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DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

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When Recorded, Return to:
NorthGate Management, L.L.C. - Manager
ATTN: Michael Licano
6903 E. Parkway Norte
Mesa, AZ 85212

**LIMITED AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
GATEWAY NORTE**

Unofficial Document



**LIMITED AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR GATEWAY NORTE**

This Limited Amendment to the Declaration of Covenants, Conditions and Restrictions for Gateway Norte, as dated the 14th day of July, 2003, by NorthGate, L.L.C., an Arizona limited liability company (recording number 2004-1091351), amended on 11th day of July, 2013 (recording number 2013-0631136 and re-recorded at 2013-0648201) by the Manager, NorthGate Management, L.L.C.

RECITALS

A. Whereas, Declarant, NorthGate, LLC appointed NorthGate Management, LLC as Manager of Gateway Norte, pursuant to the lawfully executed Covenants, Conditions and Restrictions (CC&R's) for Gateway Norte;

B. Whereas Manager was granted per Article 5 Section 5.1 of the Gateway Norte CC&Rs the following authority and rights: *The Manager, without the consent of any Owner, may amend this Declaration from time to time to change the boundaries of one or more of the DISCs and/or create a new DISC. The Manager may amend this Declaration to grant additional permitted uses or restrictions for a Site without approval of the Owner of the Site. However, no original permitted uses would be withdrawn from a Site without the Owner's approval.;*

C. Whereas, the Manager states herein it is making and recording this Limited Amendment to the Declarations of the CC&Rs ^{Unofficial Document} effective upon the recording and

D. Furthermore, Manager herein replaces the first paragraph and table of Section 5.1 which are shown below:

5.1 Creation of Districts.

The Property shall be divided into five (5) separate Districts Implementing Specific Commerce (each such area being a "DISC"). Each DISC will have a general type of architectural design and be subject to special restrictions governing the development and construction of improvements within the DISC and governing the uses that will be permitted within the DISC. Property within a DISC may also be subject to a District Assessment. The identity of the five (5) DISCs within the Property are as follows:

DISC Number	DISC Name	Lots Included Within DISC
1	Gateway Norte Perimeter	Lots A, E, F, G1, G2, H, I, J, K and L
2	Gateway Norte Storage Park	Lots B1, B2, B3 and T. If Manager so designates, B3 can be removed from DISC 1 and placed with either DISC 4 or 5
3	Gateway Norte Via Office Centre	Lot C
4	Gateway Norte Parkway of Trades	Lots D1 through D11
5	Gateway Norte Builder's Park	Lots M1 through M4, N1 through N5, O, P1, P2, Q1 through Q4, R1, R2 and S1 through S4

Which herein is now replaced with the following language and table:

5.1 Creation of Districts.

The Property shall be divided into six (6) separate Districts Implementing Specific Commerce (each such area being a "DISC"). Each DISC will have a general type of architectural design and be subject to special restrictions governing the development and construction of improvements within the DISC and governing the uses that will be permitted within the DISC. Property within a DISC may also be subject to a District Assessment. The identity of the six (6) separate DISCs within the Property are as follows:

<u>DISC Number</u>	<u>DISC Name</u>	<u>Lots Included Within DISC</u>
1	Gateway Norte Perimeter	Lots A, E, F, G1, G2, H, I, J, K and L
2	Gateway Norte Storage Park	Lots B1-1 and B1-2 (formerly B1), B2, B3 and T. If Manager so designates, B3 can be removed from DISC 1 and placed with either DISC 4 or 5
3	Gateway Norte Via Office Centre <small>Unofficial Document</small>	Lot C
4	Gateway Norte Parkway of Trades	Lots D1 through D11
5	Gateway Norte Builder's Park	Lots M1 through M4, N1 through N5, O, P1, P2, Q1 through Q4, R1, R2 and S1 through S4
6	Gateway Norte Flex Overlay	A, B1-1 and B1-2 (formerly B1) B2, D1, D2, D3, D4 and D6, G2, N1, N2, N3, N4, N5, O, R2, S1, S2, S3, S4 and M1

F. The CC&R's shall be amended by adding a new section to Article 5, immediately following **Section 5.6 Restrictions Applicable to DISC 5 (Gateway Norte Builders Park)** as follows:

5.7 Restrictions Applicable to DISC 6 (Gateway Norte Flex Overlay)

- (a) **Permitted Uses.** Medical, Wellness, Self-Improvement, Certifications, and Higher Educational Uses. Medical uses include the furnishing of medicine, healthcare, or surgical treatments for preventing, curing or healing human illness, physical disabilities or injuries. Wellness uses include any operation or service focused on providing health and stress relief to customers or the community at large including but not limited to: weight balancing, cardio centers, yoga, acrobatics, dance, nutritional dietary supplements, legally approved medical or recreational cannabis

products and services, self-health care management, massage, acupuncture, acupressure, and in general wellness and anti-aging-oriented products and services. Self-improvement uses include services assisting a person to become more skilled or self-assured. Certifications include certifications services to assist a person to be certified to meet local, state or federal requirements. Higher education uses include post-high school educational centers, holistic health care training centers, business management training centers, and groups that help people obtain professional certifications. All uses mentioned herein will be in addition to all uses a Lot has in its current companion DISC that it concurrently resides within.

(b) Design and Fencing. The Lots in DISC 6 (Gateway Norte Flex Overlay) are subject to their companion DISC design guidelines and fencing restrictions.

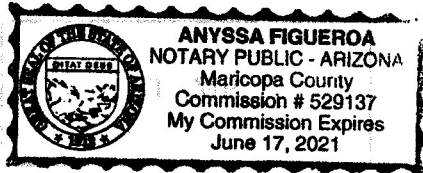
G. All other declarations in the original and previous CC&R's (recording number 2004-1091351, 2013-0631136, and 2013-0648201) shall remain in full force and effect.

MANAGER

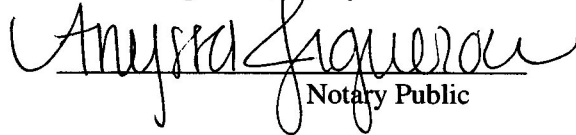
NORTHGATE MANAGEMENT, L.L.C.,
an Arizona Limited Liability Company

Unofficial Document
By: 
Michael Licano Trustee
Licano Family Trust 2001
Authorized Member

STATE OF ARIZONA)
County of Maricopa } ss



The foregoing instrument was acknowledged before me this 10 day of Jan, 2019, by Michael Licano as trustee of the Licano Family Trust 2001 the Authorized member of NorthGate Management, LLC.


Notary Public