

WHEN RECORDED RETURN TO:
IVORY HOMES, Ltd.
970 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 268-0700

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06/25/2002 04:03 PM 272.00
Book - 8612 Pg - 7723-7734
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
COTTONWOOD TITLE INS AGENCY
1996 E 6400 S STE. 120
SLC UT 84121
BY: ZJM, DEPUTY - WI 12 P.

**SIXTH SUPPLEMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
IVORY HIGHLANDS, P.U.D.**

This SIXTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR IVORY HIGHLANDS, dated for reference March 29, 2002, is made and executed by IVORY HOMES, Ltd., a Utah limited partnership, of 970 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Original Declaration of Covenants, Conditions and Restrictions was recorded in the office of the County Recorder of Salt Lake County, Utah on the 2nd day of March, 1999 as Entry No. 7274382 in Book 8254 at Page 7042 of the Official Records (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Supplement to the Declaration was recorded in the office of the County Recorder of Salt Lake County, Utah on the 6th day of July, 1999, as Entry No. 7405565 in Book 8292 at Page 1610 of the Official Records (the "First Supplement").

Whereas, the related Plat Map(s) for Phase II of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Second Supplement to the Declaration was recorded in the office of the County Recorder of Salt Lake County, Utah on the 10th day of August, 2000, as Entry No. 7595389 in Book 8380 at Page 2489 of the Official Records (the "Second Supplement").

Whereas, the related Plat Map(s) for Phase III of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Third Supplement to the Declaration was recorded in the office of the County Recorder of Salt Lake County, Utah on the 8th day of March, 2001, as Entry No. 7839919 in Book 8432 at Page 6095 of the Official Records (the "Third Supplement").

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Whereas, the related Plat Map(s) for Phase IV of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Fourth Supplement to the Declaration was recorded in the Office of the County Recorder of Salt Lake County, Utah on the 17TH day of August, 2001, as Entry No. 7977808 in Book 8490 at Page3900 of the Official Records (the "Fourth Supplement").

Whereas, the related Plat Map(s) for Phase V of the Project has also been recorded in the Office of County Recorder of Salt Lake County, Utah.

Whereas, the Fifth Supplement to the Declaration was recorded in the Office of the County Recorder of Salt Lake County, Utah on the 17 day of August, 2001, as Entry No.7977809 in Book 8490 at Page 3911 of the Official Records (the "Fourth Supplement").

Whereas, the related Plat Map(s) for Phase VI of the Project has also been recorded in the Office of County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 34 of the Declaration, Declarant reserved an option to expand the Project in accordance with the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit A-6 attached hereto and incorporated herein by this reference (the "Phase VII Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to add to the Project any or all portions of the Additional Land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Phase VII Property a residential planned unit development.

Whereas, Declarant now intends that the Phase VII Property shall become subject to the Declaration.

Whereas, for the other amendments and modifications all of the voting requirements of Article III, Section 27 of the Declaration have been satisfied.

Whereas, the approval requirements of Article III, Section 33(c) have been satisfied.

AMENDMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, Declarant hereby executes this SIXTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND BY-LAWS FOR IVORY HIGHLANDS.

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1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions and/or modifications to existing definitions:

53. **Phase VII Map** shall mean and refer to the Plat Map of Phase VII of the Project, prepared and certified to by David J. Byrd, a duly registered Utah Land Surveyor holding Certificate No. 161081, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Sixth Supplemental Declaration.

54. **Sixth Supplement to the Declaration** shall mean and refer to this Sixth Supplement to the Declaration of Covenants, Conditions and Restrictions, and By-Laws for Ivory Highlands.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A-6 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Phase VII Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Sixth Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-6 subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Lots Revised.** As shown on the Phase VII Map, twenty-one (21) new Lots are or will be constructed and/or created in the Project on the Phase VII Property, numbered 701-721. The additional Lots are located within a portion of the Additional Land. Upon the recordation of the Phase VII Map and this Sixth Supplemental Declaration, the total number of Lots in the Project will two hundred forty-one (241). The additional Lots and the Dwelling Units to be constructed therein are or will be substantially similar in construction, design and quality to the Lots and Dwelling Units in the prior Phases.

5. **Percentage Interest Revised.** Pursuant to the Declaration, Declarant is required with the additional Lots to reallocate the undivided percentages of ownership interest (the "Percentage Interests"). Fifth Revised Exhibit "C" to the Declaration, which set forth the Percentage Interests in the Project through Phase VI, is deleted in its entirety and "Sixth Revised Exhibit C," attached hereto and incorporated herein by this reference, which sets forth the Percentage Interests through Phase VII is substituted in lieu thereof.

6. **Property Affected.** This document affects the land submitted to the Declaration, as amended, including the real property located in Salt Lake County, Utah described with particularity


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on Exhibit A-6, attached hereto and incorporated herein by this reference, and all real property subsequently added to the Project.

7. **Effective Date.** The effective date of this Sixth Supplemental Declaration and the Phase VII Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

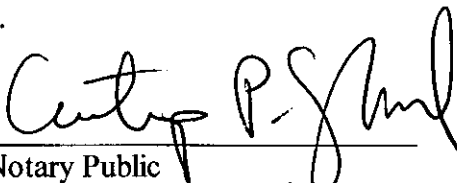
IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first above written.

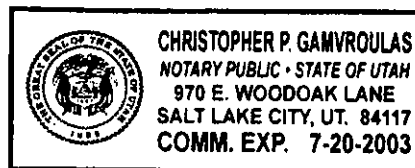
DECLARANT:
IVORY HOMES, Ltd.
VALUE, L.C.
Its General Partner

By: 
Name: Clark Ivory
Title: Manager

STATE OF UTAH)
)ss:
COUNTY OF SALT LAKE)

On the 25th day of April, 2002, personally appeared before me Clark Ivory, who by me being duly sworn, did say that he is the Manager of VALUE, L.C., the General Partner of IVORY HOMES, Ltd., and that the within and foregoing instrument was signed in behalf of said limited partnership pursuant to its Partnership Agreement, and said Clark Ivory further acknowledged to me that IVORY HOMES, Ltd, executed the same.


Notary Public
Residing at: SLC, UT



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EXHIBIT "A-6"
LEGAL DESCRIPTION

The Land referred to in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

Beginning at a point on the West line of Ivory Highlands Phase 3, according to the official plat thereof, said point lies North 00°00'46" West 1137.47 feet along the quarter section line and West 1282.00 feet from the Center of Section 21, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence along the West line of said Phase 3 the following (3) courses: South 00°00'46" East 175.15 feet, and South 11°26'40" West 89.97 feet, and South 28°50'22" West 339.00 feet; thence along said Phase 3 and Ivory Highlands Phase 2, according to the official plat thereof, South 09°18'17" West 55.79 feet; thence along the North line of said Phase 2 the following (5) courses: North 89°57'22" West 100.00 feet, and South 87°45'12" West 50.04 feet, and North 89°57'22" West 104.17 feet, and North 17°37'31" East 22.47 feet, and North 61°09'38" West 170.00 feet; thence North 28°50'22" East 160.00 feet; thence South 61°09'38" East 19.16 feet; thence North 28°50'22" East 110.00 feet; thence North 61°09'38" West 100.97 feet; thence North 28°50'22" East 45.12 feet; thence North 09°39'04" East 142.42 feet; thence North 01°08'03" West 51.41 feet; thence North 88°16'21" East 128.17 feet; thence South 89°55'07" East 80.00 feet; thence North 00°04'53" East 25.14 feet; thence North 89°59'14" East 145.29 feet; thence South 00°00'46" East 22.52 feet; thence North 89°59'14" East 130.00 feet to the point of beginning.

Property contains 6.226 Acres

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SIXTH REVISED EXHIBIT "C"
PERCENTAGE OF OWNERSHIP INTEREST

<u>LOT NO.</u>	<u>PHASE I</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
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<u>LOT NO.</u>	<u>PHASE I</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
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<u>LOT NO.</u>	<u>PHASE II</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
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<u>LOT NO.</u>	<u>PHASE VI</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
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<u>LOT NO.</u>	<u>PHASE VII</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
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721		0.0415%
Total:		100.00%

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