

1 Lisa Marx
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6 Representing self

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9
10 Lisa Marx
11 Plaintiff,

Case No. CV 2025-012980

12 vs.

13 Tara Condominiums Association, Inc.,

14 **DECLARATION OF LISA MARX**
15 **IN SUPPORT OF PLAINTIFF'S**
16 **MOTION FOR PARTIAL**
17 **SUMMARY JUDGMENT**

18 **RE: VALIDITY OF THE 2025**
19 **DECLARATION AMENDMENT**

20 Honorable Adele Ponce

21 I, Lisa Marx, declare as follows:

22 **1.** I am the Plaintiff in this action. I am over the age of eighteen years and am
23 competent to testify to the matters set forth in this declaration. I make this declaration
24 based on my own personal knowledge, and if called as a witness I could and would
testify competently to these matters.

1 2. I own Unit 5, Tract G, Sun City Unit Fifteen C, located at 13610 N. 111th Avenue,
2 Sun City, Arizona, together with an undivided 1/50th interest in the common area of
3 Tract G. I acquired the Unit by Warranty Deed dated September 4, 2020, which was
4 recorded in the Official Records of Maricopa County as Instrument No. 20200847158. A
5 true and correct copy of that Warranty Deed is attached as Exhibit A.

6 3. The Amendment to the Declaration of Restrictions TARA003909- TARA00391
7 that was recorded on October 20, 2025 as Instrument No. 2025-0605584 states, on its
8 face, that it applies to the real property described as "Lots 1 thru 50 inclusive of Tracts
9 G, R and U, SUN CITY UNIT 15-C." My Unit 5, Tract G, is within that described
10 property.

11 4. Paragraph 24 of the Declaration, as amended, states that "The Residential Unit
12 Owners shall obtain property insurance on their Residential Unit," requires each
13 Residential Unit Owner to provide the Association written proof of that insurance
14 within thirty days, and provides that the Board of Management "may impose a
15 monetary penalty" against a Residential Unit Owner who fails to provide such proof.
16 As an owner of a Residential Unit, I am subject to that requirement and to that penalty.

17 5. I have not obtained, and I have declined to obtain, the property insurance on my
18 Residential Unit that the amended Paragraph 24 purports to require. I have declined to
19 do so because I am not willing to assume the Association's responsibility to insure the
20 buildings, and because, based on my research, a standard homeowners (HO-3) policy is
21 not the correct coverage for a condominium unit owner, who owns the interior of the
22 unit rather than the building structure.

23 6. I personally received the document attached as Exhibit J Action, which is the
24 Association's "Action By Written Consent" form concerning the proposed amendments

1 to the Declaration, as part of the amendment materials the Association distributed to
2 unit owners. I retained the copy I received. The document attached as Exhibit J Action
3 is a true and correct copy of that form as I received it.

4 7. On September 25, 2025, I sent an email to the Tara Condominiums Association
5 Board objecting that the proposed amendments were being adopted by written consent
6 rather than by a vote at a meeting, and quoting A.R.S. § 33-1250(C) and A.R.S. § 33-
7 1227(D). The copy of that email submitted in support of the Motion, bearing Bates
8 number TARA005833, is a true and correct copy of the email I sent.

9 8. The Declaration of Restrictions recorded February 19, 1970 (TARA000001-
10 TARA000012), the Amendment to the Declaration recorded October 20, 2025 as
11 Instrument No. 2025-0605584 (TARA003909-TARA003911), and my Warranty Deed
12 (Exhibit A) are true and correct copies of instruments recorded in the Official Records
13 of Maricopa County.

14 9. As a unit owner, I personally received from the Association the August 6, 2025
15 letter from the Travis Law Firm (TARA006389), the proposed amendments transmitted
16 with that letter (TARA003702), and the Association's written communications to
17 owners and members concerning the proposed amendments and the insurance
18 changes. The copies of those documents submitted in support of the Motion are true
19 and correct copies of the documents as I received them.

20 10. The other documents submitted in support of the Motion that bear "TARA"
21 Bates numbers — including TARA002288 — 2025 Chairperson Annual Report,
22 TARA003800 Nov. 22, 2025 email re homeowner ins Declarations, TARA004000 email
23 cancelling Property, TARA004074- TARA004075 Email 10-18-25 announcing
24 amendment vote tally, TARA004410 - TARA004411 Sept. 27, 2025 board email to

1 community the Association's master property insurance policy (TARA002174), its
2 cancellation of that property policy (TARA006296) and its cancellations of the general
3 liability policy (TARA002192) and the directors and officers liability policy
4 (TARA002175), and the replacement policies it obtained through American Family
5 Brokerage (TARA002176 through TARA002191) — are true and
6 correct copies of documents that Defendant produced in discovery in this action.

7 **11.** I am not aware of, and did not receive notice of, any open meeting of the
8 members called or held at which votes on the proposed amendments could be cast in
9 person or at which the written consents were counted.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 **12.** The 2026-03-30 Defendant's Response to Plaintiff's 15(d) Supplemental
12 Complaint is a true copy of the answer I received from the defendants.

13
14 Executed on July 5, 2026.

15 /s/Lisa Marx

16 Lisa Marx, Plaintiff Pro Se

17
18 RESPECTFULLY SUBMITTED this 5th day of July, 2026.

19 /s/ Lisa Marx

20 Lisa Marx, Plaintiff Pro Se

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CERTIFICATE OF SERVICE

I certify that on July 5, 2026, a true copy of the foregoing was served via e-file to the Court and Defendant's Counsel and by email on counsel for Defendant:

Chuck Oldham — Chuck.Oldham@chdblawn.com

Ari Bowhay — Ari.Bowhay@chdblawn.com

/s/ Lisa Marx

Lisa Marx, Plaintiff Pro Se

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