

WHEN RECORDED, RETURN TO:

Kennecott Land Company
 5295 South 300 West, Suite 475
 Murray, Utah 84107
 Attention: Senior Contracts and Revenue Analyst

**SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS FOR DAYBREAK VILLAGE,
 SUBMITTING ADDITIONAL PROPERTY
 (LOT C-201 OF KENNECOTT DAYBREAK PLAT 3 SUBDIVISION)**

THIS SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK VILLAGE, SUBMITTING ADDITIONAL PROPERTY (LOT C-201 OF KENNECOTT DAYBREAK PLAT 3 SUBDIVISION) (this "Supplement") is made this December 14, 2006, by **KENNECOTT LAND COMPANY**, as declarant ("**Declarant**") under the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Daybreak Village, recorded on December 30, 2005, as Entry No. 9598233, in Book 9237, beginning at Page 5395 (as amended from time to time, the "**Declaration**") and is consented to by Kennecott Land Residential Development Company, a Delaware corporation ("**KLRDC**").

RECITALS

- A. Declarant executed and recorded the Declaration, which shall govern certain non-residential uses of the development commonly known as "Daybreak" located in South Jordan, Utah.
- B. KLRDC has previously recorded that certain subdivision map entitled "KENNECOTT DAYBREAK PHASE II PLAT 3 SUBDIVISION AMENDING LOTS T2, T4, V4 & V4A OF THE KENNECOTT MASTER SUBDIVISION #1", which includes the lot described on Exhibit A (the "**Property**"). KLRDC is the owner of the Property.
- C. Declarant desires to submit and subject the Property to the Declaration, including, without limitation, the terms, conditions, covenants and restrictions thereof as they now exist or may hereafter be amended.

NOW, THEREFORE, Declarant hereby declares the following:

1. **Definitions.** Unless otherwise defined herein, all capitalized terms shall have the meaning assigned to them in the Declaration.
2. **Submission to Declaration.** Pursuant to Section 15.1 of the Declaration, Declarant hereby submits and subjects the Property to the Declaration, including, without limitation, all terms, conditions, covenants, easements, restrictions, liens, charges, and assessments contained therein. KLRDC consents to the submission and subjection of the Property to the Declaration.
3. **Notice of Certain Fees.** Notice is hereby given that the Declaration provides, among other things, that certain assessments and fees will be charged against the Property, as further described in the Declaration.
4. **Full Force and Effect.** The Declaration, as supplemented hereby, shall remain in full force and effect.
5. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated into the Supplement by this reference.

IN WITNESS WHEREOF, as of this December 14, 2006, Declarant has executed this Supplement, and KLRDC has consented to the same.

Declarant:

KENNECOTT LAND COMPANY,
a Delaware corporation

By: M. Bruce Snyder
Name: M. Bruce Snyder
Its: Vice President Residential and Commercial
Development

KLRDC:

KENNECOTT LAND RESIDENTIAL
DEVELOPMENT COMPANY, a Delaware
corporation

By: M. Bruce Snyder
Name: M. Bruce Snyder
Its: Vice President Residential and Commercial
Development

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On 14 Dec. 2006 personally appeared before me, a Notary Public, M. Bruce Snyder, the V.P. of **KENNECOTT LAND COMPANY** personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **KENNECOTT LAND COMPANY**.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said State

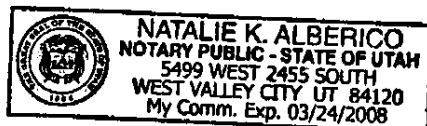
My commission expires: _____

[SEAL]

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On 14 Dec. 2006 personally appeared before me, a Notary Public, M. Bruce Snyder, the V.P. of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY** personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said State

My commission expires: _____

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lot C-201, described on the "Kennecott Daybreak Phase II Plat 3 Subdivision Amending Lots T2, T4, V4 & V4A of the Kennecott Master Subdivision #1," recorded on March 25, 2005, as Entry No. 9331480, Book 2005P, at Page 83 of the Official Records of Salt Lake County.