

When recorded, return to:

TATUM RANCH COMMUNITY ASSOCIATION
29811 N. Tatum Boulevard
Cave Creek, Arizona 85331
Attention: Sean Bodkin



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
2002-1240651 11/22/02 15:39
1 OF 1

GONZALES.J

**FIFTH CERTIFICATE OF AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TATUM RANCH**

THIS FIFTH CERTIFICATE OF AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TATUM RANCH (this "Certificate of Amendment") is made as of this 7th day of November, 2002, by TATUM RANCH COMMUNITY ASSOCIATION, an Arizona non-profit corporation (the "Association").

RECITALS:

A. Suncor Development Partners, an Arizona general partnership, as Declarant, previously recorded that certain Declaration of Covenants, Conditions and Restrictions, dated February 19, 1988, and recorded as Instrument No. 88-090390, Official Records of Maricopa County, Arizona (the "Original Declaration"). Thereafter, Declarant amended the Original Declaration pursuant to the terms of a First Amendment to Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated May 16, 1988, and recorded as Instrument No. 88-239882, Official Records of Maricopa County, Arizona (the "First Amendment to Original Declaration"). Thereafter, Declarant appointed Suncor Development Company as successor Declarant ("Successor Declarant") as set forth in the Designation of Successor Declarant for Tatum Ranch, dated November 10, 1988, and recorded as Instrument No. 88-602338, Official Records of Maricopa County, Arizona. Thereafter, Successor Declarant caused the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated December 21, 1988, to be recorded as Instrument No. 88-625068, Official Records of Maricopa County, Arizona (the "Amended and Restated Declaration"). Thereafter, Successor Declarant amended the Amended and Restated Declaration pursuant to the terms of a First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated September 22, 1998, and recorded as Instrument No. 98-0845209 (the "First Amendment to Amended and Restated Declaration"). Thereafter, the Association amended the Amended and Restated Declaration, as previously amended by the First Amendment to Amended and Restated Declaration, pursuant to the terms of a Second Certificate of Amendment to Amended and Restated Declaration for Tatum Ranch, dated December 20, 2000, and recorded as Instrument No. 2001-005626 (the "Second Certificate of Amendment to Amended and Restated Declaration"). Thereafter, Successor Declarant amended the Amended and Restated Declaration, as previously amended by the First Amendment to

