

When Recorded Return To:
Smith & Wamsley, PLLC
2940 North Swan Road, Suite 212
Tucson, Arizona 85712

**NOTICE OF CONTINUED REGULATION OF PUBLIC ROADWAYS
CASA REAL HOMEOWNERS ASSOCIATION**

This Notice of Continued Regulation of Public Roadways (“Notice”) is made by Casa Real Homeowners Association, an Arizona nonprofit corporation (“Association”), to confirm the Association shall continue to regulate public roadways within the real property subdivision in Pima County, Arizona that it governs, commonly known as Casa Real, as defined herein (“Casa Real”).

RECITALS

WHEREAS, Casa Real is comprised of the real property depicted in that certain plat recorded at Book 29 of Maps, Page 69, and any annexations thereto, if any, in the Official Records of Pima County, Arizona.

WHEREAS, the Restated Declaration of Covenants, Conditions, Restrictions and Easements for Casa Real, was originally recorded at Docket 6128, Page 189, in the Official Records of Pima County, Arizona, on October 5, 1979 (together with any amendments thereto, “CC&Rs”) and governs all property within Casa Real.

WHEREAS, the Arizona legislature amended A.R.S. § 33-1818 to require planned community associations subject to CC&Rs recorded before January 1, 2015, and that currently regulate public roadways within their communities, to hold a vote, no later than June 30, 2025, to decide if the association will continue regulating those roads in accordance with the CC&Rs.

WHEREAS, A.R.S. § 33-1818 provides, “If the number of owners voting...on the question is sufficient to constitute a quorum of the membership and a majority of that number votes to continue regulating public roadways” in the community, then the Association retains its authority to regulate the public roadways.

WHEREAS, the CC&Rs were recorded before January 1, 2015, and the Association currently regulates public roadways within Casa Real, in particular and without limitation, pursuant to Article VII.

WHEREAS, the Bylaws of Casa Real Homeowners Association, at Article III, Section 4, provide the presence at the meeting of Members entitled to cast, or of proxies entitled to cast, one-tenth (1/10) of the votes of each class of membership constitutes a quorum.

WHEREAS, there is now only one class of memberships.

WHEREAS, Pursuant to A.R.S. § 33-1812(A) and (B), votes may not be cast by proxy, but votes cast by absentee ballot or other form of delivery are valid, including, but not limited to, electronic voting, for the purpose of establishing quorum as though the Member were present in person at the meeting.

WHEREAS, the Association held a meeting of the Members on May 20, 2025, at which the Members voted on whether the Association would continue regulating the public roads within Casa Real pursuant to A.R.S. § 33-1818.

WHEREAS, a quorum was present at that meeting, and a majority of the votes cast at the meeting voted in favor of the Association's continued regulation of the public roadways in the community, as evidenced by "Exhibit A" attached hereto.

WHEREAS, A.R.S. § 33-1818(B)(1) provides that in the event the Members vote to continue regulating the public roadways, the Board of Directors of the Association ("Board") "shall record in the office of the county recorder of the county in which the planned community is located a document confirming that the planned community continues to regulate the public roadways."

NOW, THEREFORE, the Board, according to the decision of the Members, at their May 20, 2025, meeting, hereby declares the following:

The Association shall continue to regulate the public roadways in the subdivision commonly known as Casa Real, as identified above, pursuant to and as set forth in the CC&Rs and the Association's other governing documents, as amended from time to time.

IN WITNESS WHEREOF, the Board has duly executed this Notice as of the date below.

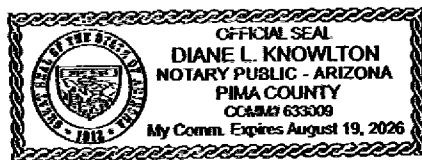
[Signature Page Follows]

By: B. S. K. O.
Brian Kahn, President

Date: 6/26/2025

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this 26th day of June, 2025, by Brian Kahn, President of Casa Real Homeowners Association, an Arizona nonprofit corporation, for and on behalf of the corporation and for the purposes stated herein.



Diane L. Knowlton
Notary Public

Seal:

SECRETARY'S ATTESTATION

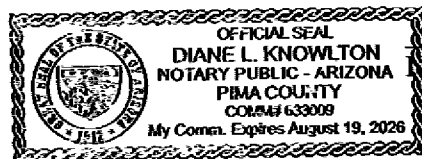
I, Marcia Burney, being the duly elected Secretary of the Board of Directors of Casa Real Homeowners Association, an Arizona nonprofit corporation, and having personal knowledge of and familiarity with the foregoing matters, hereby attest that a majority of the votes cast at the meeting of the Members held on May 20, 2025, at which a quorum was present, voted in favor of the Association's continued regulation of the public roads in Casa Real.

By: Marcia Burney
Marcia Burney, Secretary

Date: 6/26/2025

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this 26th day of June, 2025, by Marcia Burney, the Secretary of Casa Real Homeowners Association, an Arizona nonprofit corporation, for and on behalf of the corporation and for the purposes stated herein.



Diane L. Knowlton
Notary Public

Seal: