



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 1/10/2023

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

Waiver of Right to Approve Amendments to Declaration of Establishment of Covenants, Conditions, Reservations, and Restrictions Sin Vacas Property Owner's Association (Pr-0302)

***Introduction/Background:**

Pima County has the right to approve amendments to that certain Amended Declaration of Establishment of Covenants, Conditions, Reservations and Restrictions dated and recorded as of April 13, 1978 in Docket 5754 Page 1031. Sin Vacas Association has requested Pima County waive its right to approve amendments in the established Covenants, Conditions, Reservations and Restrictions.

***Discussion:**

Pima County has agreed to completely and irrevocably waive its right to approve amendments to the Declaration, and ratify that it has done so by the Waiver Document attached.

***Conclusion:**

Sin Vacas Property Owner's Association will no longer require Pima County's approval to approve any amendments to their Covenants, Conditions, Reservations and Restrictions.

***Recommendation:**

It is recommended that the Pima County Board of Supervisors approve the Waiver of Rights as attached hereto.

***Fiscal Impact:**

None.

***Board of Supervisor District:**

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Real Property Services

Telephone: *Click or tap here to enter text.*

Contact: Aaron Mergenthal

Telephone: 724-6307

Department Director Signature: _____

Date: _____

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____

When Recorded, Return To:
David A. McEvoy, Esq.
2230 E. Speedway Blvd., Suite 140
Tucson, Arizona 85719

**PIMA COUNTY WAIVER OF RIGHT TO APPROVE AMENDMENTS TO
DECLARATION OF ESTABLISHMENT OF COVENANTS,
CONDITIONS, RESERVATIONS AND RESTRICTIONS
OF
SIN VACAS**

(Affecting Instrument Recorded in Docket Book 5754, Page 1031)

Pima County, Arizona, a subdivision of the State of Arizona ("County"), has the right to approve amendments to that certain Amended Declaration of Establishment of Covenants, Conditions, Reservations and Restrictions dated and recorded as of April 13, 1978, and recorded in Docket Book 5754, Page 1031 ("Base Declaration"), as amended by that certain (1) Declaration of Establishment of Supplementary Covenants, Conditions, Reservations and Restrictions of Sin Vacas recorded as of April 14, 1982, in Docket Book 6759, Page 12 ("Supplementary Declaration") of the Official Records of Pima County, Arizona, (2) Settlement Agreement recorded as of June 3, 1986, in Docket Book 7797, Page 1859, Instrument No. 70646 ("Settlement Agreement") of the Official Records of Pima County, Arizona, and (3) Confirmation of Assessment Obligation and Voting Right of the Owner of the Villas at Rancho Sin Vacas to Rancho Sin Vacas Property Owners Association recorded as of June 17, 1998, in Docket Book 10819, Page 810, Instrument No. 19980960305 ("Villas Agreement") of the Official Records of Pima County, Arizona. The Base Declaration, the Supplementary Declaration, the Settlement Agreement and the Villas Agreement may be referred to herein collectively as the "Declaration". The County hereby completely and irrevocably waives its right to approve amendments to the Declaration, and hereby ratifies that it completely and irrevocably waives its right to have approved amendments to the Base Declaration that have been made previously.

Approved as to Form:

Bobby Yu

Bobby Yu, Deputy County Attorney

COUNTY:

Pima County, Arizona, a subdivision of the State of Arizona

By _____

Its _____

STATE OF ARIZONA)

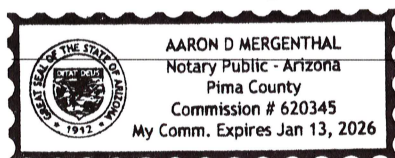
) ss:

COUNTY OF PIMA)

ACKNOWLEDGED before me this 7th day of December,
2022, by Jeffrey Tepirsky as Director, RPS of Pima County,
Arizona, a subdivision of the State of Arizona.

Aaron D Mergenthal
Notary Public

My Commission Expires:



Approved and accepted by Pima County, a Political Subdivision of the State of Arizona

By: _____
Chair, Board of Supervisors

Date: _____

Attest:

By: _____
Melissa Manriquez, Clerk of the Board of Superivisors

Date: _____

Approved as to content:

By:  _____
Jeffrey Teplitsky, Director, Real Property Services

By:  12/19/2022
Carmine Debonis, Deputy County Administrator – Public Works