

WHEN RECORDED RETURN TO:
IVORY HOMES DEVELOPMENT, LLC.
Christopher P. Gamvroulas
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(801) 268-0700

27.2.451.014

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Book - 10400 Pg - 7317-7320
Gary W. Ott
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 4 P.

**FIRST SUPPLEMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MIDAS CROSSING PHASE 2**

This First Supplement to the Declaration of Covenants, Conditions and Restrictions for Midas Crossing Phase 2 is made and executed by IVORY HOMES DEVELOPMENT, LLC. a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Declaration of Covenants, Conditions and Restrictions for Midas Crossing Phase 1 Subdivision was recorded in the Office of the County Recorder of Salt Lake County, Utah on February 26, 2015 as Entry No. 12000059 in Book 10299 at Pages 6283-6314 of the Official Records (the "Declaration").

Whereas, the related Plat Map for Phase 1 of the Project has also been recorded in the Office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 5 of the Declaration, Declarant reserved the unilateral right to expand the subdivision by annexing additional land and expanding the application of the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibits "A-2" (the "Phase 2 Property") attached hereto and incorporated herein by this reference.

Whereas, Declarant desires to expand the subdivision by creating on the Phase 2 Property additional Lots.

Whereas, Declarant now intends that the Phase 2 Property shall become subject to the Declaration, as amended.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this First Supplement to the Declaration of Covenants, Conditions and Restrictions for Midas Crossing Phase 2.

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

A. **First Supplemental Declaration** shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions and Restrictions for Midas Crossing Phase 2.

B. **Phase 2 Map** shall mean and refer to the Final Plat Map of Midas Crossing Phase 2 prepared and certified to by Dennis P. Carlisle, a duly registered Utah Land Surveyor holding Certificate No. 172675, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplemental Declaration.

C. **Subdivision** shall mean and refer to Midas Crossing Phases 1 and 2, as it may be supplemented or expanded from time to time.

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

2. **Legal Description.** The real property described in Exhibit A-2 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Phase 2 Property shall be annexed to and become subject to the Declaration and the Utah Community Association Act, Utah Code Ann., Sections 57-8a-101 et seq. (2004) as amended or supplemented (the "Act"). The recordation of this First Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association/Board of Directors.

4. **Total Number of Units Revised.** As shown on the Phase 2 Map, thirty-nine (39) new Lots, and Numbers 201- 239, inclusive, are or will be constructed and/or created in the Project on the Phase 2 Property. Upon the recordation of the Phase 2 Map and this First Supplemental Declaration, the total number of Lots in the Project will be sixty-nine (69). The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

5. **Incorporation of Original Declaration as Supplemented and Amended.** It is expressly agreed by the parties that this document is supplemental to the Declaration which is by reference made a part hereof, and all of the terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to the Phase 2 Property and are made a part of this document as though they were expressly rewritten, incorporated and included herein.

EXHIBIT "A-2"
LEGAL DESCRIPTION

The real property referred to in the foregoing document as the Midas Crossing Phase 2 Property is located in Salt Lake County, Utah and is described more particularly as follows:

A portion of the SE1/4 of Section 21, Township 3 South, Range 1 West, Salt Lake Base & Meridian, Riverton, Utah, more particularly described as follows:

Beginning at the southwest corner of Lot 101, Phase 1, MIDAS CROSSING Subdivision, according to the Official Plat thereof on file in the office of the Salt Lake County Recorder, said lot corner is located S89°52'13"E along the Section line 1,041.86 feet and North 33.00 feet from the South ¼ Corner of Section 21, T3S, R1W, S.L.B.& M.; thence N89°52'13"W 1,008.88 feet along the northerly line of 11800 South Street parallel with, and 33.00 northerly of said Section line; thence N0°01'28"W 410.16 feet along the easterly line of 2700 West Street parallel with, and 33.00 feet easterly of the ¼ Section line; thence East 119.92 feet; thence N62°41'51"E 60.77 feet; thence East 120.00 feet; thence North 134.96 feet; thence East 115.00 feet; thence S67°38'32"E 58.39 feet; thence East 130.00 feet; thence North 67.57 feet; thence S87°17'41"E 400.42 feet to the northwest corner Lot 104, Phase 1, MIDAS CROSSING Subdivision; thence along said plat the following 5 (five) courses and distances: South 133.66 feet; thence S18°27'33"E 56.93 feet; thence South 240.00 feet; thence S1°59'21"W 54.03 feet; thence South 120.08 feet to the point of beginning.

Contains: 12.51+/- acres