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4/22/2010 12:20:00 PM \$34.00
Book - 9819 Pg - 8200-8204
Gary W. Ott
Recorder, Salt Lake County, UT
FIRST AMERICAN TITLE
BY: eCASH, DEPUTY - EF 5 P.

WHEN RECORDED, RETURN TO:

Kennecott Land Company
4700 Daybreak Parkway
South Jordan, UT 84095
Attention: Senior Advisor, Contracts & Risk

**SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
SODA ROW TOWNHOME PROJECT**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SODA ROW TOWNHOME PROJECT (this "**Supplement**") is made this April 22, 2010, by **KENNECOTT LAND COMPANY**, as declarant ("**Declarant**") under the Declaration of Covenants, Conditions and Restrictions for Soda Row Townhome Project, recorded on January 26, 2010, as Entry No. 10885373, in Book 9799, beginning at Page 3280 (as amended from time to time, the "**Declaration**"), and is consented to by **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**, a Delaware corporation ("**KLRDC**").

RECITALS:

- A. Pursuant to the Declaration, Declarant has established the Soda Row Townhome Project (the "**Project**") initially consisting of various "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. KLRDC owns certain real property ("**Additional Lots**") adjacent to the Project. The Additional Lots are also collectively referred to herein as the "**Property**", which Property is legally described in Exhibit A attached hereto and incorporated herein by this reference.
- C. Declarant desires to add the Property to the Project and submit and subject the same to the Declaration, as the terms, conditions, covenants and restrictions thereof 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 meanings assigned to them in the Declaration.
- 2. **Submission to Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby adds the Additional Lots to the Project and submits and subjects the Property to the

Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. KLRDC hereby consents to the submission of the Property to the Declaration. From and after the recordation of this Supplement, the Property 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 Property shall be subject to the governance of Soda Row Townhome Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.


3. **Full Force and Effect.** The Declaration, as supplemented hereby, shall remain in full force and effect.
4. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated into this Supplement by this reference.

[Signatures on Next Page]

IN WITNESS WHEREOF, as of this April 20, 2010, Declarant has executed this Supplement and KLRDC has consented to the same.

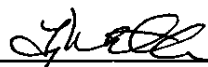
Declarant:

KENNECOTT LAND COMPANY,
a Delaware corporation

By 
Name Ty McCutcheon
Title Vice President Daybreak

KLRDC:

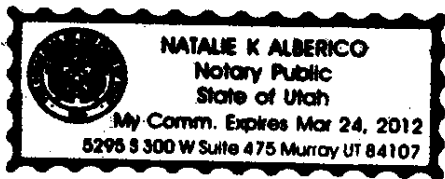
**KENNECOTT LAND RESIDENTIAL
DEVELOPMENT COMPANY,**
a Delaware corporation

By 
Name Ty McCutcheon
Title Vice President Daybreak

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

On April 20, 2010 personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President of **KENNECOTT LAND COMPANY**, a Delaware corporation 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**, a Delaware corporation.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said State

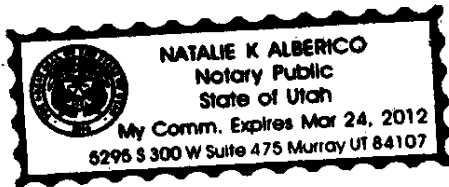
My commission expires: Mar. 24, 2012

[SEAL]

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

On April 20, 2010 personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**, a Delaware corporation 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**, a Delaware corporation.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said State

My commission expires: Mar. 24, 2012

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lots 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, and 116 inclusive of that certain map plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #1 AMENDING PARCEL A OF THE KENNECOTT DAYBREAK VCI DAYCARE SUBDIVISION" recorded on April 9, 2010, as Entry No. 10930466, Book 2010, at Page 64 of the Official Records of Salt Lake County, Utah.

TAX PARCEL NUMBERS:

L	101	27-19-158-021-0000
L	102	27-19-158-022-0000
L	103	27-19-158-023-0000
L	104	27-19-158-024-0000
L	105	27-19-158-025-0000
L	106	27-19-158-019-0000
L	107	27-19-158-018-0000
L	108	27-19-158-017-0000
L	109	27-19-158-016-0000
L	110	27-19-158-006-0000
L	111	27-19-158-007-0000
L	112	27-19-158-008-0000
L	113	27-19-158-009-0000
L	114	27-19-158-010-0000
L	115	27-19-158-011-0000
L	116	27-19-158-012-0000