

Ent: 445581 - Pg 1 of 6
Date: 3/20/2017 4:27:00 PM
Fee: \$20.00
Filed By: eCASH
Jerry M. Houghton, Recorder
Tooele County Corporation
For: Cottonwood Title Insurance Agency, Inc.

WHEN RECORDED, PLEASE RETURN TO:

The Boyer Company
Attn: Richard Moffat
101 South 200 East, Suite 200
Salt Lake City, Utah 84111

**THIRD SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
STANSBURY PLACE SUBDIVISION PUD PHASE 1
ADDING**

05-036-0-0039 **STANSBURY PLACE PUD PHASE 5**

This Third Supplement (the "Third Supplement") is made and executed this 20th day of MARCH, 2017, by BOYER-PLUMB STANSBURY, L.L.C a Utah limited liability company (the "Declarant").

RECITALS:

A. Declarant has sold that certain tract of real property to be known as Stansbury Place PUD Phase 5 ("Phase 5") in Tooele County, State of Utah to IVORY DEVELOPMENT LLC. The description of Stansbury Place PUD Phase 5 is set forth on Exhibit "A" of this Third Supplement.

B. Declarant previously recorded that certain plat of subdivision known as Stansbury Place Subdivision PUD Phase 1 in the official records of Tooele County, State of Utah, on January 30, 2006, as Entry Number 253917.

C. Declarant previously executed and recorded that certain Declaration of Protective Covenants, Conditions, and Restrictions for Stansbury Place Subdivision PUD Phase 1 dated March 30, 2006 (the "Declaration"), which Declaration was recorded in the official records of Tooele County, State of Utah on March 30, 2006, as Entry Number 257166 at Page 1-16. Capitalized terms not specifically defined herein have the meaning ascribed to such terms in the Declaration.

D. Declarant previously recorded that certain plat of subdivision known as Stansbury Place Subdivision PUD Phase 2 in the official records of Tooele County, State of Utah, on January 18, 2007 as Entry Number 276224.

E. Declarant previously executed and recorded that certain First Supplement to Declaration of Covenants, Conditions, and Restrictions for Stansbury Place Subdivision PUD Phase 1 Adding Stansbury Place PUD Phase 2 (the "First Amendment"), which Supplement was recorded in the official records of Tooele County, State of Utah on February 8, 2007, as Entry Number 277713 at Page 1-5.

F. Declarant previously executed and recorded that certain Second Supplement to Declaration of Covenants, Conditions, and Restrictions for Stansbury Place Subdivision PUD Phase 1 Adding Stansbury

Place PUD Phase 4 (the "Second Amendment"), which Supplement was recorded in the official records of Tooele County, State of Utah on November 20, 2015, as Entry Number 421541 at Page 1-5.

G. Pursuant to Article V of the Declaration, Declarant reserved the right to expand the Project by submitting certain Additional Land to the Declaration. Phase 5 is a part of the Additional Land.

E. Pursuant to Section 5.3 of the Declaration, Declarant desires to expand the Project by adding Stansbury Place PUD Phase 5 to the Project and to subject Stansbury Place Subdivision PUD Phase 1 to the Declaration with this First Supplement.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Declarant hereby declares that, as more fully set forth in Article V of the Declaration, the Project known as Stansbury Place Subdivision PUD Phase 1 shall be expanded to include Stansbury Place PUD Phase 5 and that Stansbury Place PUD Phase 5, from and after the recording of this First Supplement, shall be a part of the Project.

2. Declarant also declares that Stansbury Place PUD Phase 5 shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, as the same may be amended or supplemented from time to time in accordance with the terms and provisions of the Declaration.

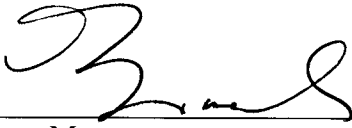
Executed by Declarant on this 20th day of MARCH, 2017.

“DECLARANT”

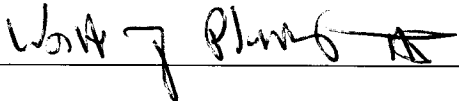
BOYER-PLUMB STANSBURY, L.L.C,
A Utah limited liability company

By Its Members,

Boyer Stansbury Residential , L.C. By Its Manager,
The Boyer Company, L.C, a Utah limited liability
company

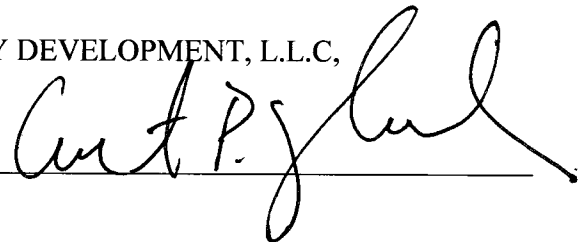
By: 
Manager

Plumb Holdings L.L.C

By: 

Ivory Development LLC as owner agrees to and consents to adding Stansbury Place PUD Phase 5 to
this Supplement on this 15 day of March, 2017.

IVORY DEVELOPMENT, L.L.C,

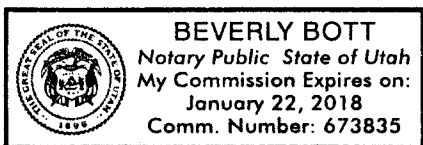
By: 

NOTARIES:

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 20th day of March, 2017, personally appeared before me Brian Gochmour, who being by me duly sworn, did say that he is a MANAGER of THE BOYER COMPANY, L.C., a Utah limited liability company and the MANAGER of BOYER STANSBURY RESIDENTIAL, L.C., that the foregoing Supplement to Declaration of Covenants, Conditions and Restrictions was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said limited liability company executed the same.

[Seal]



My Commission Expires:

1/22/18

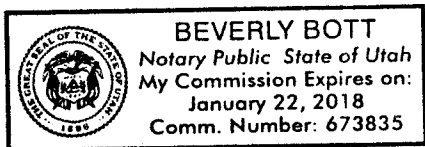
Beverly Bott

Notary Public
Residing at Salt Lake

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 20th day of March, 2017, personally appeared before me Walter J. Plumb, who being by me duly sworn, did say that he is a MANAGER of PLUMB HOLDINGS L.L.C., a Utah limited liability company, that the foregoing Supplement to Declaration of Covenants, Conditions and Restrictions was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said limited liability company executed the same.

[Seal]



My Commission Expires:

1/22/18

Beverly Bott

Notary Public
Residing at Salt Lake

My Commission Expires:

Notary Public

Residing at _____

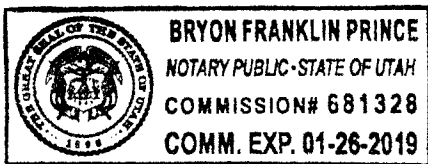
STATE OF UTAH)

) ss

COUNTY OF SALT LAKE)

On this 15 day of MARCH, 2017, personally appeared before me Christopher P. Samvroukas, who being by me duly sworn, did say that he is a MANAGER of IVORY DEVELOPMENT LLC., a Utah limited liability company, that the foregoing Supplement to Declaration of Covenants, Conditions and Restrictions was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said limited liability company executed the same.

[Seal]



My Commission Expires:

01-26-2019

[Signature]

Notary Public

Residing at _____

SL County

EXHIBIT "A"

BOUNDARY DESCRIPTION

STANSBURY PLACE P.U.D. PHASE 5, being more particularly described as follows:

Beginning at a point which lies on the Easterly right-of-way line of Village Boulevard, said point lying South 00°41'27" East 559.04 feet along the section line and North 89°18'33" East 2264.14 feet from the Northwest corner of Section 20, Township 2 South, Range 4 West, Salt Lake Base and Meridian and traversing thence North 59°20'00" East 882.87 feet; thence along an arc 11.24 feet to the left, having a radius of 7.00 feet, the chord of which is North 13°20'25" East 10.07 feet; thence North 32°39'11" West 194.72 feet; thence along an arc 65.87 feet to the right, having a radius of 50.00 feet, the chord of which is North 05°05'22" East 61.21 feet; thence North 46°34'26" West 112.93 feet to a point which lies on the Southerly right-of-way line of SR-138; thence North 59°19'37" East 592.65 feet along said Southerly right-of-way line; thence South 30°40'00" East 185.19 feet; thence North 59°20'00" East 51.90 feet; thence South 30°40'00" East 260.08 feet; thence South 20°00'45" East 160.64 feet; thence South 55°00'33" West 161.88 feet; thence South 68°58'15" West 102.00 feet; thence along a non-tangent arc 20.95 feet to the right, having a radius of 430.00 feet, the chord of which is South 19°38'00" East for 20.95 feet; thence South 71°45'46" West 175.30 feet; thence South 10°54'58" East 33.35 feet; thence South 68°25'34" West 103.45 feet; thence along a non-tangent arc 36.51 feet to the right, having a radius of 330.00 feet, the chord of which is South 18°24'17" East 36.49 feet; thence South 78°26'43" West 237.58 feet; thence South 74°10'37" West 96.68 feet; thence South 59°20'00" West 445.00 feet; thence South 30°40'00" East 62.45 feet; thence South 59°20'00" West 181.50 feet to a point which lies on the said Easterly right-of-way line; thence North 30°40'00" West 231.50 feet along said Easterly right-of-way line to the point of beginning.