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WHEN RECORDED RETURN TO:
McArthur Homes at Legacy Ranch Towns, L.C.
a Utah limited liability company
David McArthur
9948 South Redwood Road,
South Jordan, Utah 84065

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03/10/2004 03:55 PM 18.00
Book - 8956 Pg - 2463-2467
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
MERRILL TITLE
BY: ALG, DEPUTY - WI 5 P.

**FIRST SUPPLEMENT TO THE
LEGACY RANCH MASTER DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS, AND RESERVATION OF EASEMENTS**

This FIRST SUPPLEMENT TO THE LEGACY RANCH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS, is made and executed by McArthur Homes at Legacy Ranch Towns, L.C., a Utah limited liability company, whose principal address is 9948 South Redwood Road, South Jordan, Utah 84065 (hereinafter referred to as the "Declarant").

RECITALS

Whereas, the original Legacy Ranch Declaration of Covenants, Conditions and Restrictions, and Reservation Of Easements was recorded in the office of the County Recorder of Salt Lake County, Utah on the 3rd day of DECEMBER, 2003 as Entry No. 8915110 in Book 8919 at Page(s) 6982 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Master Declaration").

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

Whereas, under Article II, Section 2.4 of the Master Declaration, Declarant reserved an option to unilaterally expand the application of Master Declaration and add additional land to the Project.

Whereas, Rochelle Investments, L.C., a Utah limited liability company, whose principal address is 9075 South 1300 East, Sandy, Utah 84094 is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "I" attached hereto and incorporated herein by this reference (the "Liberty Village Property").

Whereas, Declarant desires to expand the Project by creating on the Liberty Village Property a residential development.

Whereas, Declarant now intends that the Liberty Village Property shall become subject to the Master Declaration.

A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, Declarant hereby executes this FIRST SUPPLEMENT TO THE LEGACY RANCH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS.

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

A. **First Supplement to the Master Declaration** shall mean and refer to this FIRST SUPPLEMENT TO THE LEGACY RANCH DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS.

B. **First Supplemental Map or Liberty Village Map** shall mean and refer to the Plat Map for Liberty Village of the Project, prepared and certified to by Gary W. Wier, P.L.S., a duly registered Utah Land Surveyor holding Certificate No. 833098, and filed for record in the Office of the County Recorder of Salt Lake County, Utah on or about the time of the filing of this First Supplement to the Master Declaration.

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

C. 1.21 The term **Liberty Village** shall collectively and severally refer to the following items as the context requires:

1.21.1 The **Liberty Village Homeowners Association**, which shall mean and refer to the Liberty Village Homeowners Association, Inc., a Utah nonprofit corporation, consisting of all of the Lot Owners in the Liberty Village Neighborhood acting as a group.

1.21.2 The **Liberty Village Declaration**, which shall mean and refer to that certain Declaration of Covenants, Conditions and Restrictions for Liberty Village recorded in the Office of the County Recorder of Salt Lake County, Utah.

1.21.3. The **Liberty Village Neighborhood**, which shall mean and refer to all of the Lots and the Common Area comprising Liberty Village, as more particularly described on Exhibit "I."

1.21.4 The **Liberty Village Owners** shall mean and refer to the Owner(s) of Lot(s) at Liberty Village.

1.21.5 The **Liberty Village Permittees** shall mean and refer to all of the tenants, visitors, guests, invitees, family members, contractors, licensees, successors, and assigns of each Owner of a Lot at Liberty Village.

1.21.6 The **Liberty Village Plat** shall mean and refer to that certain subdivision plat of Liberty Village recorded in the Office of the County Recorder of Salt Lake County, Utah.

2. The following sections of the Master Declaration are deleted in their entirety and the following provisions are substituted in lieu thereof in order to add Liberty Village as a new development and address potential additional new members:

A. 1.17 The term **Member** shall mean and refer the Combined Association, Legacy Ranch Patio Homes Association, Legacy Ranch South Homeowners Association, Liberty Village Homeowners Association, and any new Member(s) to the Master Association.

B. 1.18 The term **Neighborhood** shall mean and refer to each of the four developments at the Legacy Ranch Properties, to wit: the Legacy Ranch Towns, Legacy Ranch Patio Homes, Liberty Village, Legacy Ranch South, Liberty Village, and any new development(s) added to the Project, or where the context requires the association of owners for each such development acting as a group in accordance with its declaration and map.

3. Article II, Section 2.1 of the Master Declaration is deleted in its entirety and the following provisions are substituted in lieu thereof:

2.1 **Membership in the MHOA.** The current Members of the MHOA are the Combined Association, Legacy Ranch Patio Homes Owners Association, Legacy Ranch South Homeowners Association, and Liberty Village Homeowners Association.

4. **Legal Description.** The real property described in Exhibit I is hereby submitted to the provisions of the Master Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Master Declaration, as supplemented.

3. **Annexation.** Declarant hereby declares that the Liberty Village Property shall be annexed to and become subject to the Master Declaration, which upon recordation of this First Supplement to the Master Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit I subject to the Master Declaration and the functions, powers, rights, duties and jurisdiction of the Master Association.

4. **Total Number of Units Revised.** As shown on the Liberty Village Map, fifty-five (55) additional Lots are or will be constructed and/or created in the Project on the Liberty Village


Property. The additional Lots are located within a portion of the Liberty Village Property. Upon the recordation of the Liberty Village Map and this First Supplement to the Master Declaration, the total number of Lots in the Project will be 381. The additional Lots are or will be substantially similar in construction, design, and quality to the other Lots, Buildings and Units in the Project.

5. **Percentage Interest Revised.** Pursuant to the Master Declaration, Declarant is required, with the additional Lots, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities. Exhibit "C" (Percentages of Undivided Ownership Interests) to the Master Declaration is hereby deleted in its entirety and "Revised Exhibit "C,"" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

6. **Effective Date.** The effective date of this First Supplement to the Master Declaration and the Liberty Village 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.

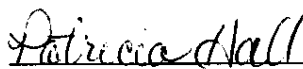
EXECUTED the 6th day of February, 2004.

DECLARANT:
McARTHUR HOMES AT LEGACY RANCH TOWNS, L.C.,
a Utah limited liability company
By: McARTHUR HOMES, INC.
Its Managing Member

By: 
Name: David McArthur
Title: Co-President

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

On the 6th day of February, 2004, personally appeared before me David McArthur, who by me being duly sworn, did say that he is the Co-President of McARTHUR HOMES, INC., who is the Managing Member of McARTHUR HOMES AT LEGACY RANCH TOWNS, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its Members or its Articles of Organization, and said David McArthur, duly acknowledged to me that said Company executed the same.


NOTARY PUBLIC
Residing at: Salt Lake County

My Commission Expires: 6-11-06

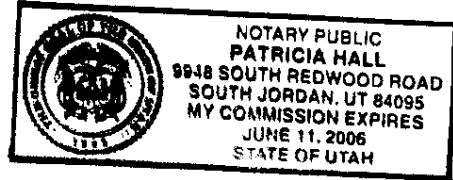


EXHIBIT "I"

**LIBERTY VILLAGE
LEGAL DESCRIPTION**

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

**LIBERTY HOMES - LEGACY RANCH
PROPOSED 55 LOT SUBDIVISION**

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 WEST, AND THE SOUTHEAST 1/4 OF SECTION 25 TOWNSHIP 3 SOUTH, RANGE 2 WEST, S.L.B.&M., SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE S.89°13'15"E. ALONG THE SOUTH LINE OF SAID SECTION, 1218.28 FEET AND NORTH 640.07 FEET TO THE REAL POINT OF BEGINNING;

THENCE N.89°13'15"W. 1085.99 FEET; THENCE N.15°50'55"W. 356.54 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT 6398.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 172.82 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 1°32'52" AND BEING SUBTENDED BY A CHORD THAT BEARS N.11°39'33"W. 172.82 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE S.89°54'13"E. 826.38 FEET TO THE PROPOSED WEST RIGHT-OF-WAY LINE OF LEGACY BOULEVARD; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY, 1) S.37°18'49"E. 440.00 FEET; 2) THENCE S.30°18'44"E. 57.43 FEET; 3) THENCE S.37°18'49"E. 158.54 FEET TO THE REAL POINT OF BEGINNING. CONTAINS 11.415 ACRES OF LAND MORE OR LESS.

PREPARED BY:
APEX LAND SURVEYORS INC.
GARY W. WIER, P.L.S.
6/23/2003