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Book - 8449 Pg - 7982-7987
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
DOUGLAS LOWE
11818 S COTTAGE VIEW LN
DRAPER UT 84020
BY: ZJK, DEPUTY - WI 6 P.

THIRD SUPPLEMENT TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE COTTAGES ON KIMBALL'S LANE, A PUD

(A Portion of Phase V)

THIS THIRD SUPPLEMENT TO DECLARATION is made and executed effective the 25 day of April, 2001, by KIMBALL'S LANE PARTNERS, L.C., a Utah limited liability company, a successor declarant (hereinafter referred to as "Successor Declarant") to COTTAGE DEVELOPMENT PARTNER, L.C., a Utah limited liability company, (hereinafter referred to as "Declarant") with its principal place of business located in Salt Lake City, State of Utah, and the Undersigned Owners who are the additional owners of Lots as set forth on the signature page hereof.

RECITALS:

A. On or about the 4th day of October, 1996, Declarant made and executed that certain "Declaration of Covenants, Conditions and Restrictions of The Cottages on Kimball's Lane, a PUD, with respect to the certain real property located in Salt Lake County State of Utah, now known as The Cottages on Kimball's Lane (herein the "Declaration"), which Declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, on the 7th day of October, 1996, in Book 7506, beginning at Page 2306, as Entry No. 6474782.

B. Under the terms of the Declaration, Declarant reserved the right to add certain additional real properties (and Declarant's interests therein) to the provisions of the Declaration. Declarant has previously added real properties to the provisions of the Declaration all in accordance with the terms and conditions of that certain First Supplement to Declaration and that certain Second Supplement to Declaration.

C. Successor Declarant has acquired all or a portion of the "Expandable Land" from Declarant for the purpose development and has become the Successor Declarant for such real property.

D. Successor Declarant desires to add additional real properties to the provisions of the Declaration in order to further the intent of the Declarant as expressed in the Declaration.

E. Successor Declarant is the record owner of that certain tract of real property and/or Lots as more particularly described in Paragraph 1 of this Supplemental Declaration, which real property Successor Declarant desires to subject to the terms and conditions of the Declaration.

NOW, THEREFORE, in consideration of the recitals set forth herein above, the Successor Declarant hereby declares and certifies as follows:

1. Submission of a Portion of Plat V. Successor Declarant hereby submits the following described real properties, and its interest therein, to the terms, conditions, restrictions, covenants and easements to the terms of the Declaration:

BK 8449 PG 7982

Beginning at a point on the Southern boundary line of Phase 3 of the Cottages on Kimball's Lane, P.U.D., which is South 89°50'00" West 1289.45 feet and South 00°10'00" East 675.76 feet from the North Quarter Corner of Section 30, Township 3 South, Range 1 East, Salt Lake Base & Meridian and running;

Thence along South line of Phase 3, the following 3 calls,

- (1) East 39.41 feet,
- (2) Thence South 58°06'30" East 246.06 feet,
- (3) Thence South 89°59'03" East 138.81 feet to the Northwest corner of Phase 4 of the Cottages on Kimball's Lane;

Thence along phase 4, the following 8 calls;

- (1) Thence Southwesterly 20.01 feet along the arc of a 149.70 foot radius curve to the left (Chord bears South 03°49'48" West 20.00 feet),
- (2) South 58.67 feet,
- (3) Thence Southeasterly 79.33 feet along the arc of a 158.50 foot radius curve to the left (Chord bears South 14°20'18" East 78.50 feet),
- (4) Thence Southeasterly 103.93 feet along the arc of a 808.50 foot radius curve to the left (Chord bears South 32°21'38" East 103.86 feet),
- (5) Thence Southeasterly 100.86 feet along the arc of a 1786.50 foot radius curve to the right (Chord bears South 34°25'34" East 100.85 feet),
- (6) Thence Southeasterly 25.48 feet along the arc of a 44.50 foot radius curve to the right (Chord bears South 16°24'19" East 25.13 feet),
- (7) Thence South 145.16 feet,
- (8) Thence Southwesterly 6.67 feet along the arc of a 15.00 foot radius curve to the right (Chord bears South 12°44'20" West 6.62 feet) to a point on the North Right of Way line of 11950 South Street,

Thence along said right of way North 89°54'42" West 501.06 feet to the East right of way line of 150 East Street, Thence along said right of way, the following 2 calls,

- (1) Thence Northwesterly 31.30 feet along the arc of a 20.00 foot radius curve to the right (Chord bears North 45°04'16" East 28.21 feet),
- (2) Thence North 00°13'51" West 610.66 feet to the point of beginning.

Containing 5.71 Acres, more or less.

Such real property submitted to the terms of the Declaration by this Supplemental Declaration shall hereafter be known as "The Cottages on Kimball's Lane, A Portion of Phase V."

2. The Cottages on Kimball's Lane, A Portion of Phase V. The annexation of the real property described above as The Cottages on Kimball's Lane, A Portion of Phase V, shall become effective upon the recordation in the office of the Salt Lake County Recorder of a Plat for such real property prior to or simultaneously with the recordation of this Supplemental Declaration.

3. Effect of Submission. Successor Declarant and each of the Undersigned Owners declares that the annexed real property is to be held, sold, conveyed, encumbered, leased, occupied and improved as part of the Property and subject to the terms of the Declaration.

4. Representations of Successor Declarant. Successor Declarant represents as follows:

a. The annexed real property is part of the Expandable Land as identified in the Declaration.

b. By the annexation of the real property described in paragraph 1, the total number of Living Units when completed, will not exceed three hundred.

5. Effective Date. This Supplemental Declaration shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, Utah.

EXECUTED the day and year first above written.

Successor Declarant:

KIMBALL'S LANE PARTNERS, L.C., a Utah limited liability company

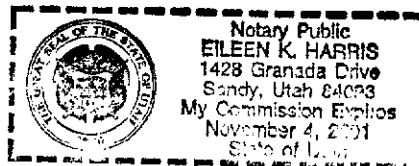
By: Douglas F. Lowe
Its Managing Member

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On the 25 day of April, 2001, personally appeared before me Douglas F. Lowe, who being by me duly sworn did say that he is the Managing Member of KIMBALL'S LANE PARTNERS, L.C., and that the within and foregoing instrument was signed on behalf of said Company by authority of a Resolution of its Members or in accordance with its Operating Agreement and said Douglas F. Lowe duly acknowledged to me that said Company executed the same.

My Commission Expires:
11-4-2001

Eileen K. Harris
NOTARY PUBLIC, Residing at:
Sandy, Utah



RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD				BLK LOT QUAR	
B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER	OBSOLETE
		L	51A	28-30-128-031-0000	NO
		L	52A	28-30-128-030-0000	NO
		L	52B	28-30-128-029-0000	NO
		L	53A	28-30-128-028-0000	NO
		L	53B	28-30-128-027-0000	NO
		L	54A	28-30-128-026-0000	NO
		L	54B	28-30-128-025-0000	NO
		L	55A	28-30-128-033-0000	NO
		L	55B	28-30-128-032-0000	NO
		L	56A	28-30-128-034-0000	NO
		L	57C	28-30-129-002-0000	NO
		L	57D	28-30-129-001-0000	NO
		L	58A	28-30-129-006-0000	NO
		L	58B	28-30-129-005-0000	NO
		L	59A	28-30-129-008-0000	NO
		L	59B	28-30-129-007-0000	NO
		L	60A	28-30-129-013-0000	NO
		L	61A	28-30-129-012-0000	NO
		L	61B	28-30-129-011-0000	NO
		L	62A	28-30-129-010-0000	NO

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER

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RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD				BLK-LOT-QUAR	
B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL NUMBER	OBSOLETE
		L	62B	28-30-129-009-0000	NO
		L	63C	28-30-129-004-0000	NO
		L	63D	28-30-129-003-0000	NO
		L	64C	28-30-128-035-0000	NO
		L	64D	28-30-128-036-0000	NO
		L	65C	28-30-128-037-0000	NO
		L	65D	28-30-128-038-0000	NO
		L	66B	28-30-128-039-0000	NO
		L	67C	28-30-128-040-0000	NO
		L	67D	28-30-128-041-0000	NO
		L	68C	28-30-130-003-0000	NO
		L	68D	28-30-130-002-0000	NO
		L	69B	28-30-130-001-0000	NO
		L	70C	28-30-130-005-0000	NO
		L	70D	28-30-130-004-0000	NO
		L	71B	28-30-130-006-0000	NO
		L	72C	28-30-131-003-0000	NO
		L	72D	28-30-131-002-0000	NO
		L	73B	28-30-131-001-0000	NO
		L	74B	28-30-131-006-0000	NO

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER

RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD				BLK-LOT-QUAR		
B FLG	BLK/BLDG	IND FLG	LOT/QUAR	PARCEL	NUMBER	OBSOLETE
		L	75C	28-30-131-004-0000		NO
		L	75D	28-30-131-005-0000		NO
		L	AREA	28-30-129-014-0000		NO

PF1=VTDI PF5=RJKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER