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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF WILD HORSE SUBDIVISION**

This First Amendment to the Declaration of Covenants, Conditions and Restrictions of the Wild Horse Subdivision is made on this 5th day of September, 1996 by Pioneer Title Agency, Inc. as Trustee under Trust No. 306791 (hereinafter referred to as "Declarant").

WITNESSETH:

1. Declarant is the owner of the following described property:

Lots 1 through 77 Wild Horse Subdivision

2. A Declaration of Covenants, Conditions and Restrictions of the Wild Horse Subdivision ("Wild Horse CC&R's) was recorded on April 4, 1996 in the Office of the Cochise County Recorder at Fee #960408334.

3. Declarant, pursuant to the provisions of Article X, Section 3 of the Wild Horse CC&R's hereby amends the Wild Horse CC&R's as stated herein.

4. Article VI, Section 5 of the Wild Horse CC&R's is hereby amended to provide in Subsection a. thereof that the maximum building height (from grade) shall be twenty-six (26) feet and that the maximum number of stories shall be one (1) except that two (2) stories may be allowed by the Architectural Committee subject to review of grade, elevations and impact on nearby lots.

5. The Wild Horse CC&R's are further amended to provide that the provisions thereof shall also apply to Wild Horse II Subdivision, Lots 1 through 79 and that all of the provisions provided for in the Wild Horse CC&R's shall control and be binding upon Lots 1 through 79 of the Wild Horse II Subdivision.

6. The Wild Horse CC&R's are further amended to provide that the Wild Horse Homeowners' Subassociation shall control and enforce the Wild Horse Subdivision CC&R's upon Lots 1 through 79 of Wild Horse II Subdivision including the fact that Declarant and Developer of the Wild Horse Subdivision shall act as the initial Architectural Committee to control the development of residences on Lots 1 through 79 of the Wild Horse II Subdivision.

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OFFICIAL RECORDS
COCHISE COUNTY
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REQUEST OF
ARROW ENGINEERING
CHRISTINE RHODES-RECORDER
FEE : 26.00 PAGES : 22

7. Declarant hereby specifically approves the Wild Horse II Subdivision Declaration of Covenants, Conditions and Restrictions which shall be recorded against Lots 1 through 79 of the Wild Horse II Subdivision and shall execute an original set thereof prior to recording in order to evidence this approval.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 4 day of September, 1996.

By: [Signature]
Its: Trust Officer

STATE OF ARIZONA)
 Cochise) ss.
County of ~~Pima~~)

SUBSCRIBED AND SWORN to before me this 4 day of September, 1996 by
R. Keith Newlon, Trust Officer for PIONEER TITLE AGENCY, INC. an Arizona Corporation
as Trustee under Trust No. 306791

[Signature]
Notary Public

