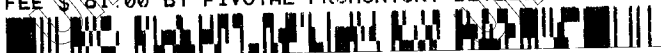


WHEN RECORDED RETURN TO:  
Mr. Richard Sonntag  
Pivotal Promontory Development, L.L.C.  
8758 North Promontory Ranch Road  
Park City, UT 84098

**ENTRY NO. 00808799**  
04/03/2007 08:35:48 AM B: 1856 P: 1615  
Declaration PAGE 1 / 5  
ALAN SPRIGGS SUMMIT COUNTY RECORDER  
FEE \$ 81.00 BY PIVOTAL PROMONTORY DEVELOPMENT LLC



**SUPPLEMENTAL MASTER DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
PROMONTORY**

**THE SUMMIT SUBDIVISION  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this 14 day of  
March, 2007, by PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., an  
Arizona limited liability company, referred to below as "Declarant."

**RECITALS:**

A. Pivotal Promontory Development, L.L.C. is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions for Promontory, as amended and supplemented, dated January 2, 2002 and recorded January 3, 2002 as Entry Number 00607465 in Book 01426 at Page 522 of the Official Records of the Summit County Recorder (together with all amendments and supplements, the "Declaration"). All capitalized terms contained herein shall have the definitions set forth herein or in the Declaration.

B. Declarant is the owner of certain real property located in Summit County, Utah, which is more particularly described in Exhibit A (the POD 85 subdivision). The Summit subdivision (hereinafter the "Subdivision") is included within the Initial Property.

C. Declarant intends to develop the Subdivision as a residential subdivision subject to the Promontory SPA Plan, dated January 16, 2001, as amended, and subject to certain protective covenants, conditions and restrictions all as set forth in the Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots within Promontory, including those within the Subdivision.



**EXHIBIT A**

**The Summit**

**Legal Description**

**Tax I.D. number: NS-1**

**Parcel A:**

A parcel of land located in Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at a point which bears North 89°56'06" East along the Section Line 154.69 feet and South 327.46 feet from the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of said Section 1 and the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian, both corners being found monuments) and running thence North 49°38'13" East 264.15 feet; thence South 84°40'45" East 420.18 feet; thence South 78°40'36" East 219.52 feet to a point of curvature of a 225.00 foot radius curve to the right, the center of which bears South 05°57'46" East, thence along the arc of said curve 146.63 feet through a central angle of 37°20'19"; thence North 84°02'14" East 37.96 feet to a point of curvature of a 135.00 foot radius curve to the left, the center of which bears South 88°48'36" West, thence along the arc of said curve 200.81 feet through a central angle of 85°13'38"; thence North 01°11'24" West 57.53 feet; thence North 88°48'36" East 50.00 feet; thence South 01°11'24" East 57.53 feet to a point of curvature of a 185.00 foot radius curve to the right, the center of which bears North 05°57'46" West, thence along the arc of said curve 275.19 feet through a central angle of 85°13'38"; thence South 84°02'14" West 37.96 feet to a point of curvature of a 175.00 foot radius curve to the left, the center of which bears South 56°18'36" East, thence along the arc of said curve 153.78 feet through a central angle of 50°20'50"; thence South 33°41'24" West 25.01 feet to a point of curvature of a 475.00 foot radius curve to the left, the center of which bears South 72°06'54" East, thence along the arc of said curve 131.03 feet through a central angle of 15°48'18"; thence South 17°53'06" West 214.02 feet to a point of curvature of a 475.00 foot radius curve to the left, the center of which bears

South 72°06'54" East, thence along the arc of said curve 146.89 feet through a central angel of 17°43'07"; thence South 79°54'44" East 428.62 feet; thence North 04°50'58" East 575.81 feet; thence North 74°21'41" East 299.55 feet; thence South 41°10'35" East 176.82 feet; thence North 67°04'22" East 394.66 feet; thence South 27°23'27" East 96.50 feet; thence North 54°13'00" East 35.51 feet; thence North 07°48'09" East 119.66 feet; thence South 82°11'51" East 70.00 feet; thence South 07°48'09" West 53.04 feet; thence North 54°13'00" East 277.05 feet; thence South 02°15'10" West 878.05 feet; thence North 56°13'50" West 313.38 feet; thence South 33°46'10" West 30.00 feet; thence North 56°13'50" West 20.58 feet to a point of curvature of a 140.00 foot radius curve to the right, the center of which bears North 33°46'10" East, thence along the arc of said curve 35.53 feet through a central angel of 14°32'20"; thence North 41°41'30" West 39.34 feet to a point of curvature of a 140.00 foot radius curve to the right, the center of which bears North 48°18'30" East, thence along the arc of said curve 65.31 feet through a central angel of 26°43'42"; thence North 14°57'48" West 68.47 feet to a point of curvature of a 75.00 foot radius curve to the left, the center of which bears South 75°02'12" West, thence along the arc of said curve 59.10 feet through a central angel of 45°08'46"; thence South 08°53'34" West 511.59 feet; thence South 05°42'45" East 246.86 feet; thence South 38°30'43" East 717.70 feet; thence South 12°41'57" West 681.90 feet; thence South 10°41'41" East 499.18 feet; thence South 39°25'07" East 533.70 feet; thence South 65°38'44" West 396.93 feet to a point on a curve with a 475.00 foot radius that curves to the left, the center of which bears South 65°38'44" West, thence along the arc of said curve 332.21 feet through a central angel of 40°04'20"; thence North 64°25'36" West 226.18 feet to a point of curvature of a 800.00 foot radius curve to the right, the center of which bears North 25°34'24" East, thence along the arc of said curve 548.33 feet through a central angel of 39°16'17"; thence North 25°09'19" West 210.56 feet to a point of curvature of a 625.00 foot radius curve to the left, the center of which bears South 64°50'41" West, thence along the arc of said curve 790.81 feet through a central angel of 72°29'46"; thence South 82°20'56" West 132.86 feet; thence North 07°39'04" West 184.37 feet; thence North 01°04'42" East 159.75 feet; thence North 14°38'26" West 122.57 feet; thence North 46°15'07" West 122.57 feet; thence North 77°21'26" West 118.74 feet; thence South 83°04'53" West 102.21 feet; thence North 13°57'12" West 189.62 feet; thence North 11°51'30" East 462.19 feet; thence North 01°38'11" East 430.17 feet; thence North 23°41'31" West 421.47 feet to the POINT of BEGINNING.

Containing 106.71 acres, more or less.

**Parcel B:**

A parcel of land located in Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian, and being more particularly described as follows:

Beginning at a point on the Northerly right of way of Promontory Ranch Road (a.k.a. Access Easement No. 1) which bears South 89°20'39" East along the Section Line 2615.51 feet and North 380.65 feet from the Southwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°20'39" East 5361.90 feet between the Southwest Corner and Southeast Corner of said Section 1, Township 1 North, Range 4 East, Salt Lake Base and Meridian) and running thence North 24°19'11" East 205.89 feet to a point of curvature of a 35.00 foot radius curve to the left, the center of which bears North 65°40'49" West, thence along the arc of said curve 25.35 feet through a central angle of 41°29'43"; thence North 17°10'33" West 493.23 feet; thence North 65°01'19" East 416.73 feet; thence South 33°39'05" East 440.01 feet; thence South 70°38'09" West 250.33 feet; thence South 35°37'13" East 661.90 feet; thence South 44°17'23" West 139.14 feet; thence North 47°18'38" West 419.88 feet; thence North 10°56'07" West 38.71 feet; thence North 65°40'11" West 172.71 feet to a point of curvature of a 30.00 foot radius curve to the left, the center of which bears South 24°19'49" West, thence along the arc of said curve 47.13 feet through a central angle of 90°00'38"; thence South 24°19'11" West 179.82 feet to a point on a curve with a 675.00 foot radius that curves to the right, the center of which bears North 23°02'47" West, said point being on the northerly right of way of Promontory Ranch Road, thence along said Promontory Ranch Road right of way and along the arc of said curve 30.00 feet through a central angle of 02°32'48" to the POINT OF BEGINNING.

Containing 8.22 acres, more or less.