

When recorded mail to:
Mr. and Mrs. Mohammed Ismail
555 W. Union St.
Benson, Az. 85602
25-016085

JAN 20 1989 3pm
\$5 P₂

COUNTY RECORDING
NO TITLE LIABILITY

DECLARATION OF ESTABLISHMENT
OF
CONDITIONS, RESERVATIONS AND RESTRICTIONS

This declaration made and dated this 18th day of January, 1989 by
Mohammed and Catherine Ismail, husband and wife, being owner of the following
described property:

For the property known as parcel 1 of section 20, Township 17 S, Range 20 E of
the G.&S.R.B. & M., according to the Records of Survey of Cochise County, Arizona
in BK. 2 at PG. 14 containing 36.035 acres.

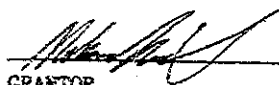
Whereas, said declarants may convey portions of said real property and
desire to subject the same to certain restrictions, conditions, covenants and
agreements as herein set forth.

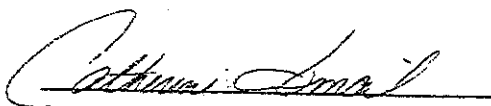
1. No manufactured housing, mobil homes, or trailers except for a period
of one year from start of construction for temporary residence of construction
headquarters during construction of residence.
2. Buildings and Uses must conform to all state and county building codes
and zoning regulations on all structures and uses.
3. Antennas & towers are limited to a height of 5 feet above the roof line.
4. Prior to petitioning for zoning changes grantor must be notified and
give written approval for any proposed changes in zoning.
5. No keeping of animals for boarding or commercial stable operations.
6. No bermuda grass is to be planted or allowed to grow, or other intro-
duced vegetation which has been proven to be noxious to the local environment.
7. Any outdoor lighting for security or recreation purposes must be
environmentally sheltered from dispersing light in a horizontal direction.
8. It is the Grantors' goal to encourage landscape and construction exca-
vation practices that will minimize erosion and maximize the use of native
Sonoran Desert vegetation. In so far as it is desirable to stray from this
objective for the purpose of domestic gardening and livestock, these ends need
to be accomplished in a manner consistent with responsible management of the
environment. This includes but is not limited to the following:
 - a) Proper drainage from building sites and drives with holding areas for
rain runoff wherever possible. The grantor encourages water harvesting
projects for the use of rain water in landscape and garden, etc.
 - b) Encouraging the growth of natural grasses and native plants to slow
rain runoff and preserve the soil.

890101400

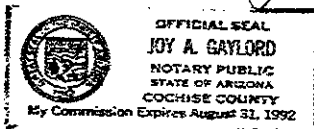
- c) Limiting the free roaming of livestock on natural areas to avoid over-grazing and to reduce erosion.
- d) The use of drip irrigation for all irrigation purposes in which well water is being used.
- e) Contour cultivation in all garden areas to reduce runoff and erosion.

These conditions will remain in force for a period of 20 years from recordation and may be amended from time to time for the mutual benefit of the property owners. Grantors may convey by amendment their authority in these matters to an individual or group of their designation as the situation may demand.

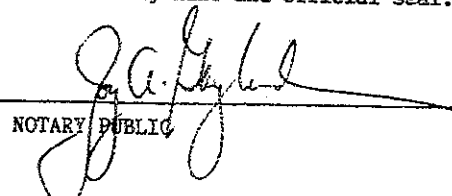

GRANTOR


GRANTOR

On this, the 18 day of Jan., 1989, the above signed appeared before me. In witness whereof, I have hereunto set my hand and official seal.



My Commission expires
8-31-92


NOTARY PUBLIC



FEE # 890101400
OFFICIAL RECORDS
COCHISE COUNTY
DATE 01/28/89 HOUR 3
REQUEST OF
COCHISE TITLE AGENCY
CHRISTINE RHODES-RECORDER
FEE : 10.00 PAGES : 2

890101400



FEES & RECORDS
OFFICIAL RECORDS
COCHISE COUNTY
DATE 02/01/89

2501774-AR

AMENDMENT
to the
DECLARATION OF ESTABLISHMENT
of
RESTRICTIONS AND COVENANTS

REQUEST OF
COCHISE TITLE AGENCY
CHRISTINE RHODES RECORDER
FEE : 2.00 PAGES : 1

Mohammed and Catherine Ismail, being grantors named in the DECLARATION OF ESTABLISHMENT OF RESTRICTIONS AND COVENANTS dated January 18, 1989 and recorded on Dkt. 8901-01400 in the office of the Cochise County Recorder and having vested authority to amend by the Articles of that Declaration, do hereby amend this document by including Clause 9 to be as follows:

9. No lot or portion thereof shall be used in whole or in part for the dumping of rubbish of any type or for the storage of junk cars, furniture, appliances or any items in a non-operational condition. Any non-operational items in the process of repair shall be stored in a safe manner which is not visually offensive to neighboring properties. This article shall not be construed as to prohibit the composting of organic matter for use in garden or landscape providing that resulting compost is not for commercial distribution.

Catherine Ismail
GRANTOR

Mohammed Ismail
GRANTOR

On this, the 31st day of Aug, 1989, the above signed appeared before me, *In witness thereof, I have hereunto set my hand and official seal.

* CATHERINE ISMAIL AND MOHAMMED ISMAIL

Wendy Ramirez
NOTARY PUBLIC

My Commission expires
11-09-90

COCHISE COUNTY
ARIZONA
NOTARY PUBLIC
COMMISSION EXPIRES 11-09-90

890917925

890917925
COCHISE TITLE AGENCY
BOX 1557
SIERRA VISTA, AZ. 85636

FEB 20 1997 *3/13*
5 H-2

25-042,403

DECLARATION OF ESTABLISHMENT
OF
CONDITIONS, RESERVATIONS AND RESTRICTIONS

This declaration made and dated this 14 day of February, 1997 by MCI CONSTRUCTION, INC., being owner of the following described property:

The Northwest Quarter of the Southeast Quarter of Section 17, Township 17 South, Range 20 East of the Gila and Salt River Base and Meridian, also known as Parcel 'C' recorded in Book 1 of Surveys, Page 72, Cochise County, Arizona. This parcel contains 40 acres more or less.

Whereas, said declarant upon conveying said real property desires to subject the same to certain restrictions, condition, covenants and agreements as herein set forth.

1. No manufactured housing, mobile homes, or trailers except for a period of one year from start of construction for temporary residence or construction headquarters during construction of residence.
2. Buildings and Uses must conform to all state and county building codes and zoning regulations on all structures and uses.
3. No radio towers higher than 5' above the roof line permitted.
4. Prior to petitioning for zoning changes, grantor must be notified and give written approval for any proposed changes in zoning.
5. No keeping of animals for boarding, commercial stable, kennel or breeding operations. The number of horses and other livestock shall be limited to four total per four acre parcel, but not more than six total for larger parcels. The number of dogs and cats shall be limited to two each per household. Small animals, including chickens, rabbits or other common or uncommon animals kept as pets or for small scale food production shall be limited in numbers and contained in suitable enclosures not to exceed 300 square feet total per four acre parcel, so as to protect the right of quiet enjoyment held by the other property owners in the 40 acre parcel described above. All animal enclosures or buildings shall be located and constructed in such a manner that they are not visually offensive to the neighboring properties. Limiting the free roaming of livestock on natural areas to avoid overgrazing and reduce erosion. All large stock must be confined to pens or corrals. Total corral area shall not exceed 1/2 acre per 4 acre parcel.
6. Any outdoor lighting for security or recreational purposes must be environmentally sheltered from dispersing light in a horizontal direction.

Page one of two

7. It is the Grantor's intent to encourage landscape and construction excavation practices that will minimize erosion and maximize the use of native desert vegetation. In so far as it is desirable to stray from this objective for the purpose of domestic gardening and livestock, these ends need to be

970204473

accomplished in a manner consistent with responsible management of the natural environment. This includes but is not limited to the following:

a) Proper drainage from building sites and drives with holding areas for rain runoff wherever possible. The Grantor encourages water harvesting projects for the use of rain water in landscape and garden, etc.

b) Encouraging the growth of natural grasses and native plants to slow rain runoff and preserve the soil.

c) The use of drip irrigation for all irrigation purposes in which well water is being used.

8. No lot or portion thereof shall be used in whole or in part for the dumping of rubbish of any type or for the storage of junk cars, furniture, appliance or any items in a non-operational condition. Any non-operational items in the process of repair shall be stored in a safe manner which is not visually offensive to neighboring properties. This article shall not be construed as to prohibit the composting of organic matter for use in garden or landscape providing the resulting compost is not for commercial distribution.

9. No two storey structures are permitted.

10. No A-frame structures are permitted.

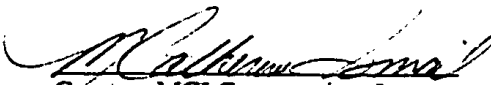
11. No cutting or uprooting of trees without the written consent of the Grantor.

12. Utilities to be underground except at the west boundary of the above described 40 acre parcel or by written permission of the grantor.

13. No property owner shall grant easement through their parcel to any property located outside the above described 40 acre parcel.

14. Buyer shall be bound by the terms of a road maintenance agreement to be signed by buyer at close of escrow and recorded with the Cochise County, Arizona Recorder's Office. This agreement shall be binding upon future owners heirs and assigns of the subject property.

15. In the event that any of the above listed articles should be found to be invalid in a court of law such a decision shall not invalidate the remaining articles.


Grantor: MCI Construction, Inc.

By M. Catherine Ismail, Secretary
or Mohammed A. Ismail, President

On this, the 19 day of Feb, 1997 the above signed appeared before me. In witness whereof, I have hereunto set my hand and official seal.


Notary Public

My Commission Expires

OFFICIAL SEAL
ARLENE C. CONNELLY
Notary Public
Cochise Co., Arizona
My Commission Expires
September 16 2000

Page two of two

970204473

FIDELITY NATIONAL TITLE 970204473
PO BOX 1557
SIERRA VISTA AZ 85636



FEE # 970204473
OFFICIAL RECORDS
COCHISE COUNTY
DATE 2/20/97 HOUR 3

REQUEST OF
FIDELITY NATIONAL TITLE
CHRISTINE RHODES-RECORDER
FEE : 9.00 PAGES : 3

970204473