

When recorded, please return to:

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**CONFIRMATORY DECLARATION OF ANNEXATION OF
FUTURE ANNEXABLE PROPERTY
FOR
CONTESSA BELLA, A CONDOMINIUM
MARKETED AS CONTESSA BELLA**

This Confirmatory Declaration of Annexation of Future Annexable Property for Contessa Bella, a Condominium (a "Confirmatory Annexation Document") is made this 12th day of August, 2008 by Midpoint Properties, LLC, an Arizona limited liability company ("the Declarant").

Recitals

A. On March 6, 2008, the Declarant recorded a Declaration of Condominium and of Covenants, Conditions and Restrictions for Contessa Bella Condominiums at Instrument No. 2008-0202303 in the Official Records of the Maricopa County Recorder ("the Original Declaration").

B. On Aug 13, 2008, the Declarant recorded a First Amendment to Declaration of Condominium and of Covenants, Conditions and Restriction for Contessa Bella Condominiums at Instrument No. 2008-0704632 in the Official Records of the Maricopa County Recorder ("the First Amended Declaration").

C. The Original Declaration and the First Amended Declaration are collectively referred to below as "the Declarations."

D. The Declarations subject certain real property described on the Plat Recorded in Book 1000 of Maps, page 30 of the Official Records of the Maricopa County, Arizona Recorded and on **Exhibit A**, attached hereto and incorporated herein by this reference, to a Condominium pursuant to the Condominium Act, subject to the further provisions of the Declarations.

E. Article 2.6, as stated in the First Amended Declaration, reserved to the Declarant the Development Rights to expand the Condominium in Phases by Recording an amendment to

the Declarations adding to the Condominium the real property defined as "Future Annexable Property" in Section 1.1(JJ) of the First Amended Declaration.

F. In the First Amended Declaration, the Declarant conditionally annexed the Future Annexable Property in Phases subject to the Effective Date for each such Phase established therein.

G. Pursuant to Article 2.6, as stated in the First Amended Declaration, the Declarant desires to enter into this Confirmatory Annexation Document to satisfy the requirements of certain governmental or quasi-governmental agencies or entities (including FHA and/or VA) insuring or guaranteeing First Mortgages in the Condominium.

G. Capitalized terms used in this Confirmatory Annexation Document without definition shall have the meanings given to such terms in the Declarations or, if not such meanings are given, shall have the common meaning given to the terms.

In consideration of these Recitals, the Declarant hereby declares as follows:

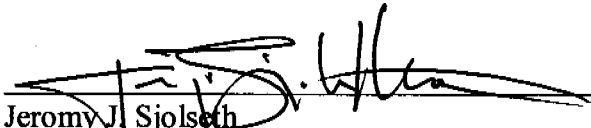
1. This Confirmatory Annexation Document hereby confirms that: (i) the portion of the Future Annexable Property described in **Exhibit B** attached hereto and incorporated herein by this reference ("the Annexed Property") has been unconditionally added and/or annexed to the Condominium; (ii) the Effective Date of the Annexed Property has already occurred or is deemed to have occurred as of the date of Recording of this Confirmatory Annexation Document; and (iii) neither the real property described on **Exhibit A** nor the Annexed Property described on **Exhibit B** may be withdrawn or removed from the Condominium hereafter without the vote or written consent of all Unit Owners and First Mortgagees and without the prior express written consent of the FHA and/or VA.

2. It is hereby acknowledged that the Annexed Property is subject to the covenants, conditions, restrictions, and easements in the Declarations and that all of the Future Annexable Property described in the Declaration has been added to the Condominium and subjected to the Declarations.

3. In the even a conflicts exists between the Declarations and this Confirmatory Annexation Document, this Confirmatory Annexation Document shall govern and prevail.

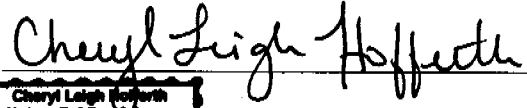
In witness whereof, the Declarant has executed this Confirmatory Annexation Document on the 12 day of August 2008.

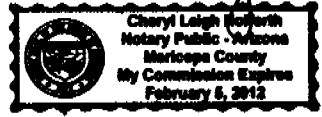
DECLARANT: **MIDPOINT PROPERTIES, LLC**, an Arizona limited liability company

By: 
Jeromy J. Sjolseth
Manager

STATE OF ARIZONA)
) ss
County of Maricopa)

The foregoing instrument was acknowledged before me this 12 day of July 2008, by Jeromy J. Sjolseth, Manager of Midpoint Properties, LLC, an Arizona limited liability company, for and on behalf of said limited liability company.

Notary Public: 



My Commission Expires: 2-5-2012

EXHIBIT A

Property Subject the Condominium

Units 150 through 152, inclusive, and Units 126 through 130, inclusive, according to the Declaration of Condominium and of Covenants, Conditions and Restrictions for Contessa Bella Condominiums, as originally recorded with the Maricopa County Recorder at Document No. 2008-0202303 ("the Declaration"), and the Condominium Plat of Contessa Bella, A CONDOMINIUM in Book 1000 of Maps, page 30, as Recorded in the Official Records of Maricopa County, Arizona;

TOGETHER WITH an undivided interest in the Common Elements.

ALSO KNOWN AS:

A resubdivision of "CONTESSA BELLA" a one lot plat recorded on June 27, 2008 at Book 994 of Maps, page 44, Records of Maricopa County, Arizona;

EXCEPT the Future Annexable Property described in EXHIBIT B attached hereto.

EXHIBIT B**Annexed Property**

Units 101 through 125, inclusive, Units 131 through 149, inclusive, and Units 153 through 155, inclusive, according to the Declaration of Condominium and of Covenants, Conditions and Restrictions for Contessa Bella Condominiums, as originally recorded with the Maricopa County Recorder at Document No. 2008-0202303 ("the Declaration"), and the Condominium Plat of Contessa Bella, A CONDOMINIUM in Book 1000 of Maps, page 30, as Recorded in the Official Records of Maricopa County, Arizona;

TOGETHER WITH an undivided interest in the Common Elements.