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**DECLARATION OF ANNEXATION TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR MOUNTAIN  
TRAILS COMMUNITY ASSOCIATION**

This Declaration of Annexation to Declaration of Covenants, Conditions, and Restrictions for Mountain Trails Community Association (the "Declaration of Annexation"), is made as of the 6th day of February, 2018, by BEAZER HOMES HOLDINGS, LLC, a Delaware limited liability company, successor by conversion to BEAZER HOMES HOLDINGS CORP., a Delaware corporation (the "Declarant").

**RECITALS:**

A. A Declaration of Covenants, Conditions, and Restrictions for Mountain Trails Community Association, dated as of May 2, 2016, was executed by Declarant and recorded on May 3, 2016 as Instrument No. 20160300449 in the Official Records of the County Recorder of Maricopa County, Arizona (the "Declaration").

B. Capitalized terms used in this Declaration of Annexation without definition shall have the meanings given to such terms in the Declaration.

C. Section 13.1 of the Declaration granted the Declarant the right to annex and subject to the Declaration all or any portion of the Annexable Property by Recording a Declaration of Annexation setting forth the legal description of the Annexable Property being annexed and describing any portion of the Annexable Property that will be Common Area.

D. The Declarant desires to annex and submit to the Declaration the Annexable Property described on Exhibit B to the Declaration.

**NOW, THEREFORE**, the Declaration is amended as follows:

1. Pursuant and subject to the provisions of Section 13.1 of the Declaration, the following described property is hereby annexed and subjected to the Declaration:

Lots 1 through 73, inclusive, and Tracts A through J, inclusive, of Mountain Trails – West, according to the plat thereof recorded in Book 1290 of Maps, Page 42, of the Official Records of Maricopa County, Arizona, in Instrument No. 2016-0679826 of the Official Records of Maricopa County, Arizona.

2. The following described portion of the Annexable Property shall be Common Area:

Tracts A through J, inclusive, of Mountain Trails – West, according to the plat thereof recorded in Book 1290 of Maps, Page 42, of the Official Records of Maricopa County,

Arizona, in Instrument No. 2016-0679826 of the Official Records of Maricopa County, Arizona.


3. All Lots annexed pursuant to this Declaration of Annexation shall be subject to assessment upon the conveyance of the first such annexed Lot to a Purchaser.

4. Except as expressly amended by this Declaration of Annexation, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Declaration of Annexation is executed by the undersigned, the Declarant under the Declaration, as of the date first set forth above.

DECLARANT:

BEAZER HOMES HOLDINGS, LLC,  
a Delaware limited liability company,  
successor by conversion to  
Beazer Homes Holdings Corp.,  
a Delaware Corporation

By: 

Name: Timothy C. Little

Its: President Divisional - Phoenix

STATE OF ARIZONA    )  
  ) ss.  
County of Maricopa    )

The foregoing instrument was acknowledged before me this 7 day of February, 2018, by Timothy C. Little, known by me to be the President Divisional - Phoenix of Beazer Homes Holdings, LLC a Delaware limited liability company, successor by conversion to Beazer Homes Holdings Corporation, a Delaware corporation.

  
Notary Public

My Commission Expires:  
7/10/2020

