

After recordation, return to:

Georgetown Development, Inc.
2230 N University Parkway, Suite 7G
Provo, UT 84604
Attention: John L. Dester, President

FIRST SUPPLEMENTAL DECLARATION TO
AMENDED AND RESTATED DECLARATION OF PROTECTIVE EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS
(Including Owner Association Bylaws)
WHISPER ROCK PLANNED RESIDENTIAL DEVELOPMENT

An Expandable PUD Project

Mapleton City, Utah County, Utah

THIS FIRST SUPPLEMENTAL DECLARATION (the "First Supplemental Declaration") to the above entitled Declaration is made this 1st day of OCTOBER 2018 by **GEORGETOWN DEVELOPMENT, INC.**, a Utah corporation ("Declarant"), in its capacity as the owner and developer of **Whisper Rock Planned Residential Development**, an expandable PUD (the "Development"), pursuant to the following:

RECITALS:

A. On or about June 4th 2014, a document recorded in the Public Records entitled **AMENDED AND RESTATED DECLARATION OF PROTECTIVE EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS (Including Owner Association Bylaws) Whisper Rock Planned Residential Development, an Expandable PUD Project Mapleton City, Utah County, Utah** as Entry 37756:2014. Declarant also caused to be recorded in the Public Records as Entry 37756:2014 Pages 1-37, that certain **Amended and Restated Declaration of Protective Easements, Covenants, Conditions and Restrictions (Including Owner Association Bylaws)** pertaining to the to the Development.

B. Pursuant to §2.3 and 2.4 of the Original Declaration, Declarant is permitted to annex Additional Land into the Development by Supplemental Declaration for purposes of adding additional Lots/Units and Common Area to the Development consistent with those set forth in the Original Plat and the Original Declaration.

C. Declarant desires hereby to annex a portion of the Additional Land described in the Amended Declaration, into the Development as **Whisper Rock Plat C**, and to make certain necessary amendments to the Original Declaration.

NOW, THEREFORE, Declarant hereby declares as follows:

1. All defined terms as used in this First Supplemental Declaration (including the preamble and RECITALS) shall have the same meaning as those set forth and defined in the Amended Declaration.

2. That certain real property located in Mapleton City, Utah County, Utah, described in **EXHIBIT A**, attached hereto and made a part hereof, is hereby submitted to the provisions of the Amended Declaration and is annexed into the Development as Plat C to be held, improved, sold, transferred, conveyed and occupied as a part thereof:

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights or obligations incident to, appurtenant to, or accompanying the above-described Property, whether or not the same are reflected on the Plats.

RESERVING UNTO DECLARANT, however, such easements and rights or obligations of ingress and egress over, across, through, and under the said Property and any improvements (including Buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration): (i) to construct and complete each of the Units and all of the other improvements described in the Amended Declaration or any Supplemental Declaration, or on the Plats, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete on the said Property or any portion thereof such improvements as Declarant shall determine to build and add to the Development; and (iii) to improve portions of the Property with such other or additional improvements, facilities, landscaping and television, or other communication systems designed for the use and enjoyment of all the Owners as Declarant may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, the Property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire 15 years after the date on which this First Supplement to Declaration is recorded in the Public Records.

THE FOREGOING IS SUBJECT TO: (i) all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; (ii) all Patent reservations and exclusions; (iii) all mineral reservations of record and rights incident thereto; (iv) all instruments of record which affect the above-described Property or any portion thereof, including, without limitation, any mortgage (and nothing in this paragraph shall be deemed to modify or amend such mortgage); (v) all visible easements and rights-of -way; (vi) all easements and rights-of -way, encroachments, or discrepancies shown on or revealed by, a Plat or otherwise existing; (vii) an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the Property at such time as construction of all Development improvements is complete; (viii) all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cable, wires,

utility lines, and similar facilities; and (ix) **TO EACH OF THE EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE ORIGINAL DECLARATION AS IT MAY BE AMENDED BY THIS FIRST SUPPLEMENT TO DECLARATION.**

3. Section 2.2 of the Amended Declaration is amended in its entirety to read as follows:

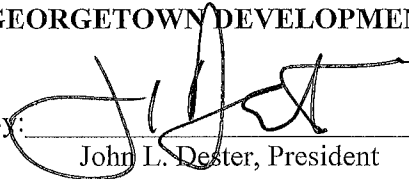
2.2 **Division into Lots and Units.** The Development is hereby divided into numerically numbered Lots and Units, as set forth and described on each respective Plat, with appurtenant and equal rights and easements of use and enjoyment in and to the Development's Common Areas, as well as appurtenant obligations pertaining to Assessments, maintenance, and similar matters, all as set forth in the Amended Declaration and the Bylaws embodied therein.

4. Except as amended by the provisions of this First Supplemental Declaration, the Amended Declaration shall remain unchanged, and, together with this First Supplemental Declaration, shall constitute the entire Declaration of Protective Easements, Covenants, Conditions and Restrictions for the Development, as expanded by the annexation of the Additional Land described in Paragraph 2, above.

5. This First Supplemental Declaration shall be recorded with the Development's Plat entitled **Whisper Rock, Plat C**, as the same has been executed and acknowledged by Declarant, accepted by the City, and filed for record in the Public Records.

EXECUTED, by the Declarant the day and year first above set forth.

GEORGETOWN DEVELOPMENT, INC.

By: 
John L. Dester, President

ACKNOWLEDGMENT

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The within instrument was acknowledged before me this 1st day of October, 2018, by **John L. Dester** in the capacity indicated.


NOTARY PUBLIC

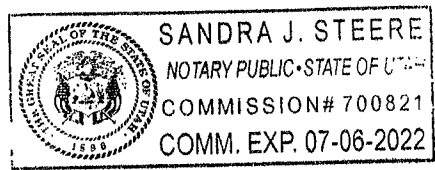


EXHIBIT A
TO
FIRST SUPPLEMENTAL DECLARATION
AMENDED AND RESTATED DECLARATION OF PROTECTIVE EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS
WHISPER ROCK PLANNED RESIDENTIAL DEVELOPMENT
An Expandable PUD Project
Mapleton City, Utah County, Utah

Real property located in Mapleton City, Utah County, Utah:

BOUNDARY DESCRIPTION

Commencing at a point located North 88°58'42" East along the Section line 943.28 feet and North 259.18 feet from the Southwest corner of Section 10, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence North 01°13'48" East 240.00 feet; thence North 90°00'00" West 288.28 feet; thence North 00°00'00" East 473.27 feet; thence North 88°50'32" East 56.22 feet; thence North 88°50'33" East 218.61 feet; thence South 05°50'28" West 108.91 feet; thence South 02°29'21" East 32.40 feet; thence South 06°28'45" West 100.08 feet; thence South 83°52'52" East 225.71 feet; thence North 90°00'00" East 239.68 feet; thence South 00°00'00" East 56.26 feet; thence North 90°00'00" East 94.38 feet; thence along the arc of a 881.29 foot radius curve to the left 42.58 feet (chord bears South 01°26'49" West 42.57 feet); thence along the arc of a 274.92 foot radius curve to the left 51.09 feet (chord bears S 84°15'00" West 51.09 feet); thence along the arc of a 282.16 foot radius curve to the right 51.44 feet (chord bears S 84°13'06" West 51.36 feet); thence South 00°00'00" East 86.45 feet; thence North 89°59'53" West 121.09 feet; thence South 00°06'14" West 97.82 feet; thence South 13°32'18" East 32.68 feet; thence South 04°02'28" East 129.74 feet; thence North 89°59'57" West 321.68 feet to the point of beginning.

Area = 301,094 sq. ft. or 6.91 Acres