

FIDELITY NATIONAL TITLE AGENCY

When recorded, return to:

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**AMENDMENT TO
SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR VERRADO® VICTORY DISTRICT® PHASE 2
(Charter)**

This Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Verrado Victory District Phase 2 (this "**Amendment**") is made effective as of the 18 day of April, 2017, 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 executed the Community Charter for Verrado and caused said document to be recorded in the official records of Maricopa County, Arizona, as Document No. 2002-1008906, and said document was amended by the First Amendment thereto recorded in the official records of Maricopa County, Arizona, as Document No. 2004-0015591, and re-recorded in the official records of Maricopa County, Arizona, as Document No. 2004-1239013 (as amended, the "**Charter**");

B. Founder and Trustee executed the Supplemental Declaration of Covenants, Conditions and Restrictions for Verrado Victory District and caused said document to be recorded in the official records of Maricopa County, Arizona, as Document No. 2016-0916683 (the "**Supplemental Declaration**");

C. Each capitalized term used but not defined herein shall have the meaning for such term set forth in the Supplemental Declaration

D. Founder, with the consent of the Trustee, wishes to amend the Supplemental Declaration as set forth below.

NOW, THEREFORE, Founder, with the consent of the Trustee, hereby amends Supplemental Declaration as follows:

1. **Construction Requirements.** Section 3 of the Supplemental Declaration is hereby amended by adding the following sentence to the end of said Section 3:

Notwithstanding anything to the contrary in this Supplemental Declaration, construction on Lots 229 through 234, inclusive, Lots 259 through 282, inclusive,

and Lots 600 through 609 inclusive, as shown on the Plat (as defined in Section 9 below), shall be limited to one-story homes, with no lofts or other second-story elements.

2. **Binding Effect.** Except as set forth in this Amendment, the Supplemental Declaration shall remain in full force and 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: *[Signature]*
Its: Sr. VP.

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Verrado Victory District Phase 2 was acknowledged before me this 17th day of April, 2017, 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.

Cass Kershner
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 Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Verrado Victory District Phase 2 was acknowledged before me this 17 day of April, 2017, by JOE A. GUTIERREZ JR., 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.

(SEAL)



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

[Signature]
Notary Public

ACKNOWLEDGEMENT:

VERRADO COMMUNITY ASSOCIATION,
INC., an Arizona nonprofit corporation

By: Mary S. Alexander

Its: Authorized Agent

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Verrado Victory District Phase 2 was acknowledged before me this 24th day of April, 2017, by MARY S. Alexander, the Authorized Agent of VERRADO COMMUNITY ASSOCIATION, INC., an Arizona nonprofit corporation, for and on behalf thereof.

Donna G. Vetraino
Notary Public

(SEAL)

