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WHEN RECORDED RETURN TO:

Storey & Pieroni PLC  
3030 E. Camelback Road  
Suite 265  
Phoenix, Arizona 85016  
Attention: Lesa J. Storey

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SUPPLEMENTAL DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
COOPER COMMONS

This Supplemental Declaration of Covenants, Conditions and Restrictions (hereinafter called the "Supplemental Declaration") is made this 15 day of JUNE, 1999, by Cooper Commons L.L.C., an Arizona limited liability company (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, Declarant executed and caused to be recorded that certain Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements for Cooper Commons, dated April 28, 1998, and Recorded on April 29, 1998 as Document No. 98-0346533, records of Maricopa County, Arizona (the "Declaration"); and

WHEREAS, Declarant is the "Declarant" under the Declaration and is the owner in fee simple of that portion of Cooper Commons known as Phases Two and Three and legally described in **Exhibit "A"** attached hereto and incorporated herein by this reference (hereinafter referred to as the "Additional Property"); and

WHEREAS, Declarant desires to annex the Additional Property so as to become part of the "Covered Property" as defined in the Declaration, pursuant to the terms of Article XIII of the Declaration.

NOW, THEREFORE, Declarant hereby declares, covenants and agrees as follows:

Pursuant to the terms of Article XIII of the Declaration and the authority granted to Declarant in said Article XIII for annexation of land, Declarant hereby executes this Supplemental Declaration with the intent to record this instrument in the official records of Maricopa County, Arizona.

Declarant hereby annexes the Additional Property and thereby for all purposes such Additional Property shall be deemed to be included within the Covered Property, for the purpose of making the Additional Property subject to the Declaration and subject to the jurisdiction of the "Association" as defined in the Declaration, without the approval, assent or vote of the Association.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration of Covenants, Conditions and Restrictions on the date first set forth above.

COOPER COMMONS L.L.C., an Arizona limited liability company

By: CAREFREE PARTNERS, L.L.C., an Arizona limited liability company, its Manager/Member

By: WEST MANAGEMENT LIMITED PARTNERSHIP, an Arizona limited partnership, its Manager

By: THE RICHARD WEST COMPANY, an Arizona corporation, its General Partner

By: Richard B. West III  
Richard B. West III, its President

STATE OF ARIZONA )  
 ) ss.  
County of Maricopa )

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The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of June, 1999, by Richard B. West III, the President of The Richard West Company, an Arizona corporation, the General Partner in West Management Limited Partnership, an Arizona limited partnership, the Manager of Carefree Partners, L.L.C., an Arizona limited liability company, the Manager/Member of Cooper Commons L.L.C., an Arizona limited liability company, on behalf thereof.

Lesia J. Storey

Notary Public

My Commission Expires:  
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**EXHIBIT A**

Lots 1 through 105, inclusive, and Tracts A, B and C, of COOPER COMMONS II PARCEL 2, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 22.

Lots 1 through 166, inclusive, and Tracts A through G, inclusive, of COOPER COMMONS II - PARCEL 4, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 43.

Lots 1 through 225, inclusive, and Tracts A through AAA, inclusive, of COOPER COMMONS II PARCEL 5, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 44.

Lots 1 through 104, inclusive, and Tracts A, B and C, of COOPER COMMONS II PARCEL 6, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 23.

Lots 1 through 158, inclusive, and Tracts A through D, inclusive, of COOPER COMMONS III PARCEL 9, according to the plat of record in the office of the County Recorder of Maricopa County, <sup>Unofficial Document</sup> Arizona, recorded in Book 504 of Maps, page 21.

Lots 1 through 115, inclusive, and Tracts A through AA, inclusive, of COOPER COMMONS III PARCEL 10, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 33.

Lots 1 through 88, inclusive, and Tracts A, B and C, inclusive, of COOPER COMMONS III PARCEL 11, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 504 of Maps, page 32.