

WHEN RECORDED RETURN TO:
IVORY DEVELOPMENT
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 747-7440

← 1/1

ENT 52148;2005 PG 1 of 7
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2005 May 16 11:30 am FEE 110.00 BY SB
RECORDED FOR IVORY DEVELOPMENT

**FIRST SUPPLEMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS
FOR CRANBERRY FARMS B
An Expandable Planned Unit Development**

This FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR CRANBERRY FARMS B, P.U.D. is made and executed by IVORY DEVELOPMENT LLC., a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Declaration of Protective Covenants for CRANBERRY FARMS. was recorded in the office of the County Recorder of Utah County, Utah on the 9th of November, 2004 as Entry No. 126542;2004 of the Official Records of the County Recorder of Utah County, Utah (the "Declaration").

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

Whereas, under Article 3 of the Declaration of Covenants, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit "A-1" attached hereto and incorporated herein by this reference (the "PHASE B PROPERTY").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

Whereas, Declarant desires to expand the subdivision by creating on the PHASE B Property additional Lots.

Whereas, Declarant now intends that the PHASE B Property shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this **FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR CRANBERRY FARMS PHASE B**.

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

A. **First Supplemental Declaration** shall mean and refer to this **FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR CRANBERRY FARMS PHASE B**.

B. **PHASE B Map** shall mean and refer to the Plat Map of PHASE B of the Project, prepared and certified to by Chad A. Poulsen, a duly registered Utah Land Surveyor holding Certificate No. 501182, and filed for record in the Office of the County Recorder of Utah County, Utah concurrently with the filing of this First Supplemental Declaration.

C. **Subdivision** shall mean and refer to **CRANBERRY FARMS PHASE A and B**.

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-1 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 B Property shall be annexed to and become subject to the Declaration, which, upon recordation of this First Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the PHASE B Map, ninty (89) new Lots, Numbers 202, 204-292, are or will be constructed and/or created in the Project on the PHASE B Property. Upon the recordation of the PHASE B Map and this First Supplemental Declaration, the total number of Lots in the Project will be one hundred and twenty nine (128). The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

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"). Exhibit "B" to the Declaration, which set forth the Percentage Interests in the Project

EXHIBIT "A-1"
LEGAL DESCRIPTION

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

LEGAL DESCRIPTION
PREPARED
FOR IVORY HOMES
(CRANBERRY FARMS SUBDIVISION)
(March 9, 2005)

PROPOSED BOUNDARY
OF
PLAT "B"

A portion of the Northwest 1/4 of Section 6, Township 5 South, Range 1 East, and the Northeast 1/4 of Section 1, Township 5 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located N0°14'20"W along the Section line 249.50 feet and West 43.94 feet from the West 1/4 Corner of Section 6, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence S89°42'00"W 104.57 feet; thence N51°20'00"W 2.93 feet; thence N79°31'00"W 1.03 feet; thence N51°18'42"W 2.37 feet; thence N81°12'51"W 5.45 feet; thence S68°23'37"W 1.80 feet; thence N79°31'00"W 108.32 feet; thence N10°07'53"E 99.92 feet; thence northwesterly along the arc of a 1,200 foot radius non-tangent curve concave northeasterly 29.77 feet (radius bears: N10°07'53"E) through a central angle of 1°25'18" (chord: N79°09'28"W 29.77 feet); thence N78°26'49"W 100.26 feet; thence N22°52'18"E 57.11 feet; thence N19°01'32"W 372.71 feet; thence N3°10'46"E 57.42 feet; thence N9°37'31"W 102.13 feet; thence S80°22'29"W 20.00 feet; thence N9°37'31"W 97.55 feet; thence N25°25'47"W 58.20 feet; thence N9°37'31"W 100.00 feet; thence N80°22'29"E 56.33 feet; thence N19°01'32"W 90.67 feet; thence northwesterly along the arc of a 15.00 foot radius curve to the left 21.10 feet through a central angle of 80°35'59" (chord: N59°19'32"W 19.40 feet); thence N9°37'31"W 56.00 feet; thence N80°22'29"E 17.89 feet; thence N9°37'31"W 100.00 feet; thence S80°22'29"W 60.00 feet; thence N9°37'31"W 54.73 feet; thence N19°15'03"W 30.02 feet; thence N12°53'17"W 100.31 feet; thence N30°00'31"W 57.39 feet; thence N72°37'26"E 26.92 feet; thence northeasterly along the arc of a 356.00 foot radius curve to the right 52.27 feet through a central angle of 8°24'42" (chord: N76°49'47"E 52.22 feet); thence N81°02'08"E 161.13 feet; thence N8°57'52"W 100.07 feet; thence N81°02'02"E 156.75 feet; thence S41°55'00"E 1,068.47 feet; thence S33°23'48"W 39.45 feet; thence southwesterly along the arc of a 840.00 foot radius curve to the left 501.80 feet through a central angle of 34°13'40" (chord: S16°16'58"W 494.38 feet); thence S0°49'52"E 63.42 feet; thence S89°46'11"W 98.92 feet; thence S81°57'50"W 60.59 feet; thence S89°46'11"W 99.68 feet; thence S0°35'25"E 70.00 feet; thence S19°01'46"W 59.27 feet; thence S0°13'49"E 102.49 feet to the point of beginning.

Contains: 22.34+/- acres

REVISED EXHIBIT "B-1"
PERCENTAGE OF OWNERSHIP INTEREST

<u>Phase</u>	<u>Lot No.</u>	<u>Percentage Of Ownership Interest</u>
1	101	0.78125%
1	102	0.78125%
1	103	0.78125%
1	104	0.78125%
1	105	0.78125%
1	106	0.78125%
1	107	0.78125%
1	108	0.78125%
1	109	0.78125%
1	110	0.78125%
1	111	0.78125%
1	112	0.78125%
1	113	0.78125%
1	114	0.78125%
1	115	0.78125%
1	116	0.78125%
1	117	0.78125%
1	118	0.78125%
1	119	0.78125%
1	120	0.78125%
1	121	0.78125%
1	122	0.78125%
1	123	0.78125%
1	124	0.78125%
1	125	0.78125%
1	126	0.78125%
1	127	0.78125%
1	128	0.78125%
1	129	0.78125%
1	130	0.78125%
1	131	0.78125%
1	132	0.78125%
1	133	0.78125%
1	134	0.78125%
1	135	0.78125%
1	136	0.78125%
1	137	0.78125%
1	138	0.78125%
1	139	0.78125%
2	202	0.78125%
2	204	0.78125%
2	205	0.78125%
2	206	0.78125%
2	207	0.78125%
2	208	0.78125%
2	209	0.78125%
2	210	0.78125%
2	211	0.78125%
2	212	0.78125%
2	213	0.78125%

2	214	0.78125%
2	215	0.78125%
2	216	0.78125%
2	217	0.78125%
2	218	0.78125%
2	219	0.78125%
2	220	0.78125%
2	221	0.78125%
2	222	0.78125%
2	223	0.78125%
2	224	0.78125%
2	225	0.78125%
2	226	0.78125%
2	227	0.78125%
2	228	0.78125%
2	229	0.78125%
2	230	0.78125%
2	231	0.78125%
2	232	0.78125%
2	233	0.78125%
2	234	0.78125%
2	235	0.78125%
2	236	0.78125%
2	237	0.78125%
2	238	0.78125%
2	239	0.78125%
2	240	0.78125%
2	241	0.78125%
2	242	0.78125%
2	243	0.78125%
2	244	0.78125%
2	245	0.78125%
2	246	0.78125%
2	247	0.78125%
2	248	0.78125%
2	249	0.78125%
2	251	0.78125%
2	252	0.78125%
2	253	0.78125%
2	254	0.78125%
2	255	0.78125%
2	256	0.78125%
2	257	0.78125%
2	258	0.78125%
2	259	0.78125%
2	260	0.78125%
2	261	0.78125%
2	262	0.78125%
2	263	0.78125%
2	264	0.78125%
2	265	0.78125%
2	266	0.78125%
2	267	0.78125%
2	268	0.78125%
2	269	0.78125%
2	270	0.78125%
2	271	0.78125%
2	272	0.78125%
2	273	0.78125%
2	274	0.78125%

2	275	0.78125%
2	276	0.78125%
2	277	0.78125%
2	278	0.78125%
2	279	0.78125%
2	280	0.78125%
2	281	0.78125%
2	282	0.78125%
2	283	0.78125%
2	284	0.78125%
2	285	0.78125%
2	286	0.78125%
2	287	0.78125%
2	288	0.78125%
2	289	0.78125%
2	290	0.78125%
2	291	0.78125%
2	292	0.78125%