

10-14

12922029
01/22/2019 02:24 PM \$72.00
Book - 10747 Pg - 2105-2114
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
OLD REPUBLIC TITLE DRAPER/OREM
898 NORTH 1200 WEST
OREM UT 84057
BY: TLP, DEPUTY - WI 10 P.

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

**SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAYBREAK HIGHLAND PARK VILLAGE TOWNHOME PROJECT
(ADDING ADDITIONAL LAND – DAYBREAK SOUTH MIXED USE MULTI FAMILY # 2)**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK HIGHLAND PARK VILLAGE TOWNHOME PROJECT (ADDING ADDITIONAL LAND – DAYBREAK SOUTH MIXED USE MULTI FAMILY #2) (this “Supplement”) is made as of October 18, 2018, 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 Village 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*
Ty McCutcheon, President & CEO

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

On October 18, 2018, 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.



[SEAL]

Ty McCutcheon
Notary Public in and for said State

My commission expires: June 13, 2021

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND ADDED TO PROJECT

DAYBREAK SOUTH MIXED USE MULTI FAMILY #2 LOTS:

LOTS 129-168 INCLUSIVE OF "DAYBREAK SOUTH MIXED USE MULTI FAMILY #2 AMENDING LOT M-102 OF THE DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION", recorded on January 22, 2019, as Entry No. 12922025, Book 2019P, at Page 29 of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON RECORDATION OF PLAT]

EXHIBIT B

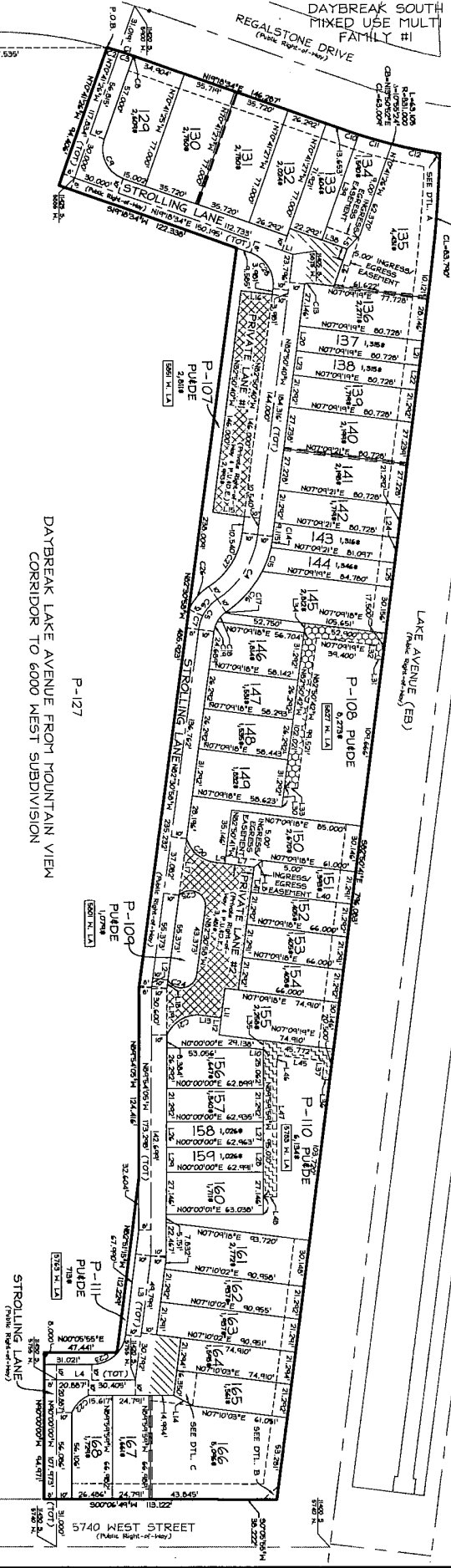
ATTACH COPY OF SMUMF #2 PLAT

KENNECOTT MASTER
SUBDIVISION #1 ATTENDED

DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW
CORRIDOR TO 6000 WEST SUBDIVISION

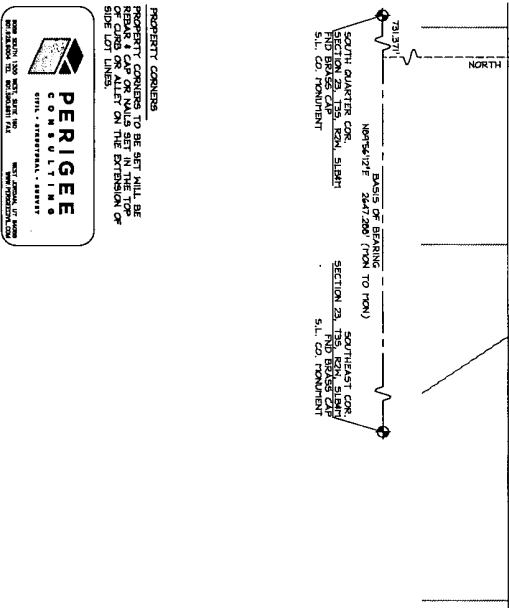
LAKE AVENUE (EB)

LAKE AVENUE (WB)
(From Right-of-Way)



DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW
CORRIDOR TO 6000 WEST SUBDIVISION

SUNSTONE VILLAGE SUBDIVISION NO. 4



PERIGEE
COMMUNITY
INC. • PROFESSIONAL • SERVICE
1000 WEST 1000 SOUTH, SUITE 100
SALT LAKE CITY, UT 84119
TEL: 325-1111 FAX: 325-1112

PLAT	DATE	REMARKS
107	12/21/07	PLAT P-107
108	12/21/07	PLAT P-108
109	12/21/07	PLAT P-109
110	12/21/07	PLAT P-110
111	12/21/07	PLAT P-111
112	12/21/07	PLAT P-112
113	12/21/07	PLAT P-113
114	12/21/07	PLAT P-114
115	12/21/07	PLAT P-115
116	12/21/07	PLAT P-116
117	12/21/07	PLAT P-117
118	12/21/07	PLAT P-118
119	12/21/07	PLAT P-119
120	12/21/07	PLAT P-120
121	12/21/07	PLAT P-121
122	12/21/07	PLAT P-122
123	12/21/07	PLAT P-123
124	12/21/07	PLAT P-124
125	12/21/07	PLAT P-125
126	12/21/07	PLAT P-126
127	12/21/07	PLAT P-127
128	12/21/07	PLAT P-128
129	12/21/07	PLAT P-129
130	12/21/07	PLAT P-130
131	12/21/07	PLAT P-131
132	12/21/07	PLAT P-132
133	12/21/07	PLAT P-133
134	12/21/07	PLAT P-134
135	12/21/07	PLAT P-135
136	12/21/07	PLAT P-136
137	12/21/07	PLAT P-137
138	12/21/07	PLAT P-138
139	12/21/07	PLAT P-139
140	12/21/07	PLAT P-140
141	12/21/07	PLAT P-141
142	12/21/07	PLAT P-142
143	12/21/07	PLAT P-143
144	12/21/07	PLAT P-144
145	12/21/07	PLAT P-145
146	12/21/07	PLAT P-146
147	12/21/07	PLAT P-147
148	12/21/07	PLAT P-148
149	12/21/07	PLAT P-149
150	12/21/07	PLAT P-150
151	12/21/07	PLAT P-151
152	12/21/07	PLAT P-152
153	12/21/07	PLAT P-153
154	12/21/07	PLAT P-154
155	12/21/07	PLAT P-155
156	12/21/07	PLAT P-156
157	12/21/07	PLAT P-157
158	12/21/07	PLAT P-158
159	12/21/07	PLAT P-159
160	12/21/07	PLAT P-160
161	12/21/07	PLAT P-161
162	12/21/07	PLAT P-162
163	12/21/07	PLAT P-163
164	12/21/07	PLAT P-164
165	12/21/07	PLAT P-165
166	12/21/07	PLAT P-166
167	12/21/07	PLAT P-167

LEGEND

- ROAD DATE LINE COUNTY
- SECTION CORNER
- PROPOSED STREET HOUSING
- EXISTING STREET HOUSING
- APPROX. WITH AMBIGUATION OF STREET OR LANE
- 1" CHANGE EASEMENT PARALLEL TO LOT LINE (SHADED NOTED OTHERWISE)
- PRIVATE RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENT
- PRIVATE WATER LATERAL EASEMENT IN THE PRESENCE OF CHANGING LAND USES
- PRIVATE WATER LATERAL
- PRIVATE WATER LATERAL EASEMENT IN THE PRESENCE OF CHANGING LAND USES
- PRIVATE WATER LATERAL
- PRIVATE RIGHT-OF-WAY

GRAPHIC SCALE
1 inch = 30 ft.

PUBLIC UTILITY EASEMENTS
(UNLESS OTHERWISE NOTED)

DAYBREAK SOUTH MIXED USE MULTI-FAMILY #2 ATTENDING LOT 1107 OF THE DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION

Recorded in the First Book of Section 23, T8N, R20W, S11. CO. TOWNHIP, Salt Lake Base and Meridian.

LOCATED IN THE EAST HALF OF SECTION 23, T8N, R20W, S11. CO. TOWNHIP, Salt Lake Base and Meridian.

STATE OF UTAH, COUNTY OF SALT LAKE, REGISTERED AND FILED AT THE REGISTER OFFICE.

DATE: _____ TIME: _____ HOUR: _____ MINUTE: _____

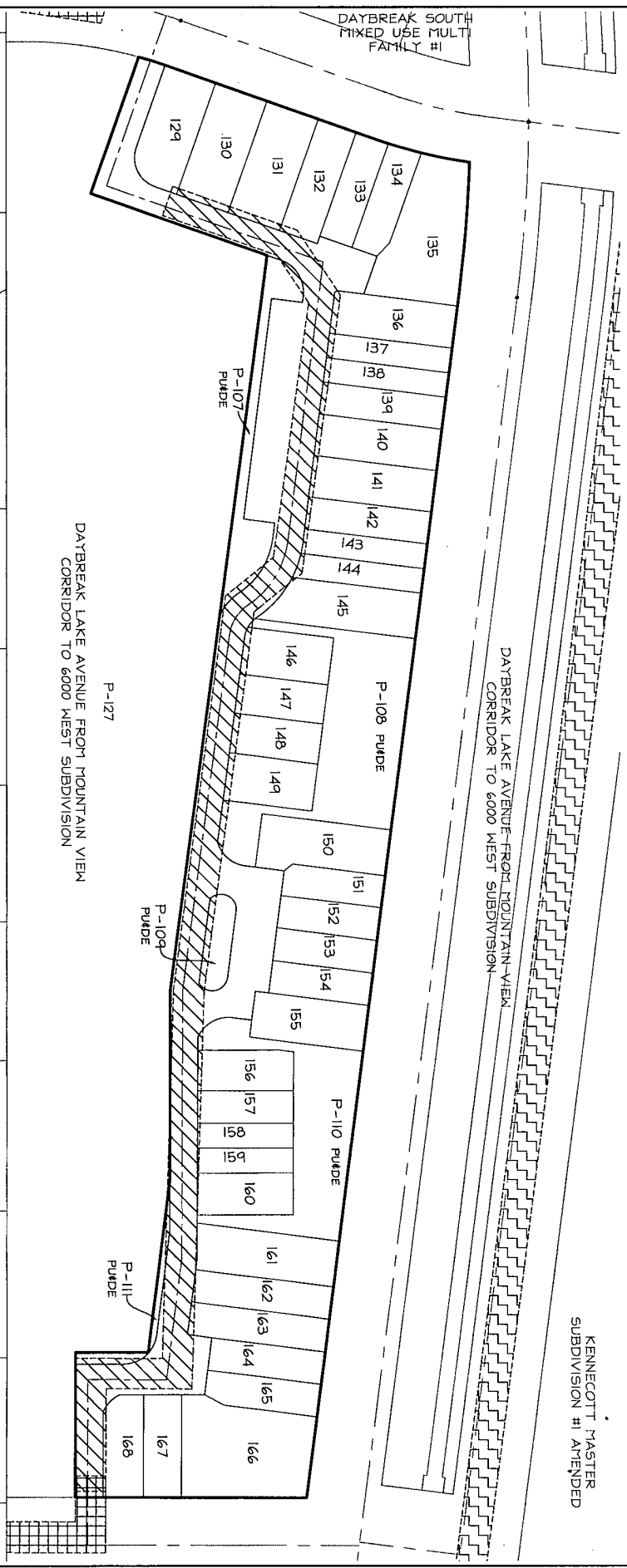
FILE # _____

DATE: _____ TIME: _____ HOUR: _____ MINUTE: _____

FILE # _____

KENNECOTT MASTER
SUBDIVISION #1 AMENDED

DAYBREAK LAKE AVENUE-FROM MOUNTAIN-VIEW
CORRIDOR TO 6000 WEST SUBDIVISION



DAYBREAK SOUTH
FIXED USE MULTI
FAMILY #1

PROPERTY CORNERS
PROPERTY CORNERS TO BE SET SHALL BE
REMARKED BY A CAP OR MARK SET IN THE TOP
OF CURB OR ALLEY ON THE EXTENSION OF
THE LOT LINES.



LEGEND

	EXISTING 2" WIDE ROAD WADSWORTH
	PROPOSED 2" WIDE ROAD WADSWORTH
	EXISTING 2" WIDE ROAD WADSWORTH
	PROPOSED 2" WIDE ROAD WADSWORTH
	EXISTING 2" WIDE ROAD WADSWORTH
	PROPOSED 2" WIDE ROAD WADSWORTH



Sheet 3 of 5

DAYBREAK SOUTH FIXED USE MULTI-FAMILY #2
ATTENDING LOT #102 OF THE DAYBREAK LAKE AVENUE FROM
MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION

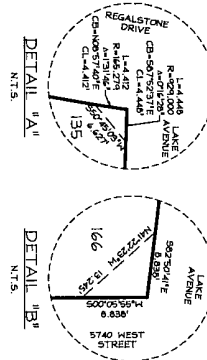
Located in the East Half of Section 29, T39N, R20W,
Salt Lake Base and Meridian

STATE OF UTAH, COUNTY OF SALT LAKE, HUSBAND AND WIFE AT THE
REQUEST OF: _____
DATE: _____ TITLE: _____ BOOK: _____ PAGE: _____

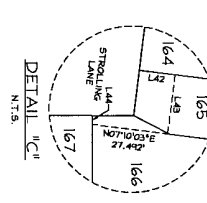
RECORDED AT
SALT LAKE COUNTY RECORDERS



PERIGEE CONSULTING
 CIVIL - SURVEYING - ENERGY
 1000 NORTH 1300 WEST, SUITE 100
 SALT LAKE CITY, UT 84119
 801.487.2200
 WWW.PERIGEECONSULTING.COM



SIDEWALK EASEMENTS
 DETAILS A AND B ARE TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION
 DETAIL C - NOT TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION



INGRESS/EGRESS EASEMENT
 DETAIL C - NOT TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION

Line #	Length	Direction
L1	7.442	N17°34'14"E
L2	6.015	N82°50'41"W
L3	50.592	N82°51'15"W
L4	81.292	N82°50'55"E
L5	12.282	N43°14'44"W
L6	28.884	N70°11'27"W
L7	11.000	N70°11'27"W
L8	7.071	N70°59'54"W
L9	4.532	N70°11'27"E
L10	8.975	N70°11'27"E
L11	30.144	N82°50'41"W
L12	10.773	N82°50'41"W
L13	12.481	N70°11'27"E
L14	14.115	N82°50'41"E
L15	20.500	N70°11'27"E
L16	20.500	N70°11'27"E
L17	37.282	N82°50'41"W
L18	5.370	N82°50'41"W
L19	28.954	N82°50'41"W
L20	4.292	S82°50'41"E

Line #	Length	Direction
L21	16.292	N82°50'41"W
L22	16.292	N82°50'41"W
L23	16.292	S82°50'41"E
L24	16.292	N82°50'41"W
L25	16.291	N82°50'41"W
L26	16.292	S82°50'41"E
L27	16.292	S82°50'41"E
L28	16.291	N82°50'41"W
L29	16.292	S82°50'41"E
L30	16.146	S82°50'41"E
L31	5.000	N70°11'27"E
L32	9.000	N82°50'41"W
L33	8.500	N70°11'27"E
L34	4.000	N82°50'41"W
L35	6.047	N82°50'41"W
L36	5.000	N70°11'27"E
L37	12.000	N82°50'41"W
L38	7.7291	N17°34'14"E
L39	72.284	N70°11'27"W
L40	44.000	N70°11'27"E

Line #	Length	Direction
L41	16.292	S82°50'41"E
L42	13.000	N70°11'27"E
L43	21.292	N82°50'41"W
L44	3.121	N82°50'41"W
L45	16.291	N70°11'27"E
L46	32.427	N70°11'27"E
L47	5.565	N82°50'41"W
L48	8.500	N70°11'27"E

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	18.112	279.506	029°48'44"	N72°34'14"E	18.108
C2	8.011	279.506	021°39'51"	N82°48'14"E	8.010
C3	10.002	279.506	021°04'40"	N81°50'17"E	10.002
C4	51.227	40.000	028°50'57"	N82°51'07"W	49.488
C5	22.748	28.000	048°35'24"	S85°11'17"W	22.040
C6	14.421	28.000	027°51'07"	N82°51'07"W	14.405
C7	4.126	28.000	018°40'49"	N73°10'49"W	4.104
C8	0.291	279.506	020°01'14"	N17°11'27"E	0.291
C9	31.416	70.000	029°07'07"	N41°13'47"E	28.284
C10	8.440	131.000	021°29'44"	N82°51'47"E	8.440
C11	22.334	131.000	029°31'47"	N82°52'17"E	22.332
C12	32.129	131.000	029°33'41"	N17°34'14"E	32.116
C13	3.217	5.000	024°52'17"	N13°14'44"W	3.142
C14	7.180	70.000	029°53'04"	N79°14'07"W	7.187
C15	11.743	70.000	019°42'14"	N70°14'52"W	11.705
C16	35.832	70.000	029°19'44"	N48°53'27"W	35.442
C17	1.262	18.000	044°01'07"	N85°34'06"W	1.262
C18	7.234	18.000	029°10'41"	N47°12'03"W	7.166
C19	6.765	18.000	021°22'29"	N71°44'39"W	6.729
C20	25.290	22.000	062°42'32"	N48°03'41"E	23.570

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C21	27.414	22.000	077°23'10"	N87°03'47"W	25.998
C22	15.449	22.000	040°51'32"	N44°51'05"W	15.568
C23	31.852	22.000	082°37'11"	N41°22'40"W	29.142
C24	24.981	10.000	148°07'44"	N07°10'41"W	18.974
C25	24.981	10.000	148°07'44"	N85°53'07"E	18.974
C26	19.042	38.000	029°58'05"	N48°53'07"W	18.418
C27	42.489	50.000	048°55'05"	N48°53'07"W	41.404
C28	24.981	22.000	077°23'10"	N48°03'41"E	27.444

Sheet 4 of 5

DAYBREAK SOUTH MIXED USE MULTI-FAMILY #2
 APPENDING LOT #102 OF THE DAYBREAK LAKE AVENUE FRONT
 TOWNHOMES VILLAS CONVERSION TO 8000 WEST SUBDIVISION
 Located in the East Half of Section 22, T35N, 82W,
 Salt Lake Basin and Herdman
 RECORDS &
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
 COUNTY OF _____ TIME _____ DATE _____
 BY _____ SALT LAKE COUNTY RECORDS

