

FIDELITY NATIONAL TITLE AGENCY

When recorded, return to:

Neil D. Biskind, Esq.
Biskind, Hunt & Semro, PLC
8501 N. Scottsdale Road, Suite 155
Scottsdale, Arizona 85253

39004134-4-5-1--
Hoyp

**SUPPLEMENT TO
COVENANT FOR COMMUNITY FOR
VERRADO
(Marketside Parcel C, Lot 4)**

39004134 1/4

This Supplement to Covenant for Community for Verrado (the “**Supplement**”) is made effective as of the 19 day of December, 2016, by DMB WHITE TANK, LLC, an Arizona limited liability company (“**Founder**”), and FIDELITY NATIONAL TITLE INSURANCE COMPANY, a California corporation, acting not in its corporate capacity but solely as Trustee under its Trust No. B176 (“**Trustee**”).

A. Founder is the developer of the master-planned community located in the City of Buckeye, Maricopa County, Arizona, commonly known as Verrado®; and

B. Founder and Trustee executed the Covenant for Community for Verrado and caused said document to be recorded in the official records of Maricopa County, Arizona, on April 28, 2003, as Document No. 2003-0531387 (the “**Covenant**”). Each capitalized term used but not defined herein shall have the meaning for such term set forth in the Covenant; and

C. The Covenant contemplates that Supplements for all or any portion of the property described on Exhibit “B” attached to the Covenant may be executed and recorded by Founder periodically; and

D. Founder, with the consent of Trustee, wishes to cause that portion of the property described on Exhibit “A” attached hereto (the “**Additional Property**”), which Additional Property is a portion of the property described on Exhibit “B” to the Covenant, to become subject to the Covenant.

NOW, THEREFORE, Founder, with the consent of Trustee, hereby declares that the Additional Property shall be held, sold and conveyed subject to the following restrictions, covenants, conditions, terms and provisions. This Supplement shall be a Supplement for purposes of the Covenant.

1. **Annexation.** Pursuant to Section 5.2 of the Covenant, Founder hereby declares that, to the extent any portion thereof previously has not been annexed, all of the Additional Property is hereby annexed and submitted and hereafter shall be subject to the terms and provisions of the Covenant.

2. **Interpretation.** This Supplement shall run with the land, shall be binding on all parties having or acquiring any right, title or interest in the Additional Property or any part thereof, and their respective heirs, successors and assigns, and shall be enforceable in accordance with and as a part of the Covenant.

3. **Effectiveness.** This Supplement shall be effective commencing upon the date this Supplement is recorded in the official records of Maricopa County, Arizona, and shall remain in full force and effect for so long as the Covenant remains in effect.

IN WITNESS WHEREOF, Founder and Trustee have executed the foregoing instrument as of the date first set forth above.

FOUNDER:

DMB WHITE TANK, LLC,
an Arizona limited liability company

By: DMB Associates, Inc.,
an Arizona corporation, its Manager

By: *Daniel T. Kelly*

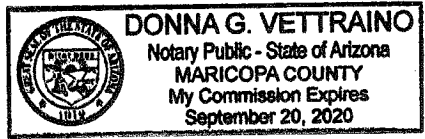
Its: *Sr. V.P.*

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 15th day of December, 2016, by Daniel T. Kelly, the Sr. VP, of DMB Associates, Inc., an Arizona corporation, in its capacity as Manager of DMB WHITE TANK, LLC, an Arizona limited liability company, for and on behalf thereof.

Donna G. Vettrano
Notary Public

(SEAL)



TRUSTEE:

FIDELITY NATIONAL TITLE INSURANCE COMPANY, a California corporation, acting not in its corporate capacity but solely as Trustee under its Trust No. B176

By: *Joe A. Gutierrez Jr.*

Name: JOE A. GUTIERREZ Jr.

Its: AVP / TRUST OFFICER

STATE OF ARIZONA)
) ss.
County Of Maricopa)

The foregoing instrument was acknowledged before me this 19 day of December, 2016, by JOE A. GUTIERREZ, the AVP / TRUST OFFICER of FIDELITY NATIONAL TITLE INSURANCE COMPANY, a California corporation, acting not in its corporate capacity but solely as Trustee of its Trust No. B176, on behalf of the corporation.

[Signature]
Notary Public

(SEAL)



PATRICIA GRAHAM
Notary Public - Arizona
Maricopa County
Expires 04/09/2020

Escrow No. 39004134-039-PGA

EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 1:

Lot 4, VERRADO MARKETSIDE PARCEL C, LOT 3 FINAL PLAT, recorded in Book 1302 of Maps, Page 32, records of Maricopa County, Arizona.

EXCEPT ALL URANIUM, THORIUM, OR ANY OTHER MATERIAL WHICH IS OR MAY BE DETERMINED BY THE LAWS OF THE STATE, THE UNITED STATES, OR COMPETENT JUDICIAL DECISION OF FEDERAL OR STATE OF ARIZONA COURT TO BE PECULIARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, AS RESERVED IN THE PATENT TO SAID LAND RECORDED JUNE 30, 1978 IN DOCKET 13003, PAGE 205.