

**AMENDMENT TO THE
DECLARATION, OF COVENANTS, CONDITIONS &
RESTRICTIONS OF VISTA DEL SOL HOMEOWNERS
ASSOCIATION (A Planned Unit Development)**

These Changes Apply to All Lots in Vista Del Sol Phases 1, Phase 2, Phase 3 & Phase 4

Pursuant to the rights of the Association and pursuant to Section 4. Of Article XI which provides for amendments to the Covenants, Conditions & Restrictions of the Vista Del Sol Homeowners Association which also requires a vote of 2/3 of the membership of the Association in the affirmative to make amendments to the CC&Rs and which voting was positive which is in hand as of this date and effective with the recording of this Amendment, this hereby amends the Declaration of said Articles to add:

ARTICLE XIII - SENIOR COMMUNITY.

Section 1. Age Restrictions. Vista Del Sol is hereby designated as a participant in the Housing for Older persons Act of The Department of Housing and Urban Development. In accordance with this act, 90% of the dwelling units within Vista Del Sol must be occupied by at least one person 55 years of age or older. The remaining 10% of the units must have at least one resident 45 years of age or older. All new leases or purchase agreements regarding any unit must contain a provision, directly above the signatory lines, asserting that the new occupants are in compliance with the above age restrictions. A copy of such leases, purchase agreements shall immediately be provided to the Vista Del Sol Board of Trustees.

Section 2. Children. Vista Del Sol shall prohibit occupancy by persons under age 18, as well as all others falling within the defined term of Familial status under federal law; except that persons under age 18 may reside with any resident but not for more than 30 consecutive days nor more than 90 days in any calendar year.

Section 3. Every other year, the President of the Association, or such persons designated by the Board of Trustees, shall conduct a survey of the persons in the community to determine if at least one person residing in each unit conforms to the age restrictions listed above. For each unit, the surveyor shall record the person's name, unit number, date of birth, and the method of reliable identification. Such reliable identification includes drivers license, birth certificates, passport, immigration cards, military ID, or certification of age. Each person questioned shall sign the survey as to the truth of his or her responses, and the surveyor shall affirm, under oath, that he has inspected the identifications provided, and that the information in the survey accurately reflects those documents.

Section 4. Initial Survey. An initial survey of the community must be conducted within 180 days of the adoption of this amendment.

Section 5. Uncooperative Members. If any persons in the community refuse to comply with

