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 GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 THE BPYER COMPANY
 ATTN: PATRICK MOFFAT
 90 SOUTH 400 WEST 3200
 SALT LAKE CITY UTAH 84101
 BY: SAM, DEPUTY - WI 5 P.

WHEN RECORDED, PLEASE RETURN TO:

The Boyer Company
 Attn: Patrick Moffat
 90 South 400 West, Suite 200
 Salt Lake City, Utah 84101

**FIRST SUPPLEMENT TO DECLARATION OF
 COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
 JORDAN HEIGHTS SUBDIVISION PHASE 1 AND 2**

(A Planned Unit Development)

ADDING

JORDAN HEIGHTS SUBDIVISION PHASE 3

(A Planned Unit Development)

This First Supplement (the "First Supplement") is made and executed this 5th day of March, 2007, by BOYER JORDAN HEIGHTS, L.C., a Utah limited liability company (the "Declarant").

RECITALS:

- A. Declarant is the record owner of that certain tract of real property known as Jordan Heights Subdivision Phase 3 PUD ("Phase 3"), which property is more specifically shown on the plats thereof recorded in the official records of Salt Lake County, State of Utah, on March 2, 2007 as Entry Number 10020666 (the "Phase 3 Plat"). The metes and bounds description of Jordan Heights Subdivision Phase 3 PUD is set forth on Exhibit "A" of this First Supplement.
- B. Declarant previously recorded that certain plat of subdivision known as Jordan Heights Subdivision Phase 1 PUD in the official records of Salt Lake County, State of Utah, on August 16, 2006, as Entry Number 9812993 Book 9336 at Page 3623-3646.
- C. Declarant previously executed and recorded that certain Declaration of Protective Covenants, Conditions, and Restrictions for Jordan Heights Subdivision Phase 1 and 2 PUD dated July 18, 2006 (the "Declaration"), which Declaration was recorded in the official records of Salt Lake County, State of Utah on August 16, 2006, as Entry Number 9812993 Book 9336 at Page 3623. Capitalized terms not specifically defined herein have the meaning ascribed to such terms in the Declaration.
- D. Pursuant to Article XI of the Declaration, Declarant reserved the right to expand the Project by submitting certain Additional Land to the Declaration. Phase 3 is a part of the Additional Land.
- E. Pursuant to Section 11.3 of the Declaration, Declarant desires to expand the Project by adding Jordan Heights Subdivision Phase 3 to the Project and to subject Jordan Heights Subdivision Phase 1 and 2 to the Declaration with this First Supplement.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Declarant hereby declares that, as more fully set forth in Article XI of the Declaration, the Project known as Jordan Heights Subdivision Phase 1 and 2 PUD shall be expanded to include Jordan Heights Subdivision Phase 3 and that Jordan Heights Subdivision Phase 3 PUD, from and after the recording of this First Supplement, shall be a part of the Project.

2. Declarant also declares that Jordan Heights Phase 3 PUD shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, as the same may be amended or supplemented from time to time in accordance with the terms and provisions of the Declaration; provided, however, that with respect to Jordan Heights Subdivision Phase 3 PUD Subdivision only, Sections 8.1, 8.4 of the Declaration are added, amended and/or restated in their entirety as follows:

8.1 Land Use and Building Type. Except for the HOA Real Property, which shall be used for the purposes set forth on or contemplated by the Plat, no Lot shall be used except for single family residential purposes. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one (1) single-family dwelling and private garage sufficiently sized for not less than two (2) vehicles with dimensions as required by the City of South Jordan. Carports may not be built. On all Lots: (a) all residential structures shall have 2,400 usable square feet of floor area, including the basement; (b) rambler-style houses shall have a minimum of 1,200 finished square feet of main floor area above finished grade; (c) houses with two or more stories shall have a minimum of 1000 finished square feet of main floor area above finished grade; and (d) multi-level houses shall have a minimum of 1000 finished square feet of main floor area above finished grade (only two levels may be used to determine the 1000 finished square feet and not all levels). Square footage of any style is excluding garages, porches, verandas, patios, basements, eaves, overhangs, and steps. Any square footage with any portion thereof beneath the top grade of the foundations will not qualify to offset the minimum square footage requirement. Any deviations from this requirement must be approved in writing by the Committee. The building exteriors of residential structures shall be constructed of brick, stone, rock, stucco, or a combination thereof; provided, however, that an area determined by multiplying two (2) feet by the perimeter of the residential structure's foundation (inclusive of the garage) shall be constructed of brick or stone. Hardyboard may be used as an accent material where appropriate. No vinyl siding or aluminum siding shall be permitted. Roof pitch shall not exceed 12:12, nor shall it be less than 6:12. Notwithstanding anything in this Declaration to the contrary, the installation of underground utility facilities (i.e. electrical wiring, pipelines, etc.) and appurtenant facilities shall be permitted on the Lots, subject to the installation of the same within the Easements shown on the Plat or subsequently granted by the Owner of the affected Lots.

8.4 Building Location. No building shall be located on any Lot nearer to the front, rear and side lot lines than the minimum building set-back lines shown on the

applicable Plat or required by applicable local ordinance. In addition to the foregoing, the following set-back requirements shall exist with respect to all buildings in the Project:

On Lots Greater than 10,000 square feet:

Front Yard	25 feet
Side Yard	5 feet
Side Yard bordering Public Streets	25 feet
Rear Yard	20 feet
Rear Yard on lots bordering Public Street	20 feet

On Lots Smaller than 10,000 square feet:


Front Yard	20 feet
Side Yard	5 feet
Side Yard bordering Public Streets	20 feet
Rear Yard	20 feet
Rear Yard on lots bordering Public Street	10 feet

Executed by Declarant on this _____ day of _____, 2007.

“DECLARANT”

BOYER JORDAN HEIGHTS, L.C.,
A Utah limited liability company, by its Manager

The Boyer Company, L.C.,
A Utah limited liability company,

By: 
Steven B. Ostler, Manager

NOTARIES:

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 5th day of March 2006, personally appeared before me Steven B. Ostler, who being by me duly sworn, did say that he is a MANAGER of THE BOYER COMPANY, L.C., a Utah limited liability company and the MANAGER of BOYER JORDAN HEIGHTS, L.C., that the foregoing Supplement to Declaration of Covenants, Conditions and Restrictions was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said limited liability company executed the same.

[Seal]



My Commission Expires:

8-20-07



Notary Public
Residing at Salt Lake City

EXHIBIT "A"

BOUNDARY DESCRIPTION

Lots 3001 - 3100 Jordan Heights Subdivision Phase 3 PUD