

SUPPLEMENTAL DECLARATION AND AMENDMENT TO ADD ADDITIONAL LAND  
TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR SUNCREST, A PLANNED COMMUNITY

THIS SUPPLEMENTAL DECLARATION AND AMENDMENT TO ADD ADDITIONAL LAND TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUNCREST, A PLANNED COMMUNITY (this "**Supplemental Declaration**"), dated as of the 22<sup>nd</sup> day of December, 2000, by DAE/Westbrook, L.L.C., (the "Declarant"), amends that certain Declaration of Covenants, Conditions and Restrictions for SunCrest, a Planned Community, dated December 21, 1999, and recorded December 28, 1999, in the real property records of the Recorder in and for Salt Lake County, Utah, at Entry No. 7543075, Book 8332, Page 4708. and also recorded 12/22/00 in the real property records of the Recorder in and for Utah County, Utah at Entry No. 101565:2000, Book       , Page        (the "Original Declaration"). The Original Declaration, as amended and supplemented pursuant to this Supplemental Declaration, is collectively referred to as the "**Declaration**", which term, shall for all purposes thereof or of any related document, mean and refer to the Declaration as so amended, supplemented, or otherwise modified. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

WITNESSETH:

ENT 101566:2000 PG 1 of 4  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2000 Dec 22 4:40 pm FEE 114.00 BY SB  
RECORDED FOR FIRST AMERICAN TITLE CO

WHEREAS, the Declarant subjected certain real property located in Salt Lake County and Utah County, Utah to the Declaration; and

WHEREAS, the Declaration established an association know as the SunCrest Owners Association, Inc., a Utah non-profit corporation (the "**Association**"), which is responsible for governing SunCrest on matters of common concern as more particularly described in the Declaration; and

WHEREAS, Article XVI of the Declaration provides that Declarant shall have the absolute right and option, from time to time at any time to subject to the provisions of the Declaration and the jurisdiction of the Association, the Additional Land or portions thereof by the recordation of a Supplemental Declaration annexing such Additional Land which shall be effective upon filing for recordation, unless otherwise provided therein; and

WHEREAS, Declarant desires to subject to the provisions of the Declaration and the jurisdiction of the Association, that portion of the Additional Land, situate in Salt Lake County and Utah County, Utah, consisting of all of the Lots located within OAK VISTA NO. 4 AT SUNCREST as shown on the Official Plat recorded as Entry No. 7762775 in Book 2000P, Page 325 in the Official Records of Salt Lake County, Utah on November 17, 2000 and also recorded as Entry No. 92120:2000, Map No. 8835 in the Official Records of Utah County, Utah on November 21, 2000 (hereinafter referred to as the "Annexation Property"); and

WHEREAS, Declarant owns all of the Annexation Property; and

WHEREAS, Declarant is executing and delivering this Supplemental Declaration for the purpose of subjecting the Annexation Property to the provisions of the Declaration and to the jurisdiction of the Association.

NOW, THEREFORE, in consideration of the foregoing premises, the Declarant hereby declares and states as follows:

1. The Annexation Property is hereby subjected to the Declaration, pursuant to the provisions of Article XVI of the Declaration and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens of the Declaration, which provisions are hereby ratified, approved and confirmed, with the same force and effect as if fully set forth herein and made again as of the date hereof and subject to the jurisdiction of the Association.

2. The Land Use Classification and Neighborhood designation for the Annexation Property are set forth on Exhibit A attached hereto and incorporated herein for all purposes.

3. The provisions of the Declaration shall run with the Annexation Property and shall be binding upon all parties having any right, title, or interest in the Annexation Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof.

4. This Supplemental Declaration shall be effective as to the Annexation Property located in Salt Lake County as of the date of its recordation in the real property records of the Recorder in and for Salt Lake County, Utah, and as to the Annexation Property located in Utah County, Utah as of the date of its recordation in the real property records of the Recorder in and for Utah County, Utah.

IN WITNESS WHEREOF, the Declarant has executed and delivered this Supplemental Declaration as of the date and year first above written.

DAE/WESTBROOK, L.L.C.

By:

Name:

Title:

Edward L. Giamp, Jr.

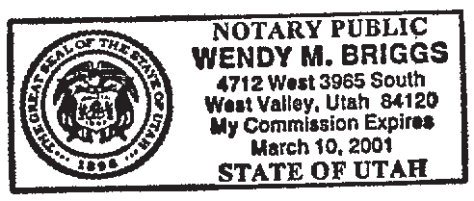
Assistant Vice President

STATE OF UTAH §  
§  
COUNTY OF SALT LAKE §

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of December, 2000  
by Edward L. Grampp, Jr. Asst. V.P. of DAE/Westbrook, L.L.C.

Witness my hand and official seal. (SEAL)  
My Commission expires: 3/10/01

Wendy M. Briggs  
Notary Public



**EXHIBIT "A"**

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**Oak Vista No. 4**

Land Use Classifications – All numbered Lots are designated for Single Family Residential Use. All lettered Lots (A-E) are designated for general public use.

Neighborhood Designation – All numbered Lots are within the Residential Neighborhood known as Oak Vista.