

When Recorded Return To:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, Utah 84020  
Attention: Adam Loser



ENT 25199:2022 PG 1 of 6  
ANDREA ALLEN  
UTAH COUNTY RECORDER  
2022 Feb 25 4:11 pm FEE 40.00 BY JR  
RECORDED FOR SARATOGA SPRINGS CITY

**FIFTH SUPPLEMENTAL DECLARATION  
TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
NORTHSHORE**

THIS FIFTH SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTHSHORE (this “**Fifth Supplemental Declaration**”) is made as of February 1, 2022, by D.R. HORTON, INC., a Delaware corporation (“**Declarant**”), with reference to the following:

RECITALS

A. On February 20, 2020, Declarant caused to be recorded as Entry No. 21260:2020 in the official records of the Office of the Recorder of Utah County, Utah (the “**Official Records**”), that certain Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Original Declaration**”) pertaining to a master planned development known as Northshore located in the City of Saratoga Springs, Utah County, Utah.

B. On September 4, 2020, Declarant caused to be recorded as Entry No. 135120:2020 in the Official Records that certain First Supplemental Declaration and First Amendment to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**First Supplemental Declaration and First Amendment**”).

C. On February 4, 2021, Declarant caused to be recorded as Entry No. 21986:2021 in the Official Records that certain Second Supplemental Declaration and Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Second Supplemental Declaration and Second Amendment**”).

D. On May 20, 2021, Declarant caused to be recorded as Entry No. 95002:2021 in the Official Records that certain Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Third Amendment**”).

E. On June 17, 2021, Declarant caused to be recorded as Entry No. 110074:2021 in the Official Records that certain Third Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Third Supplemental Declaration**”).

F. On December 2, 2021, Declarant caused to be recorded as Entry No. 200851:2021 in the Official Records that certain Fourth Supplemental Declaration and Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Fourth Supplemental Declaration and Fourth Amendment**”).

G. Article XIX of the Original Declaration provides that Declarant shall have the absolute right and option, from time to time and at any time, to subject some or all of the Additional Land described in the Original Declaration to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, which shall be effective upon recording a supplemental declaration in the Official Records.

H. Pursuant to Article XIX of the Original Declaration, Declarant desires to subject that portion of the Additional Land described on Exhibit A, which is attached hereto and incorporated herein by this reference (the “**Subject Property**”), to the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and First Amendment, by the Second Supplemental Declaration and Second Amendment, by the Third Amendment, by the Fourth Supplemental Declaration and Fourth Amendment, and by this Fifth Supplemental Declaration.

I. Declarant is executing and delivering this Fifth Supplemental Declaration for the purpose of subjecting the Subject Property to the provisions of the Original Declaration, as previously supplemented and amended.

#### FIFTH SUPPLEMENTAL DECLARATION

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. Defined Terms. All defined terms as used in this Fifth Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, as previously supplemented and amended, unless otherwise defined in this Fifth Supplemental Declaration.

2. Subject Property Subjected to the Original Declaration, As Supplemented and Amended. The Subject Property is hereby subjected to the Original Declaration, as previously supplemented and amended, and the Subject Property shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously supplemented and amended, and as supplemented by this Fifth Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof. All such provisions shall run with the Subject Property and shall be binding upon all Persons having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof. The Subject Property shall hereafter be deemed to be a part of the Property, as such term is defined in Section 1.62 of the Original Declaration.

3. Neighborhood Designations. The Neighborhood Designations for the Subject Property shall be as follows:

**Northshore Plat D-2b**

**Lot Numbers**

1289 to 1330

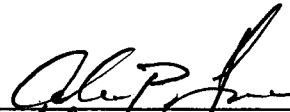
**Neighborhood Designation**

Townhomes

4. No Other Changes. Except as supplemented by the provisions of this Fifth Supplemental Declaration, the Original Declaration, as previously supplemented and amended, shall remain unmodified and in full force and effect. The Original Declaration, as previously supplemented and amended and as supplemented by this Fifth Supplemental Declaration, shall collectively be referred to as the "Declaration."

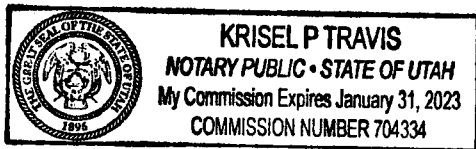
IN WITNESS WHEREOF, Declarant has caused this Fifth Supplemental Declaration to be executed by an officer duly authorized to execute the same as of the date first above written.


D.R. HORTON, INC.,  
a Delaware corporation

By:   
Name: Adam R. Losev  
Title: Vice President

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

The foregoing instrument was acknowledged to me this 1 day of February, 2022, by Adam R. Losev, in such person's capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.



  
NOTARY PUBLIC

**EXHIBIT A  
TO  
FIFTH SUPPLEMENTAL DECLARATION  
TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
NORTSHORE**

**Legal Description of the Subject Property**

The Subject Property consists of that certain real property located in Utah County, Utah more particularly described as follows:

**NORTSHORE PLAT D-2b**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N0°10'34"W ALONG THE SECTION LINE 1217.12 FEET AND WEST 455.06 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH AND WEST LINES OF THAT PROPERTY DESCRIBED IN ENTRY NUMBER 113030:2018, AS FILED IN THE OFFICE OF THE UTAH COUNTY RECORDER, THE FOLLOWING TWO (2) COURSES; S89°10'39"W 200.00 FEET; THENCE S0°49'21"E 184.63 FEET TO THE NORTHERLY LINE OF THE PONY EXPRESS PARKWAY, AS FILED IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG THE SAID NORTHERLY LINE WEST 189.01 FEET; THENCE N0°08'44"W 359.97 FEET; THENCE N89°51'16"E 311.34 FEET; THENCE ALONG THE ARC OF A 17.50 FOOT RADIUS CURVE TO THE RIGHT 18.01 FEET THROUGH A CENTRAL ANGLE OF 58°58'29" (CHORD: S60°39'30"E 17.23 FEET); THENCE S89°45'43"E 48.56 FEET; THENCE S0°14'17"W 4.47 FEET; THENCE S89°46'12"E 10.63 FEET TO THE NORTHWEST CORNER OF THAT PROPERTY DESCRIBED IN DEED ENTRY NUMBER 125178:2009, AS FILED IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG THE WESTERLY LINE OF SAID PROPERTY THE FOLLOWING TWO (2) COURSES; S0°03'24"E 42.81 FEET; THENCE S0°49'21"E 117.33 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±2.33 ACRES  
101,672 SQ FT

DESCRIPTION  
PREPARED FOR  
DR HORTON by LEI  
Job No. 17-0110  
(February 1, 2022)

**BYU Farms**

**Parcel No:**

- 29-049-0001
- 29-049-0002
- 29-049-0003
- 29-049-0004
- 29-049-0006
- 29-049-0012
- 29-049-0013
- 29-049-0016
- 29-050-0049
- 29-050-0093
- 29-050-0108
- 29-050-0110
- 29-050-0111
- 29-050-0112
- 29-050-0113

### BYU Farm Greenbelt Tax Calculations

Parcel ID:	Acreage	Est. Tax	Price Per Acre
Parcel 1 (Tax ID No. 29-050-0093):	8.55	\$ 16,851.16	\$ 1,970.90
Parcel 2 (Tax ID No. 29-050-0049):	9.99	\$ 19,682.47	\$ 1,970.22
Parcel 3 (Tax ID No. 29-050-0113):	57.74	\$ 113,750.61	\$ 1,970.05
Parcel 4 (Tax ID No. 29-050-0111):	105.14	\$ 207,131.20	\$ 1,970.05
Parcel 5 (Tax ID No. 29-050-0112):	19.8	\$ 39,399.39	\$ 1,989.87
Parcel 6 (Tax ID No. 29-050-0110):	39.48	\$ 77,777.38	\$ 1,970.05
Parcel 7 (Tax ID No. 29-049-0002):	13.61	\$ 27,609.33	\$ 2,028.61
Parcel 8 (Tax ID No. 29-049-0001):	13.61	\$ 26,814.01	\$ 1,970.17
Parcel 9 (Tax ID No. 29-049-0003):	27.07	\$ 53,342.59	\$ 1,970.54
Parcel 10 (Tax ID No. 29-049-0004):	204.38	\$ 327,824.41	\$ 1,603.99
Parcel 11 (Tax ID No. 29-049-0006):	169.73	\$ 334,378.20	\$ 1,970.06
Parcel 12 (Tax ID No. 29-049-0012):	10	\$ 19,700.50	\$ 1,970.05
Parcel 13 (Tax ID No. 29-049-0013):	10	\$ 19,700.50	\$ 1,970.05
Parcel 14 (Tax ID No. 29-050-0108):	19.76	\$ 38,985.87	\$ 1,972.97
Parcel 15 (Tax ID No. 29-049-0016):	Not in greenbelt status.		
<b>Total / Average</b>	<b>708.86</b>	<b>\$ 1,322,947.62</b>	<b>\$ 1,866.30</b>

### Estimated Rollback Tax Per Phase

Phase 1	193.73	\$ 361,558.90
Phase 2	90.1	\$ 168,153.91
Phase 3	63.7	\$ 118,883.51
Phase 4	21.76	\$ 40,610.76
Phase 5	44.83	\$ 83,666.37
Phase 6	48.46	\$ 90,441.05
Phase 7	135.39	\$ 252,678.78
Phase 8	47.1	\$ 87,902.88
Phase 9	63.79	\$ 119,051.48
<b>Totals</b>	<b>708.86</b>	<b>\$ 1,322,947.62</b>

*Nelso  
Residential*