

WHEN RECORDED RETURN TO:
 Summerlane Development Inc.
 Richard Welch
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 Salt Lake City, Utah 84103
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 10/14/2010 10:15 AM \$39.00
 Book - 9868 Pg - 5317-5320
 GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 SUMMERLANE DEVELOPMENT
 273 N EAST CAPITOL ST
 SLC UT 84103
 BY: ZJM, DEPUTY - WI 4 P.

**FIRST SUPPLEMENT TO DECLARATION OF PLANNED UNIT DEVELOPMENT
 AND
 DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
 FOR
 SUMMERLANE AT THE DISTRICT
 (An Expandable Utah planned unit development)**

THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUMMERLANE AT THE DISTRICT (AN EXPANDABLE UTAH PLANNED UNIT DEVELOPMENT) (the "First Supplement") is made and executed by SUMMERLANE DEVELOPMENT, INC., a Utah Corporation, whose principal address is 273 N. East Capitol Street, Salt Lake City, Utah 84103 (hereinafter referred to as the "Declarant").

RECITALS

- A. The original Declaration of Covenants, Conditions, and Restrictions for Summerlane at The District was recorded in the office of the County Recorder of Salt Lake County, Utah on January 24, 2008 as Entry No. 10329358 in Book 9561 at Pages 6442-6500 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").
- B. The related Plat Maps for Summerlane at The District have also been recorded in the office of the County Recorder of Salt Lake County, Utah.
- C. Under Article III, Section 49 of the Declaration, Declarant reserved the unilateral right to expand the Project.
- D. Declarant intends to expand the Project and that the real property located in Salt Lake County, Utah and described with particularity on Exhibit "B" (**Summerlane at The District, Phase 6**) attached hereto and incorporated herein by this reference (the "Property") be submitted to the Utah Community Association Act, Utah Code Ann., Sections 57-8a-1 et seq. (2004) as amended (the "Act") and become subject to the Declaration.

E. Declarant is the owner of the Property.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners thereof, Declarant hereby executes this First Supplement to the Declaration.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the definition of the "First Supplement to the Declaration" which shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Summerlane at The District recorded in the office of the County Recorder of Salt Lake County, Utah on January 24, 2008 as Entry No. 10329358 in Book 9561 at Pages 6442-6500 of the Official Records of the County Recorder of Salt Lake County, Utah. Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The Property (**Summerlane at The District, Phase 6**), described in Exhibit "B" is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as amended and supplemented.

3. **Annexation.** Declarant hereby declares that the Property (**Summerlane at The District, Phase 6**) is hereby annexed to and subject to the Declaration, which upon recordation of this First Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit "B" subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. **Effective Date.** The effective date of this First Supplement shall be the date on which said instrument is filed for record in the Office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the 8 day of October, 2010.

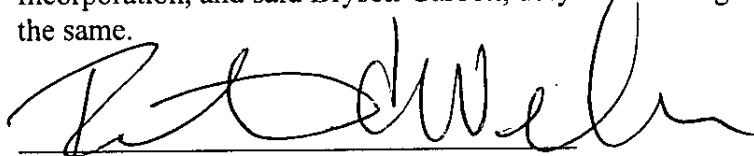
DECLARANT:

SUMMERLANE DEVELOPMENT, INC. a Utah Corporation


By: Bryson Garbett, President

STATE OF UTAH)
)ss:
COUNTY OF SALT LAKE)

On the 8 day of October, 2010 personally appeared before me Bryson Garbett, who by me being duly sworn, did say that he is the President of SUMMERLANE DEVELOPMENT, INC., a Utah corporation, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its board of directors or its Articles of Incorporation, and said Bryson Garbett, duly acknowledged to me that said Company executed the same.



NOTARY PUBLIC



EXHIBIT "B"
LEGAL DESCRIPTION OF SUMMERLANE AT THE DISTRICT, PHASE 6

Lot 1, Summerlane Number 2 Subdivision, Entry 10329354, Book 2008P, Page 018, of the Salt Lake County Records. More particularly described as follows:

A parcel of land lying and situate in the Northwest Quarter of Section 20, Township 3 South, Range 1 West, Salt Lake Base and Meridian. Comprising the 2.28 acres of Lot 1, Summerlane Number 2 Subdivision recorded January 24, 2008, as Entry 10329354, in Book 2008P at page 018 of the Salt Lake County Records. Basis of Bearing for subject parcel being South 00°00'33" West 2651.12 feet measured between the Salt Lake County brass cap monuments monumentalizing the east line of said Northwest Quarter Section.

Commencing at the North Quarter Corner of said Section 20, thence South 00°00'33" West 2161.18 feet coincident with the east line of said Northwest Quarter Section; Thence North 60°09'23" West 165.80 feet to a point on the center line of Ropemaker Road and the east boundary of said Summerlane Number 2 Subdivision; Thence North 00°00'29" East 164.99 feet coincident with said center line and east boundary; Thence North 89°59'31" West 27.50 feet to the northeast corner of said Lot 1 and the TRUE POINT OF BEGINNING;

Thence the following nine (9) courses coincident with the boundary of said Lot 1,

- 1) South 00°00'29" West 162.10 feet;
- 2) Westerly 74.63 feet along the arc of a 47.50 foot radius curve to the right (center bears North 89°59'31" West) through a central angle of 90°01'30" to a point of tangency;
- 3) North 89°58'01" West 220.57 feet to a point of curvature;
- 4) Westerly 65.44 feet along the arc of a 272.50 foot radius curve to the right (center bears North 00°01'59" East) through a central angle of 13°45'33" to a point of tangency;
- 5) North 76°12'28" West 138.72 feet;
- 6) North 13°41'36" East 239.09 feet;
- 7) South 76°12'32" East 227.58 feet to a point of curvature;
- 8) Easterly 78.65 feet along the arc of a 327.50 foot radius curve to the left (center bears North 13°47'28" East) through a central angle of 13°45'33" to a point of tangency;
- 9) South 89°58'06" East 112.15 feet to the point of beginning.

Contains 99,420 sq. ft. or 2.28 acres