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When recorded, return to:

Gordon E. Hunt, Esq.  
Biskind Hunt, PLC  
11201 North Tatum Blvd., Suite 330  
Phoenix, Arizona 85028

NCS 701961  
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**FOURTH AMENDMENT TO  
COMMUNITY CHARTER FOR MARLEY PARK  
(Commercial Parcel – Charter School)**

This Fourth Amendment to Community Charter for Marley Park (this “**Fourth Amendment**”) is made effective this 22<sup>nd</sup> day of January, 2015, by MARLEY PARK LLC, an Arizona limited liability company (the “**Founder**”).

A. The Founder executed the Community Charter for Marley Park (the “**Charter**”) and recorded said document in the official records of Maricopa County, Arizona on April 23, 2004, as Document No. 2004-0440662; and

B. The Charter was amended pursuant to that certain First Amendment to Community Charter for Marley Park recorded in the official records of Maricopa County, Arizona on July 28, 2005, as Document No. 20051065776; and

C. The Charter was amended pursuant to that Second Amendment to Community Charter for Marley Park recorded in the official records of Maricopa County, Arizona on December 15, 2006, as Document No. 20061639744; and

D. The Charter was amended pursuant to that Third Amendment to Community Charter for Marley Park recorded in the official records of Maricopa County, Arizona on February 2, 2007, as Document No. 2007 0138811; and

E. The real property that is subject to the Charter is being developed as a master planned community located in the City of Surprise, Maricopa County, Arizona, commonly known as Marley Park; and

F. Section 19.1 of the Charter contemplates that the Founder may amend the Charter to remove any unimproved portion of Marley Park from the coverage of the Charter, including without limitation any portion of Marley Park intended to be utilized for commercial uses, and the Founder intends to utilize for commercial purposes the real property described in Exhibit “A”, attached hereto and made a part hereof (the “**Commercial Parcel**”); and

F. The Founder now wishes to amend the Charter as set forth herein.

NOW, THEREFORE, the Founder declares that the Commercial Parcel is hereby removed from the coverage of the Charter. Consequently, the Commercial Parcel is no longer subject to the restrictions, covenants, conditions, terms and provisions contained in the Charter.

IN WITNESS WHEREOF, the Founder has executed the foregoing instrument as of the date first set forth above.

FOUNDER: MARLEY PARK, LLC, an Arizona limited liability company

By: DMB Communities LLC, an Arizona limited liability company, its Manager

By: DMB Associates, Inc., an Arizona corporation, its Manager

By: Daniel T. Kelly

Its: Sr. Vice President

STATE OF ARIZONA )  
 )  
County of Maricopa )

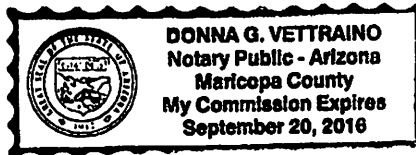
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ss.

The foregoing Fourth Amendment to Community Charter was acknowledged before me this 22<sup>nd</sup> day of January, 2015, by Daniel T. Kelly, the Sr. VP of DMB Associates, Inc., an Arizona corporation, in its capacity as Manager of DMB Communities LLC, an Arizona limited liability company, in its capacity as Manager of MARLEY PARK LLC, an Arizona limited liability company, on behalf of the latter limited liability company.

Donna G. Vettrano  
Notary Public

My Commission Expires:  
9-20-2016



CONSENT OF MARLEY PARK PHASE II LLC

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Marley Park Phase II LLC, as the Owner of the Commercial Parcel (as defined in the foregoing Fourth Amendment to Community Charter), hereby consents to, ratifies and approves the foregoing Fourth Amendment to Community Charter.

MARLEY PARK PHASE II LLC, an Arizona limited liability company

By: DMB Associates, Inc., an Arizona corporation, its Manager

By: [Signature]  
Its: Sr. Vice President

STATE OF ARIZONA )  
 )  
County of Maricopa ) ss.

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The foregoing Fourth Amendment to Community Charter was acknowledged before me this 20<sup>th</sup> day of January, 2015, by Daniel T. Kelly, the Sr. VP of DMB Associates, Inc., an Arizona corporation, in its capacity as Manager of MARLEY PARK PHASE II LLC, an Arizona limited liability company, on behalf of the limited liability company.

[Signature]  
Notary Public

My Commission Expires:  
9-20-2016

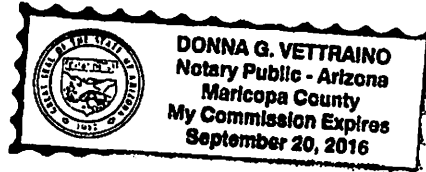


Exhibit "A"

Legal Description of Property

Lot 1, according to the Final Plat for Marley Park Legacy Charter School, recorded in Book 1211, Page 27, Official Records of Maricopa County, Arizona.

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