENCE CONTINUING NORTH 38 DEGREES 10 MINUTES 24 SECONDS WEST A DISTANCE OF 69.15 FEET TO THE CENTERLINE OF SAID MOUNTAINVIEW ROAD AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 37.30 ACRES MORE OR LESS



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