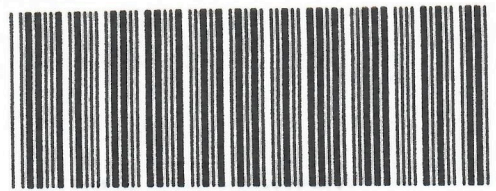


When recorded mail to:  
Eagle Roost Management, Inc.  
P.O. Box 187  
Aguila, AZ 85320-0187



OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL

97-0291013 05/01/97 12:20

KATHERINE

**AMENDMENT 5**  
**DECLARATION OF COVENANTS, CONVENTIONS AND RESTRICTIONS**  
**EAGLE ROOST AIRDROME**

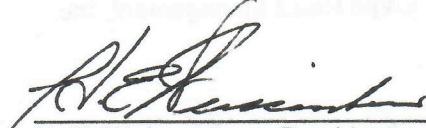
WHEREAS the membership of Eagle Roost Management, Inc. is desirous of changing the existing Amendment 3 to the Declaration of Restrictions, dated April 2, 1993 and recorded as Document 93-0204256 on April 6, 1993, all applying to the land specifically described as follows:

Section 26, Township 7 North, Range 9 West of the Gila and Salt River Base  
and Meridian, Maricopa County, Arizona, hereinafter called the "property".

And the present membership having approved a change to the Declaration of Restrictions by a minimum vote of 75% as required in Paragraph 17 of Amendment 3 of the Declaration of Restrictions and as certified in the minutes of the Annual Meeting of the membership on April 19, 1997, do hereby amend and modify said Declaration of Restrictions by adding a new paragraph, 5 B), and deleting an existing paragraph, 16 D), as detailed below.

1. Following section 5 paragraph A) add paragraph B):
  - B) All purchasers of property and residents of Eagle Roost Airpark acknowledge that they are aware this is a fly-in community and that a private airport is contained within this community. The buyer/occupant hereby waives all and any objections to aviation activities carried out or connected with the airport.
2. Delete section 16, paragraph D) as shown below:
  - D) Deleted in its entirety.

EXCEPT as amended herein, the existing Declaration of Restrictions and its Amendments shall remain in full force and effect. Executed this 23<sup>rd</sup> day of April, 1997 by Eagle Roost Management, Inc. a non-profit Arizona corporation.

  
H. E. Weissenborn, President

Eagle Roost Management, Inc.

  
Maryann Hewitt, Secretary