

**WHEN RECORDED, MAIL TO:**  
Beth Mulcahy  
Mulcahy Law Firm, P.C.  
3001 E. Camelback Road, Suite 130  
Phoenix, Arizona 85016

CCRsPhaseSixHOA-2-1-1--  
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**Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Phase Six Homeowners Association, Inc.**

This Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Phase Six Homeowners Association, Inc. ("Amendment") is made this 8th day of July, 2025, by Phase Six Homeowners Association, Inc. a.k.a. Briarwood Phase VI ("Association").

**RECITALS**

A. The Phase Six Homeowners Association, Inc. a.k.a. Briarwood Phase VI is subject to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded on 03/25/2020 in Document No. 2020-0256788 ("Declaration"), official records of Maricopa County, and subjected the real property described in the Declaration to the Declaration and required that the property be held, sold, used, and conveyed subject to the easements, restrictions, covenants and conditions, which run with the title to the real property subject to the Declaration.

B. The Declaration is binding on all parties having any right, title or interest in any portion of the properties, their heirs, successors, successors-in-title, and assigns, and shall inure to the benefit of each owner of any portion of the properties.

C. Pursuant to Article IX, Section 3 of the Association's Declaration, the Declaration may be amended by an instrument signed by the Owners of not less than fifty-one percent (51%) of the Lots. Any amendment must be recorded.

**NOW, THEREFORE**, the Declaration is amended as follows:

1. Article IV, Section 1(C) of the Declaration is hereby amended as set forth below:

RENTALS. No Owner of a Single Family Residence shall rent or lease any portion of his/her residence for a period of less than one hundred and eighty (180) days; provided that any fully vested Owner, as of March 13, 2025 may rent or lease his/her/their/its residence for a period of less than one hundred and eighty (180) days, and, any Owner, as of January 4, 2019, may rent or lease his/her/their /its residence for a period of less than sixty (60) days, however, that such right to rent or lease the residence for less than sixty (60) days or one hundred and eighty (180) days whichever is applicable shall terminate upon transfer of title of the residence by the person(s) who are owners at the time of adoption of this provision. No Owner may lease less than his/her/their/its entire residence.

2. Article VII, Section 1(A) of the Declaration is hereby amended as follows:

Committee Composition. The Architectural Committee shall consist of at least three regular Members and at least one alternate member. The Committee shall have an odd number of members. At least one member of the Board of Directors shall serve on the

Architectural Committee, and they shall serve as chairperson of the committee. The Board shall designate which member shall serve on the Architectural Committee. The Chairperson shall appoint a Secretary who shall keep minutes of each meeting. Such minutes shall be submitted to the Board within ten days of such Committee Meeting.

- 3. The terms used in this Amendment without definition shall have the same meanings given to such terms in the Declaration (as amended).
- 4. By attesting to this Amendment, the undersigned certifies that the amendments to the Declaration set forth in this Amendment were properly adopted in accordance with the requirements of the Declaration. The signed ballots are available for examination upon request.
- 5. Except as expressly amended by this Amendment, the Declaration shall remain in full force and effect. In the event of any inconsistency or conflict between the provisions of this Amendment and the Declaration this Amendment shall prevail.

**Phase Six Homeowners Association, Inc. a.k.a. Briarwood Phase VI**

BY: [Signature] (Signature)  
Barry Shapiro (Print Name)  
 ITS: President

STATE OF ARIZONA     )  
   ) ss.  
 COUNTY OF MARICOPA )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of June, 2025, by Barry Shapiro, the President of Phase Six Homeowners Association, Inc. a.k.a. Briarwood Phase VI, an Arizona non-profit corporation, on behalf of the non-profit corporation.

Notary Public: [Signature]  
 Fabian Villoguez

My commission Expires: Feb 11<sup>th</sup> 2029

