

13434424
10/21/2020 01:50 PM \$40.00
Book - 11043 Pg - 7199-7202
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
OLD REPUBLIC TITLE DRAPER/OREM
898 NORTH 1200 WEST
OREM UT 84057
BY: JLA, DEPUTY - WI 4 P.

WHEN RECORDED, RETURN TO:

VP Daybreak Operations LLC
11248 Kestrel Rise Road, Suite 201
South Jordan, UT 84009
Attention: Gary Langston

Space above for County Recorder's Use

**SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAYBREAK HIGHLAND PARK TOWNHOME PROJECT
(ADDING ADDITIONAL LAND – VILLAGE 8 PLAT 8 LOTS)**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK HIGHLAND PARK TOWNHOME PROJECT (ADDING ADDITIONAL LAND – VILLAGE 8 PLAT 8 LOTS) (this “**Supplement**”) is made as of August 7, 2020, by **VP DAYBREAK OPERATIONS LLC**, a Delaware limited liability company, as declarant (“**Declarant**”) under that certain Declaration of Covenants, Conditions and Restrictions for Daybreak Highland Park Townhome Project, recorded on January 1, 2017, as Entry No. 12458283, in Book 10522, beginning at Page 3229 (the “**Declaration**”).

RECITALS:

- A.** Pursuant to the Declaration, Declarant has established the *Daybreak Highland Park Village Townhome* project (the “**Project**”) initially consisting of various residential “Lots” as more particularly defined and described therein, which Lots are to be improved with certain attached residential units called “townhomes”. The Project is located within the community commonly known as “*Daybreak*” located in South Jordan, Utah.
- B.** Declarant owns certain parcels of real property (collectively, “**Additional Land**”) adjacent to the Project. The Additional Land is legally described in **Exhibit A**, attached hereto and incorporated herein by this reference.
- C.** Declarant desires to add the Additional Land to the Project and to submit and subject the same to the Declaration, as the terms, conditions, covenants and restrictions thereof now exist or may hereafter be amended and/or supplemented.

NOW, THEREFORE, Declarant hereby declares the following:

- 1.** **Definitions.** Unless otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed to such terms in the Declaration.

2. **Submission of Additional Land (Lots) to Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby exercises its option to expand the Project and add the Additional Land to the Project, effective as of the recording of this Supplement; and Declarant submits and subjects the Additional Land to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. From and after the recordation of this Supplement, the Additional Land shall be held, transferred, sold, conveyed and occupied subject to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration. In addition, the Additional Land shall be subject to the governance of the Daybreak Highland Park Village Townhome Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.
3. **Full Force and Effect.** The Declaration, as amended hereby, remains in full force and effect.
4. **Incorporation by Reference.** The Recitals and Exhibits to this Supplement are hereby incorporated into this Supplement by this reference.

[Signatures on Following Page]

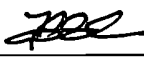
IN WITNESS WHEREOF, Declarant has executed this Supplement as of the date first written above.

Declarant:

VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

By: Daybreak Communities LLC,
a Delaware limited liability company

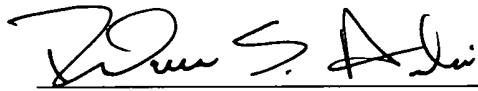
Its: Project Manager

By: 
Ty McCutcheon, President & CEO

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

On August 7th, 2020, personally appeared before me, a Notary Public, Ty McCutcheon, President & CEO of Daybreak Communities LLC, the Project Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability 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 VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.


Notary Public in and for said State

My commission expires: 2/24/23

[SEAL]

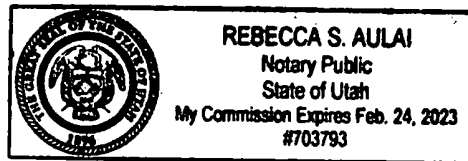


EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND ADDED TO PROJECT

VILLAGE 8 PLAT 8 LOTS:

LOTS 169 THROUGH 238 INCLUSIVE OF "DAYBREAK VILLAGE 8 PLAT 8 AMENDING LOTS Z105 & Z106 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1 ALSO AMENDING LOTS M-101 & M-102 OF THE DAYBREAK VILLAGE 8 PLAT 5A SUBDIVISION", recorded on Oct 24, 2020, 2020, as Entry No. 13434413, in Book 2078P, at Page 254 of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON RECORDATION OF PLAT]