

After Recording, Please Return To:

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**FIFTH AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR HHB HEIGHTS**

FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HHB HEIGHTS

This Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions for HHB Heights ("Fifth Amendment to Declaration") is made as of the date signed below, by the Declarant HHB Real Estate Investing, Inc., an Arizona corporation ("Declarant").

RECITALS

A. On September 7, 2017, Declarant recorded at Instrument Number 2017-0663590 a certain Declaration of Covenants, Conditions And Restrictions for HHB Heights for the property described in Exhibit "A" attached hereto (the "Declaration").

B. On October 21, 2019, Declarant recorded at Instrument Number 2019-0837726 a certain First Amendment to Declaration to identify the name of the homeowner's association for HHB Heights.

C. On March 19, 2020, Declarant recorded at Instrument Number 2020-0238224 a certain Second Amendment to Declaration to establish a minimum home size for any Residential Unit (as defined in the Declaration) to be constructed on any Lot.

D. On April 23, 2021, Declarant recorded at Instrument Number 2021-0459634 a certain Third Amendment to Declaration to establish the maximum Annual Assessments and Lifestyle Enhancement Fee for the Association.

E. On August 9, 2021, Declarant recorded at Instrument Number 2021-0857295 a certain Fourth Amendment to Declaration regarding annual assessments.

F. Declarant now intends to further modify the Declaration, to add a provision regarding pets and animals.

AMENDMENT

1. The Declaration is hereby amended to add a new Section 3.22 which states as follows:

3.22 Animals. No animals, including but not limited to birds, fowl, poultry, reptiles or livestock, other than a reasonable number of generally recognized house or yard pets, shall be maintained on any Lot, and then only if they are kept, bred or raised thereon solely as domestic pets and not for commercial purposes. All pets must be kept in a fenced yard or on a leash at all times. No animal shall be allowed to make an unreasonable amount of noise or to become a nuisance or an annoyance

to other Owners. It shall be the responsibility of each Owner to remove immediately any droppings or waste from pets. No structure for the care, housing or confinement of any animal, bird, fowl, poultry, reptiles or livestock shall be maintained so as to be Visible From Any Neighboring Property, unless first approved by the Architectural Committee.

The Board shall have the right from time to time to determine the policy and rules for pets and animals, and the Board shall have the sole and absolute discretion to determine any restrictions on pets and animals, and whether or not a particular animal is a generally recognized house or yard pet, whether such pet is a problem or nuisance, or whether a particular number of animals on any property is reasonable. Any policy decision rendered by the Board shall be enforceable in the same manner as any other restrictions contained in the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Fifth Amendment to Declaration on the date signed below.

DECLARANT:

**HHB Real Estate Investing, Inc.,
an Arizona corporation**

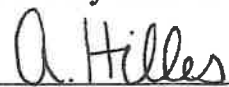

By: Abdul Jazzar
Its: President

10-26-2021
Date

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 26th day of October 2021, the undersigned notary public, by Abdul Jazzar, the President of HHB Real Estate Investing, Inc. an Arizona corporation, for and on behalf of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public

My Commission Expires: November 27, 2022

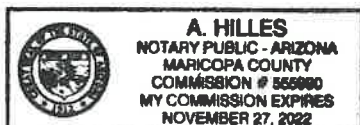


Exhibit A

LEGAL DESCRIPTION

The following real property situated in Maricopa County,
Arizona:

Lots 1 through 13 and TRACTS A, B, C, and D, HHB
HEIGHTS, according to the final plat of record in the office
of the county recorder of Maricopa County, Arizona,
recorded in Book 1381 of Maps, page 33.