

WHEN RECORDED RETURN TO:

TRAVERSE MOUNTAIN DECLARANT HOLDINGS, LLC
17 E. WINCHESTER ST. SUITE 200
MURRAY, UT 84107

Tax # 11-030-0161
290689

Space above for County Recorder's Use

**SUPPLEMENTAL DECLARATION TO
AMENDED AND RESTATED MASTER DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF
EASEMENTS FOR TRAVERSE MOUNTAIN MASTER PLANNED COMMUNITY**

THIS SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR TRAVERSE MOUNTAIN (this "**Supplemental Declaration**") is made this 27 day of MAY, 2020, by Traverse Mountain Declarant Holdings, LLC, a Utah limited liability company ("**Declarant**").

A. Declarant previously entered into that certain Amended and Restated Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Traverse Mountain, recorded as Entry No. 88194:2007 in the official records of the Utah County Recorder's Office (the "**Official Records**"), as may be amended or supplemented from time to time (the "**Master Declaration**").

B. Section 16.1 of the Master Declaration provides that Declarant may add to the real property encumbered by the Master Declaration all or any portion of certain real property designated as "Annexable Territory" by recording a supplemental declaration encumbering the portion of the Annexable Territory annexed thereby.

C. Declarant hereby desires to add additional property that is within the Annexable Territory (the "**Annexed Property**") as set forth in this Supplemental Declaration, and the Owner of the Annexed Property is agreeable to such annexation pursuant to the terms of this Supplemental Declaration.

D. The Annexed Property consists of approximately 6.28 acres owned by Perry Homes Utah, Inc. and is described on Exhibit A attached hereto and incorporated herein.

NOW, THEREFORE, Declarant hereby provides as follows:

1. Defined Terms. Capitalized terms not otherwise defined herein shall have the meaning given them in the Master Declaration.

2. Extension of Comprehensive Plan. The Annexed Property is hereby submitted to all provisions of the Master Declaration and all provisions of the Master Declaration shall apply to the Annexed Property except for (i) the entirety of Article IV and any other provisions of the

Master Declaration related to design control, the Architectural Guidelines or documents promulgated and related to the implementation or execution of Article IV or the Architectural Guidelines which shall have no applicability to the Annexed Property; (ii) Article 3.3.5, which shall have no applicability to the Annexed Property; and (iii) Article 6.6, which shall have no applicability to the Annexed Property and (iv), Article 7.10.1 which shall have no applicability to the Annexed Property.

3. Description/Phases of Development. The Annexed Property is a single parcel of approximately 6.28 acres designated as a Phase by this Supplemental Declaration, which designation may be changed later by mutual agreement of the parties to this Supplemental Declaration.

4. Land Classifications. The Annexed Property may be assigned to one or more of the land classifications described in Article XV of the Master Declaration upon the mutual agreement of the Parties to this Supplemental Declaration, namely Residential Area, Multi-Family Area, and Neighborhoods.

5. Special Benefit Areas. There are no services being provided to the Annexed Property that are above the standard level of service provided by the Master Association.

6. Master Declaration. The Master Declaration shall remain in full force and effect, as supplemented by this Supplemental Declaration.


7. Amendment. This Supplemental Declaration shall not be amended without the express written consent of the underlying Owner until such time as the Owner has sold or otherwise transferred all of the Annexed Property that is subject to this Supplemental Declaration.

IN WITNESS WHEREOF, this Supplemental Declaration is made by Declarant as of the date set forth above.

DECLARANT:

TRAVERSE MOUNTAIN DECLARANT HOLDINGS, LLC, a Utah limited liability company by its co-managers Sports Mall Plaza II, LLC and TM MULTI-FAMILY, LLC

Sports Mall Plaza II, LLC

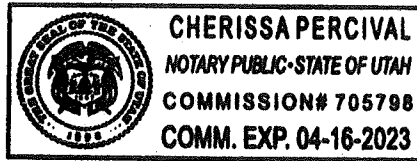
By: 
Name: William D Perry
Title: Legal Counsel

TM Multi-Family, LLC

By: [Signature]
Name: DUSTON BARTON
Title: VP OF MANAGER

State of Utah)
: ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27 day of MAY, 2020, by WILLIAMO PERRY as Legal Counsel of Sports Mall Plaza II, LLC.



[Signature]
Notary Public

State of IDAHO)
: ss
County of BONNEVILLE)

The foregoing instrument was acknowledged before me this 12 day of JUNE, 2020, by DUSTON BARTON as VP OF MANAGER of TM MULTI-FAMILY, LLC.




[Signature]
Notary Public

By executing this Supplemental Declaration, the undersigned, as the owner of the Perry Homes Property, hereby acknowledges and agrees to the recording of this Supplemental Declaration.

OWNER:

PERRY HOMES UTAH, INC., a Utah corporation



By: William O. Perry, IV

Its: *V. PRESIDENT*

State of Utah)
 : ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this 27 day of MAY, 2020, by WILLIAM O. PERRY as V. PRESIDENT of Perry Homes Utah, Inc.



Notary Public

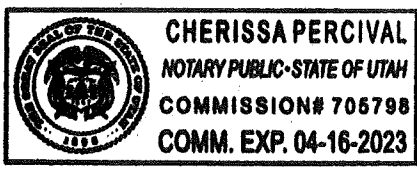


Exhibit A

Legal Description of CROSSING AT TRAVERSE PHASE 5

A portion of the SW1/4 of Section 29, Township 4 South, Range 1 East, Salt Lake Base & Meridian, located in Lehi, Utah, more particularly described as follows:

Beginning at the Southwest corner of Lot 406, Phase 4, CROSSINGS AT TRAVERSE Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder, said point being also on the Northerly line of Phase 1, CROSSINGS AT TRAVERSE Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder, located S89°52'02"W along the Section line 247.57 feet and North 757.50 feet from the South 1/4 Corner of Section 29, T4S, R1E, S.L.B.& M.; thence along Phase 1 of said plat the following 3 (three) courses and distances: thence N73°14'34"W 369.80 feet; thence N78°52'37"W 56.02 feet; thence N85°22'44"W 98.69 feet; thence N04°13'02"E 180.00 feet; thence N12°44'58"E 268.20 feet to the South line of Phase 2, CANYON HILLS Subdivision, according to the Official Plat thereof on file in the Office of the Utah County Recorder; thence N89°49'16"E along said plat 531.19 feet to the Northwest corner of Lot 401 of said Phase 4, CROSSINGS AT TRAVERSE Subdivision; thence along said plat the following 7 (seven) courses and distances: S01°39'11"W 105.36 feet; thence N88°20'49"W 13.01 feet; thence S01°39'11"W 197.52 feet; thence S16°45'26"W 111.50 feet; thence S25°52'20"W 56.00 feet; thence Southeasterly along the arc of a non-tangent curve to the left having a radius of 328.00 feet (radius bears: N25°52'20"E) a distance of 23.66 feet through a central angle of 04°08'01" Chord: S66°11'41"E 23.66 feet; thence S21°44'18"W 106.65 feet to the point of beginning.

Contains: 6.28 acres+/-