

67/4

WHEN RECORDED RETURN TO:

Eagle Mountain Links, LLC
Attn: Monte Kingston
4128 East Clubhouse Lane
Eagle Mountain, Utah 84043

ENT 102451:2004 PG 1 of 4
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Sep 07 11:06 am FEE 67.00 BY LJ
RECORDED FOR EAGLE MOUNTAIN CITY

NOTICE OF ADDITION OF REAL PROPERTY
AND
CERTIFICATE OF FIRST AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE ANTHEM AT THE RANCHES SUBDIVISION

PHASE 3

Recitals:

WHEREAS, Eagle Mountain Links, LLC, a Utah limited liability company (“Declarant”), is the record owner of real property situated in Eagle Mountain City, Utah County, Utah, known as the Anthem at the Ranches Subdivision (the “Project”), which is more particularly described as all of Lots 1 through 152 inclusive of the Anthem at the Ranches Subdivision, Eagle Mountain City, Utah, according to the official plat thereof on file with the Utah County, Utah Recorder’s office.

WHEREAS, the Declaration of Protective Covenants Conditions and Restrictions For the Anthem at the Ranches Subdivision Phase I (the “Declaration”) was recorded in the office of the Utah County Recorder on November 7, 2003, as Entry No. 177955:2003 in the official records of the Utah County Recorder’s office. The plats and/or amendments to plat for Phases II and III of the Project have been recorded or are being recorded concurrently herewith.

WHEREAS, the Declarant is the current Owner of Lots providing it not less than 75% of the total voting rights in the Project, and as contemplated by Sections 2.01 and 14.03(B) of the Declaration, the Declarant is entitled to add the additional real property comprising Phases II and III of the Project to the Project and to subject such real property to this Declaration, and to amend the Declaration as more particularly set forth below.

THEREFORE, to further the general purposes herein expressed, Declarant for itself, its successors and assigns, hereby certifies that the following Notice of Addition of Real Property and First Amendment to the Declaration has been approved by Declarant and duly adopted at an election duly called and held in accordance with the Articles and Bylaws of the Association, and was hereby duly approved by the affirmative vote of Owners holding voting rights to more than seventy-five percent of the Lots in the Project.

1. Sections 3.05 and 3.06 of the Declaration are hereby deleted in their entirety, and replaced with the following:

Section 3.05. Floor Space. For Lots 106-152, inclusive, the minimum square footage (of finished living space) of each single story dwelling unit shall be 1,100 square feet above ground, and any bi-level dwelling unit shall have a minimum of 1,300 square feet (of finished living space) above ground. Lots 70-105 inclusive, shall have a minimum above ground square footage (of finished living space) of 1,250 square feet for a single story dwelling unit, and 1,450 square feet for a bi-level dwelling unit.

Section 3.06. Exterior Materials. All exterior surfaces of any building shall be of materials and of colors approved by the Design Review Committee and as specified in Article 1.15 of this Declaration, and in accordance with Section VI: Architecture Guidelines found on pages 29-41 of the Design Guidelines. On Lots 134-152, 87, 88, 93-95, 102, 103 & 117 inclusive, the front of the homes shall be brick, rock and/or stucco (and shall additionally be required to have a minimum of 25% consistency of brick and/or rock), in combination as approved by the Committee, and vinyl and wood siding are not allowed except on the rear and sides (the Design Review Committee shall approve the location of the rock/brick accents). On Lots 106-116, 118-133, 70-86, 89-92, 97-101 & 104-105 the entire exterior of all homes shall be all masonry (e.g., brick, rock and/or stucco, with a minimum of 25% brick and/or rock on the front exterior in combinations as approved by the Committee. All exterior colors shall be in accordance with the Design Review Committee's approved color palette.

2. All other terms and conditions of the Declaration shall remain in full force and effect.

3. This Notice of Addition of Real Property and Certificate of First Amendment constitutes an amendment to the Declaration as contemplated by sections 2.02 and 14.03 (B) of the Declaration.

IN WITNESS WHEREOF, Declarant has hereunto caused its name to be signed by the signature of its duly authorized officer as of the 1st day of Sept, 2004.

Eagle Mountain Links, LLC, a Utah limited liability company

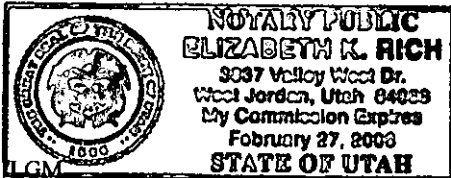
By Mark R. [Signature]

Its: Senior Vice President

STATE OF UTAH)
 : SS.
COUNTY OF Salt Lake

On this 1st day of Sept, 2004, personally appeared before me Mark R. [Signature] who being by me duly sworn, did say that he is the duly authorized Senior Vice Pres of Eagle Mountain Links, LLC, a Utah limited liability company, and that the foregoing instrument was signed on behalf of such Company by authority of its Operating Agreement, and that the Company thereby executed the same.

SEAL



758635v1 LGM

Elizabeth K. Rich
NOTARY PUBLIC

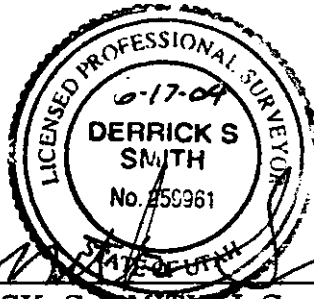
SURVEYOR'S CERTIFICATE

I, Derrick S. Smith, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 259961 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots, blocks, streets, and easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

ANTHEM SUBDIVISION BOUNDARY DESCRIPTION - PHASE 3

Beginning at a point which is South 89°05'24" East, along the Section line 2179.09 feet and North 00°54'36" East, 45.27 feet from the Northwest Corner of Section 20, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running thence South 26°01'54" East, 53.06 feet to a point on a 597.00 foot radius curve to the left; thence along said curve 297.91 feet through a central angle of 28°35'27" (chord bears South 08°58'15" East, 294.83 feet); thence South 23°15'59" East, 75.23 feet to a point on a 1903.00 foot radius curve to the right; thence along said curve 713.08 feet through a central angle of 21°28'08" (chord bears South 12°31'56" East, 708.90 feet); thence South 88°12'08" West, 101.00 feet; thence South 59°05'39" West, 50.56 feet; thence South 89°00'14" West, 101.00 feet; thence North 01°56'49" West, 13.16 feet; thence South 88°32'55" West, 100.84 feet; thence North 64°14'14" West, 49.67 feet; thence South 87°41'17" West, 106.00 feet; thence North 03°27'45" West, 56.46 feet; thence North 05°44'01" West, 55.00 feet; thence North 07°58'30" West, 55.00 feet; thence North 10°25'12" West, 64.99 feet; thence North 12°51'54" West, 55.00 feet; thence North 15°06'23" West, 55.00 feet; thence North 17°20'51" West, 55.00 feet; thence North 19°14'02" West, 65.01 feet; thence North 07°41'10" East, 135.04 feet; thence North 31°33'11" East, 65.00 feet; thence North 31°58'16" East, 90.91 feet; thence North 33°07'46" East, 226.32 feet; thence North 29°52'12" East, 227.26 feet to the point of beginning.

Contains: 9.40 acres



SIGNED

Derrick S. Smith

DATE:

6-17-04

DERRICK S SMITH L.S. 259961
(SEE SEAL BELOW)

OWNER'S DEDICATION

EAGLE MOUNTAIN DEVELOPER PLAT
DEDICATION

We, the undersigned owners of all the real property depicted on this plat and described in the surveyors certificate on this plat, have caused the land described on this plat to be divided into lots, streets, parks, open spaces, easements and other public uses as designated on the plat and now do hereby dedicate under the provisions of 10-9-807, Utah Code, without condition, restriction or reservation to Eagle Mountain City, Utah, all streets, water, sewer and other utility easements and improvements, open spaces shown as public open spaces, parks and all other places of public use and enjoyment to Eagle Mountain City, Utah, together with all improvements required by the Development Agreement between the undersigned and Eagle Mountain City for the benefit of the City and the inhabitants thereof. Parcels A-E are hereby dedicated to Eagle Mountain City for public use and to be maintained by Anthem at the Ranches Home Owners Association.

OWNER(S):
PRINTED NAME OF OWNER

M. A. D.