

WHEN RECORDED MAIL TO:

AFFIDAVIT OF CORRECTION

FINAL PLAT FOR INFRASTRUCTURE
FOR
SUPERSTITION VISTAS DEVELOPMENT UNIT 2
BLOSSOM ROCK TRAIL – PHASE 1

The sole purpose of this Affidavit of Correction (“Affidavit”) is to modify the “DEDICATION” language as the same is set forth in the Final Plat for Infrastructure for Superstition Vistas Development Unit 2 Blossom Rock Trail – Phase 1, dated July 14, 2022, and recorded on August 1, 2022, in the Official Records of the Pinal County Recorder, as Instrument No. 2022-084917 (the “Plat”).

1. The penultimate paragraph of the “DEDICATION,” beginning with “OWNER HEREBY GRANTS TO THE CITY OF APACHE JUNCTION AND THE SUPERSTITION VISTAS COMMUNITY FACILITIES DISTRICT NO. 2 . . .,” is hereby amended to include the following language at the end of said penultimate paragraph:

NO CFD IMPROVEMENTS THAT ARE BEING DEDICATED TO THE CITY OF APACHE JUNCTION (“CFD IMPROVEMENTS”) SHALL BE DEEMED TO BE DEDICATED TO OR ACCEPTED BY THE CITY OF APACHE JUNCTION OR OTHER GOVERNMENTAL ENTITY UNTIL ACCEPTANCE OF SUCH CFD IMPROVEMENTS BY THE CITY OF APACHE JUNCTION OR OTHER GOVERNMENTAL ENTITY. OWNER HEREBY RESERVES AN INTEREST IN ANY OF THE FOREGOING REAL PROPERTY UPON WHICH WHAT WOULD BE “PUBLIC INFRASTRUCTURE” AS SUCH TERM IS DEFINED IN SECTION 48-701, ARIZONA REVISED STATUTES, HAS BEEN OR IS TO BE CONSTRUCTED, INCLUDING THE CFD IMPROVEMENTS. EXCEPT IF RELEASED PRIOR THERETO AS HEREINAFTER DESCRIBED, SUCH INTEREST IS TO BE ACQUIRED BY THE CFD. SUCH INTEREST IS LIMITED TO ONE NECESSARY TO ACCOMMODATE THE FINANCING OF THE ACQUISITION OF SUCH PUBLIC INFRASTRUCTURE (INCLUDING OF SUCH INTEREST IN SUCH REAL PROPERTY) PURSUANT TO THE AMENDED AND RESTATED DISTRICT DEVELOPMENT, FINANCING PARTICIPATION, WAIVER AND INTERGOVERNMENTAL AGREEMENT DATED AS OF OCTOBER 10, 2022, AND RECORDED ON OCTOBER 11, 2022, IN THE OFFICIAL RECORDS OF THE PINAL COUNTY RECORDER, AS INSTRUMENT NO. 2022-106816 (THE “CFD DEVELOPMENT AGREEMENT”). SUCH INTEREST IS TO BE RELEASED UPON THE EARLIER OF THE ACQUISITION OF SUCH PUBLIC INFRASTRUCTURE

ONLY BY THE CFD PURSUANT TO THE CFD DEVELOPMENT AGREEMENT OR
DECEMBER 31, 2056.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

THE STATE OF ARIZONA, BY AND THROUGH THE ARIZONA STATE LAND
DEPARTMENT, AS OWNER, HAS HERETO CAUSED ITS NAME TO BE AFFIXED AND
THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICER
THIS

THE STATE OF ARIZONA, BY AND THROUGH THE ARIZONA STATE LAND
DEPARTMENT

STATE OF ARIZONA)
)ss.
COUNTY OF MARICOPA)

MY COMMISSION EXPIRES _____

BROOKFIELD ASLD 8500 LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS DEVELOPER, HAS HERETO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICERS THIS

BY: BROOKFIELD RESIDENTIAL (ARIZONA) LLC, A DELAWARE LIMITED
LIABILITY COMPANY, ITS MANAGER

ITS:

STATE OF ARIZONA)
)ss.
COUNTY OF MARICOPA)

MY COMMISSION EXPIRES

THE CITY OF APACHE JUNCTION, ARIZONA, A MUNICIPAL CORPORATION, HAS
HERETO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY
THE SIGNATURE OF THE UNDERSIGNED OFFICER THIS

CITY OF APACHE JUNCTION, ARIZONA, A MUNICIPAL CORPORATION

ACKNOWLEDGMENT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023 BY WALTER "CHIP" WILSON, AS MAYOR OF THE CITY OF APACHE JUNCTION, ARIZONA, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF ARIZONA. ON BEHALF THEREOF.

MY COMMISSION EXPIRES

Jennifer Pena, City Clerk

Pursuant to A.R.S. Section 11-952(D), this Agreement has been reviewed by the undersigned attorney for the Municipality who has determined that this Agreement is in proper form and is within the powers and authority granted pursuant to the laws of this State to the Municipality.

4877-2136-0218.2