

FIDELITY NATIONAL TITLE AGENCY INC

When recorded, return to:

Neil D. Biskind, Esq.
Biskind Hunt, PLC
11201 North Tatum Boulevard, Suite 330
Phoenix, Arizona 85028

183

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20130936310 10/24/2013 04:23
17600531-8-3-1--
ELECTRONIC RECORDING

B176

**SUPPLEMENT TO
COVENANT FOR COMMUNITY FOR
VERRADO
(Phase 1 of Victory District)**

This Supplement to Covenant for Community for Verrado (the "**Supplement**") is made effective as of the 15th day of October, 2013, 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 Town 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" 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*

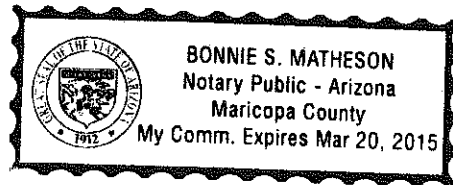
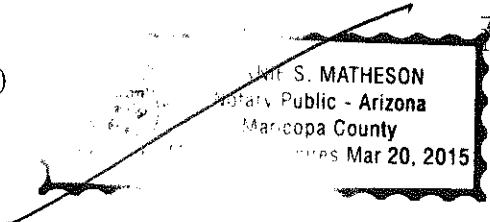
Its: *Senior Vice President*

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 23rd day of October, 2013, by Daniel T. Kelly, the Senior Vice President, 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.

Bonnie S. Matheson
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: Brenda Tucson

Name: BRENDA TUCSON

Its: TRUST OFFICER

STATE OF ARIZONA)
) ss.
County Of Maricopa)

The foregoing instrument was acknowledged before me this 24 day of October, 2013, by BRENDA TUCSON, the 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.

Joe A. Gutierrez, Jr.
Notary Public

(SEAL)



JOE A. GUTIERREZ, JR.
Notary Public - Arizona
Maricopa County
Expires 04/17/2017

April 17, 2017

Exhibit "A"

LEGAL DESCRIPTION

VERRADO ARC PHASE 1:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTIONS 18 AND 19, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1-1/2" ALUMINUM CAP STAMPED "CBA LS19324" AT THE NORTHWEST CORNER OF SAID SECTION 19, FROM WHICH A 2" MARICOPA COUNTY ALUMINUM CAP STAMPED "T2N R2W 1/4 S18 S19 2003 29891" AT THE NORTH QUARTER CORNER OF SAID SECTION 19 BEARS NORTH 89°48'15" EAST, A DISTANCE OF 2663.39 FEET;

THENCE NORTH 89°48'15" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, A DISTANCE OF 2494.39 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 18°40'14" EAST, A DISTANCE OF 523.78 FEET; THENCE SOUTH 02°40'19" WEST, A DISTANCE OF 217.78 FEET; THENCE SOUTH 70°30'15" EAST, A DISTANCE OF 390.42 FEET; THENCE SOUTH 52°24'55" EAST, A DISTANCE OF 153.50 FEET; THENCE SOUTH 21°43'20" EAST, A DISTANCE OF 242.26 FEET; THENCE SOUTH 86°18'44" EAST, A DISTANCE OF 103.74 FEET; THENCE SOUTH 68°54'11" EAST, A DISTANCE OF 765.04 FEET;

THENCE SOUTH 25°43'42" WEST, A DISTANCE OF 49.42 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 887.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°42'40", AN ARC DISTANCE OF 134.86 FEET;

THENCE SOUTH 72°58'58" EAST, A DISTANCE OF 124.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS POINT WHICH BEARS SOUTH 72°58'58" EAST, A DISTANCE OF 763.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°04'07", AN ARC DISTANCE OF 253.93 FEET;

THENCE SOUTH 02°03'05" EAST, A DISTANCE OF 200.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 712.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 53°49'17", AN ARC DISTANCE OF 668.82 FEET;

THENCE SOUTH 51°46'12" WEST, A DISTANCE OF 744.45 FEET;
THENCE NORTH 38°13'48" WEST, A DISTANCE OF 94.00 FEET;
THENCE SOUTH 51°46'12" WEST, A DISTANCE OF 11.17 FEET;

THENCE NORTH 39°29'03" WEST, A DISTANCE OF 25.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2781.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45°39'58"} AN ARC DISTANCE OF 2216.52 FEET;

THENCE NORTH 85°09'01" WEST} A DISTANCE OF 549.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS POINT WHICH BEARS NORTH 89°05'47" WEST, A DISTANCE OF 1177.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE} THROUGH A CENTRAL ANGLE OF 15°09'33", AN ARC DISTANCE OF 311.41 FEET TO THE BEGINNING OF A TANGENT COMPOUND CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1012.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE} THROUGH A CENTRAL ANGLE OF 14°08'28", AN ARC DISTANCE OF 249.77 FEET;

THENCE NORTH 28°23'48" WEST, A DISTANCE OF 290.31 FEET TO THE BEGINNING OF A TANGENT CURVE OF TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1028.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°36'42", AN ARC DISTANCE OF 638.94 FEET;

THENCE NORTH 07°12'54" EAST, A DISTANCE OF 156.32 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 168.50 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 85°16'19", AN ARC DISTANCE OF 250.77 FEET;

THENCE NORTH 02°29'13" EAST, A DISTANCE OF 131.50 FEET;

THENCE NORTH 87°30'47" WEST, A DISTANCE OF 7.28 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 167.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 79°57'26", AN ARC DISTANCE OF 233.05 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1172.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 6°15'32", AN ARC DISTANCE OF 128.02 FEET;

THENCE NORTH 13°48'53" WEST } A DISTANCE OF 44.52 FEET;
THENCE SOUTH 76°11'07" WEST, A DISTANCE OF 128.00 FEET;

THENCE NORTH 13°48'53" WEST, A DISTANCE OF 397.25 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1056.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°00'47", AN ARC DISTANCE OF 239.84 FEET;

THENCE NORTH 00°48'06" WEST, A DISTANCE OF 1795.54 FEET;

THENCE NORTH 89°11'54" EAST, A DISTANCE OF 318.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1057.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°59'17", AN ARC DISTANCE OF 331.84 FEET;

THENCE SOUTH 72°48'49" EAST, A DISTANCE OF 1282.06 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHERLY, HAVING A RADIUS OF 468.00 FEET;

THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°18'54", AN ARC DISTANCE OF 231.28 FEET;

THENCE NORTH 78°52'17" EAST, A DISTANCE OF 207.59 FEET;
THENCE SOUTH 11°07'43" EAST, A DISTANCE OF 511.62 FEET;
THENCE SOUTH 09°32'23" WEST, A DISTANCE OF 898.67 FEET;
THENCE SOUTH 66°32'41" EAST, A DISTANCE OF 181.80 FEET;
THENCE SOUTH 80°19'49" EAST, A DISTANCE OF 39.29 FEET;
THENCE SOUTH 09°40'11" WEST, A DISTANCE OF 8.80 FEET;
THENCE SOUTH 73°35'48" EAST, A DISTANCE OF 188.22 FEET;

THENCE SOUTH 16°24'12" WEST, A DISTANCE OF 96.00 FEET;
THENCE SOUTH 73°35'48" EAST, A DISTANCE OF 122.00 FEET;

THENCE SOUTH 16°24'12" WEST, A DISTANCE OF 52.70 FEET TO THE BEGINNING OF
A TANGENT CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY, HAVING A
RADIUS OF 661.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE
OF 39°22'34", AN ARC DISTANCE OF 454.27 FEET;

THENCE SOUTH 18°40'14" EAST, A DISTANCE OF 82.81 FEET TO THE POINT OF
BEGINNING.

Containing 291.533 acres, more or less

EXHIBIT 'A'



N.T.S.

R-3-W
R-2-W

18

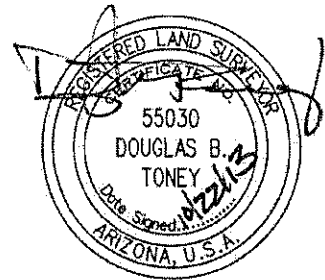
NW COR SEC 19
T-2-N, R-2-W
1-1/2-INCH ALUM
CAP STAMPED
CBA LSI9324

N 1/4 COR SEC 19
T-2-N, R-2-W
2-INCH MC ALUM CAP
LS29891 2003

N89°48'15"E
2663.39'

P.O.B.

19



EXPIRES 9/30/2016



Hoskin-Ryan Consultants Inc.
creative engineering solutions

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Phoenix, Arizona 85016
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VERRADO ARC PHASE I
VICTORY DISTRICT

JOB NO: 12-080-01

DATE: 10/23/2013