

When Recorded Return To:

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

ENT 204091 : 2021 PG 1 of 5
Andrea Allen
Utah County Recorder
2021 Dec 08 02:51 PM FEE 98.00 BY IP
RECORDED FOR DHI Title - Utah
ELECTRONICALLY RECORDED

**FIFTH SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
COLD SPRING RANCH**

THIS FIFTH SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COLD SPRING RANCH (this **"Fifth Supplemental Declaration"**) is made as of December 8, 2021, by D.R. HORTON, INC., a Delaware corporation (**"Declarant"**), with reference to the following:

A. On August 1, 2019, Declarant caused to be recorded as Entry No. 72840:2019 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 Cold Spring Ranch (the **"Original Declaration"**) pertaining to a master planned development known as Cold Spring Ranch.

B. On July 31, 2020, Declarant caused to be recorded as Entry No. 111209:2020 in the Official Records that certain First Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **"First Supplemental Declaration"**).

C. On May 7, 2021, Declarant caused to be recorded as Entry No. 86873:2021 in the Official Records that certain Second Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **"Second Supplemental Declaration"**).

D. On July 22, 2021, Declarant caused to be recorded as Entry No. 129440:2021 in the Official Records that certain Third Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **"Third Supplemental Declaration"**).

E. On November 5, 2021, Declarant caused to be recorded as Entry No. 187814:2021 in the Official Records that certain Fourth Supplemental Declaration and Amendment to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **"Fourth Supplemental Declaration"**).

F. 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.

G. 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, by the Second Supplemental Declaration, by the Third Supplemental Declaration, and by the Fourth Supplemental Declaration.

H. Declarant is executing and recording this Fifth Supplemental Declaration for the purpose of subjecting the Subject Property to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, and by the Fourth 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 amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, and by the Fourth Supplemental Declaration, unless otherwise defined in this Fifth Supplemental Declaration.

2. Subject Property Subjected to the Original Declaration as Amended. The Subject Property is hereby subjected to the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, by the Fourth Supplemental Declaration, and as amended and supplemented by this Fifth Supplemental Declaration, 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 amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, by the Fourth Supplemental Declaration, and as amended and 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. Neighborhood Designations for all of the Subject Property shall be as follows:

Neighborhood Designations

<u>Lot Number</u>	<u>Neighborhood Designation</u>
Cold Spring Ranch LD2 Lots 615 to 632, inclusive	Single Family
Cold Spring Ranch LD3 Lots 633 to 655, inclusive	Single Family

3. Declaration Redefined. The Original Declaration, as previously amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, by the Fourth Supplemental Declaration, and by this Fifth Supplemental Declaration shall collectively be referred to as the "**Declaration.**" Except as amended by the provisions of this Fifth Supplemental Declaration, the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration, by the Third Supplemental Declaration, and by the Fourth Supplemental Declaration, shall remain unmodified and in full force and effect.

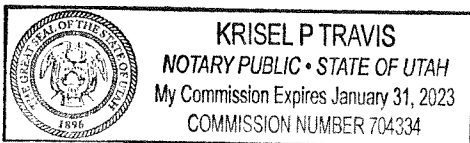
IN WITNESS WHEREOF, Declarant has caused this Fifth Supplemental Declaration to be executed by a person duly authorized to execute the same on the date first above written.

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

By: *Adam R. Loser*
Name: *Adam R. Loser*
Title: *Vice President*

STATE OF UTAH)
 : ss.
COUNTY OF *Salt Lake*)

The foregoing instrument was acknowledged to me this *8* day of December, 2021, by *Adam R. Loser*, in such person's capacity as the *Vice President* of D.R. Horton, Inc., a Delaware corporation.



Krisel P Travis
NOTARY PUBLIC

**EXHIBIT A
TO
FIFTH SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
COLD SPRING RANCH**

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:

COLD SPRING RANCH – LD2

A portion of the Southwest Quarter and the Northwest Quarter of Section 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located N89°52'38"E along the section line 1265.88 feet and North 2318.16 feet from the Southwest Corner of Section 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing being S89°51'47"W from the Southeast Corner to the South Quarter of Section 11); thence N18°09'00"W 449.84 feet; thence N89°48'41"E 618.82 feet; thence S13°58'53"E 35.02 feet; thence S11°53'15"W 59.73 feet; thence S14°58'46"E 134.60 feet; thence S10°59'20"E 78.59 feet; thence S02°17'11"E 54.70 feet; thence S23°38'56"W 30.51 feet; thence S43°33'17"W 36.16 feet; thence S61°53'14"W 50.05 feet; thence West 89.70 feet; thence North 7.11 feet; thence N82°24'54"W 45.64 feet; thence along the arc of a non-tangent curve to the right 19.13 feet with a radius of 15.00 feet through a central angle of 73°04'26", chord: S53°27'47"W 17.86 feet; thence West 163.70 feet; thence along the arc of a curve to the right 23.56 feet with a radius of 15.00 feet through a central angle of 90°00'00", chord: N45°00'00"W 21.21 feet; thence West 42.00 feet; thence along the arc of a non-tangent curve to the right 23.56 feet with a radius of 15.00 feet through a central angle of 90°00'00", chord: S45°00'00"W 21.21 feet; thence West 60.51 feet to the point of beginning.

Contains: ±5.59 Acres

COLD SPRING RANCH – LD3

A portion of the Southwest Quarter of Section 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at a point located N89°52'38"E along the section line 1949.60 feet and North 1333.15 feet from the Southwest Corner of Section 12, Township 5 South, Range 1 West, Salt Lake Base and Meridian (Basis of Bearing being S89°51'47"W from the Southeast Corner to the South Quarter of Section 11); thence N01°24'10"W 56.00 feet; thence along the arc of a non-tangent curve to the right 23.56 feet with a radius of 15.00 feet through a central angle of 90°00'00", chord: N46°24'10"W 21.21 feet; thence N01°24'10"W 130.84 feet; thence along the arc of a curve to the left 38.06 feet with a radius of 500.00 feet through a central angle of 04°21'41", chord: N03°35'00"W 38.05 feet; thence along the arc of a curve to the right 24.70 feet with a radius of 15.00 feet through a central angle of 94°21'41", chord: N41°25'00"E 22.01 feet; thence N15°37'50"W 43.33 feet; thence along the arc of a non-tangent curve to the right 20.30 feet with a radius of 15.00 feet through a central angle of 77°32'04", chord: N52°38'08"W 18.78 feet; thence along the arc of a curve to the left 117.09 feet with a radius of 500.00 feet through a central angle of 13°25'05", chord: N20°34'38"W 116.83 feet; thence N27°17'11"W 54.57 feet; thence along the arc of a curve to the right 23.12 feet with a radius of 15.00 feet through a central angle of 88°17'56", chord: N16°51'47"E 20.90 feet; thence N29°56'22"W 42.01 feet; thence N61°00'45"E 6.79 feet; thence along the arc of a curve to the right 46.22 feet with a radius of 96.00 feet through a central angle of 27°35'05", chord: N74°48'18"E 45.77 feet; thence N88°35'50"E 58.68 feet; thence N01°24'10"W 12.36 feet; thence S87°30'54"E 8.65 feet; thence N51°21'33"E 39.17 feet; thence N24°55'32"E 53.94 feet; thence N01°28'12"E 68.15 feet; thence N35°13'52"E 60.94 feet; thence N49°56'00"E 59.24 feet; thence N69°36'27"E 40.11 feet; thence N85°05'09"E 41.27 feet; thence N49°28'13"E 135.24 feet; thence S53°28'00"E 122.59 feet; thence South 742.34 feet; thence along the arc of a non-tangent curve to the right 95.44 feet with a radius of 1256.00 feet through a central angle of 04°21'13", chord: S75°03'14"W 95.41 feet; thence S77°13'51"W 112.14 feet; thence along the arc of a curve to the right 169.81 feet with a radius of 856.00 feet through a central angle of 11°21'59", chord: S82°54'51"W 169.54 feet; thence S88°35'50"W 47.56 feet to the point of beginning.

Contains: ±7.74 acres.