

**SECOND SUPPLEMENT AND AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND  
EASEMENTS  
FOR  
THE WILD HORSE RANCH SUBDIVISION**

THIS FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE WILD HORSE RANCH SUBDIVISION (the "Supplement") is made and entered into to be effective as of September 18, 2018, by Penelope Rose LLC, a Utah limited liability company ("Declarant").

A. Penelope Rose LLC is the "Declarant" under that certain Declaration of Covenants, Conditions, Restrictions and Easements for the Wild Horse Ranch Subdivision (the "Subdivision"), recorded April 27, 2016, as Entry No. 428036 in the Official Records of the Office of the Tooele County Recorder (as amended, the "Declaration").

B. The Declaration presently governs the real property in the Subdivision more as noted above, hereto and incorporated herein by reference (the "Existing Property").

C. Under Article 12 of the Declaration, Declarant reserved the right to annex additional property into the Subdivision without the approval of any Owner or the Association (the "Option to Expand").

D. Declarant desires to exercise its Option to Expand to annex and include the real property known as Phases 4 and 5, of the Wild Horse Ranch Subdivision (the "Additional Land") in the Subdivision.

E. The legal description for the real property comprising the Additional Land is set forth on Exhibit A attached hereto and incorporated herein by reference.

F. Declarant also desires to make a clarification regarding certain privacy fencing on certain Lots within the Additional Land.

NOW, THEREFORE, Declarant hereby declares and provides as follows:

1. Declaration Incorporated by Reference. The Declaration in its entirety is hereby incorporated by reference and made a part of this Supplement as though fully set forth herein, and is hereby amended as to the Additional Land as set forth herein.

2. Definitions. Unless the context clearly requires otherwise, all capitalized words or terms which are not defined in this Supplement shall have the meanings ascribed to them in the Declaration.

3. Annexation of Additional Land. Declarant hereby annexes the Additional Land in the Subdivision.

4. Privacy Fences. Each Owner of a Lot within Phases 4 or 5 of the Subdivision located adjacent to a park or other open space shall install and maintain a privacy fence along the rear of such Lot. The design of such fence must be approved by the ACC prior to installation. Owner shall install the fence during the completion of landscaping on an affected Lot. This provision shall apply only to the Lots in the Additional Land.

5. Effective Date. This Supplement shall be effective upon recording in the Office of the Tooele County Recorder. At such time, the Additional Land shall be subject to all terms and conditions of the Declaration. Except as herein expressly provided, the Declaration shall remain in all other respects unmodified and in full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Declarant has executed this Supplement as of the date first above written.

PENELOPE ROSE LLC,  
a Utah limited liability company

By: [Signature]  
Print Name: Micah W Peters  
Title Managing Member

STATE OF Utah )  
COUNTY OF Salt Lake ) :ss.

On this 18<sup>th</sup> day of September 2018, personally appeared before me Micah Peters, who, being by me duly sworn, did say that he is the Managing Member of Penelope Rose LLC, a Utah limited liability company, that said instrument was signed by him in behalf of said company pursuant to authority, and that said company executed the same.

Commission Expires:  
9.07.2021

[Signature]  
Notary Public



**EXHIBIT A**

Legal Description of the Existing Property

**[Note: Need to insert or attach]**

**Phase 4**

The Legal description below is currently contained within parcel 05-034-0-0091.

A portion of the NW1/4 & the SW1/4 of Section 16, Township 2 South, Range 4 West, Salt Lake Base & Meridian, Tooele County, Utah, more particularly described as follows:

Beginning at a point located N89°42'06"E along the Section line 1,039.95 feet and South 2,207.52 feet from the Northwest Corner of Section 16, T2S, R4W, S.L.B. & M.; thence S78°28'14"E 422.29 feet; thence S70°26'38"E 47.51 feet to the northerly corner of Lot 212, Phase 2, WILD HORSE RANCH Subdivision, according to the Official Plat thereof on file in the Office of the Tooele County Recorder; thence S33°59'22"W along said Plat 273.51 feet to the northeasterly corner of Lot 112, Phase 1, WILD HORSE RANCH Subdivision, according to the Official Plat thereof on file in the Office of the Tooele County Recorder; thence along said Plat the following 4 (four) courses and distances: N78°35'28"W 147.79 feet; thence S38°13'29"W 88.59 feet; thence S53°00'37"W 81.25 feet; thence S63°01'57"W 805.37 feet; thence N26°56'08"W 83.00 feet; thence along the arc of a 17.00 foot radius curve to the left 26.70 feet through a central angle of 90°00'00" (chord: N71°56'08"W 24.04 feet); thence N26°56'08"W 60.00 feet; thence Northeasterly along the arc of a 17.00 foot radius non-tangent curve to the left (radius bears: N26°56'08"W) 26.70 feet through a central angle of 90°00'00" (chord: N18°03'52"E 24.04 feet); thence N26°56'08"W 68.92 feet; thence N63°03'52"E 80.00 feet; thence N71°54'19"E 124.58 feet; thence Northwesterly along the arc of a 230.00 foot radius non-tangent curve to the right (radius bears: N71°54'24"E) 37.77 feet through a central angle of 9°24'31" (chord: N13°23'21"W 37.73 feet); thence N81°18'55"E 60.00 feet; thence N75°23'21"E 101.33 feet; thence N15°52'11"E 38.50 feet; thence N51°44'07"E 52.31 feet; thence N62°13'43"E 150.02 feet; thence N54°02'15"E 75.94 feet; thence N48°31'53"E 24.98 feet; thence S76°37'35"E 119.07 feet; thence N13°22'25"E 160.00 feet; thence S76°37'35"E 14.27 feet; thence N11°31'46"E 92.63 feet to the point of beginning.

Upon recording, to be known as Wild Horse Ranch Subdivision Phase 4. Contains 26 residential lots identified as parcels 20- -0-0 through 20- -0-0 , as well as all roads located in Phase 4 identified as Parcel 20- -0-000R.

Contains: 7.52+/- acres  
26 lots

**Phase 5**

The Legal description below is currently contained within parcel 05-034-0-0091.

A portion of the NW1/4 of Section 16, Township 2 South, Range 4 West, Salt Lake Base & Meridian, Tooele County, Utah, more particularly described as follows:

Beginning at a point located N89°42'06"E along the Section line 529.15 feet and South 1,748.26 feet from the Northwest Corner of Section 16, T2S, R4W, S.L.B. & M.; thence N62°34'10"E 141.40 feet; thence S27°25'50"E 370.74 feet; thence S44°26'11"E 60.00 feet; thence Southwesterly along the arc of a 170.00 foot radius non-tangent curve to the left (radius bears: S44°26'11"E) 72.13 feet through a central angle of 24°18'39" (chord: S33°24'29"W 71.59 feet); thence S60°51'48"E 89.79 feet; thence S70°08'32"E 129.43 feet; thence S78°28'14"E 12.00 feet; thence S11°31'46"W 92.63 feet; thence N76°37'35"W 14.27 feet; thence S13°22'25"W 160.00 feet; thence N76°37'35"W 119.07 feet; thence S48°31'53"W 24.98 feet; thence S54°02'15"W 75.94 feet; thence S62°13'43"W 150.02 feet; thence S51°44'07"W 52.31 feet; thence S15°52'11"W 38.50 feet; thence S75°23'21"W 101.33 feet; thence S81°18'55"W 60.00 feet; thence Southeasterly along the arc of a 230.00 foot radius non-tangent curve to the left (radius bears: N81°18'55"E) 37.77 feet through a central angle of 9°24'31" (chord: S13°23'21"E 37.73 feet); thence S71°54'19"W 124.58 feet; thence N26°56'08"W 44.51 feet; thence along the arc of a 235.00 foot radius curve to the right 367.11 feet through a central angle of 89°30'18" (chord: N17°49'01"E 330.90 feet); thence N62°34'10"E 82.67 feet; thence along the arc of a 317.50 foot radius curve to the left 498.73 feet through a central angle of 90°00'00" (chord: N17°34'10"E 449.01 feet); thence N27°25'50"W 182.30 feet to the point of beginning.

Upon recording, to be known as Wild Horse Ranch Subdivision Phase 5. Upon recording, to be known as Wild Horse Ranch Subdivision Phase 5. Contains 25 residential lots identified as parcels 20- -0-0 through 20- -0-0 , as well as all roads located in Phase 5 identified as Parcel 20- -0-000R.

Contains: 6.99+/- acres  
25 Lots