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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
EAST TOWN VILLAGE LC
1546 N TECHNOLOGY WY
OREM UT 84097
BY: ELF, DEPUTY - WI 4 P.

WHEN RECORDED RETURN TO:
Rod Staten
EAST TOWN VILLAGE, L.C.
758 South 400 East
Orem, Utah 84097
(801) 661-8205

**FIRST SUPPLEMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,
AND RESERVATION OF EASEMENTS
FOR
EAST TOWN VILLAGE RECREATIONAL AMENITIES**

This First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Recreational Amenities (the "Declaration") is made and executed by EAST TOWN VILLAGE RECREATIONAL AMENITIES, L.C., a Utah limited liability company, of 758 South 400 East, Orem, Utah 84097 (the "Successor Declarant").

RECITALS

Whereas, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Recreational Amenities was recorded in the office of the County Recorder of Salt Lake County, Utah on June 21, 2010 as Entry No. 10974341 in Book 9834 at Pages 2787-2827 (the "Declaration").

Whereas, the related Plat Map for the East Town Village Recreational Amenities has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, in the Declaration and Declarant reserved the unilateral right to expand the Project to annex additional land and expand the application of the Declaration.

Whereas, the Declarant has assigned all of its development rights in and to the Project to Successor Declarant.

Whereas, Successor Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-2" attached hereto and incorporated herein by this reference (the "Phase 31 Property").

Whereas, Declarant desires to expand the Project by adding a Pool, Clubhouse and other Recreational Amenities of a less significant nature.

Whereas, Declarant now intends that the Phase 31 Property shall become subject to the Declaration.

Whereas, the Phase 31 Property is subject to the right to access and use and easement of enjoyment of the Owners of Lots and Units in the East Town Village Town Homes Project and the East Town Village Condominium Project.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the East Town Village Town Homes and East Town Village Condominium and the Owners of Lots and Units therein, Successor Declarant hereby executes this First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Recreational Amenities.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

- a. **Final Plat** shall mean and refer to the recorded final Plat of the Phase 31 Property, prepared and certified to by Gary W. Wier, a duly registered Utah Land Surveyor holding Certificate No. 333098, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplemental Declaration.
- b. **First Supplemental Declaration** shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Recreational Amenities.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A-2 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Phase 31 Property shall be annexed and upon recordation of this First Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and to the functions, powers, rights, duties and jurisdiction of the Association.

4. **Incorporation of Original Declaration as Supplemented and Amended.** It is expressly agreed by the parties that this document is supplemental to the Declaration which is by reference made a part hereof, and all of the terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to the Phase 31 Property and are

made a part of this document as though they were expressly rewritten, incorporated and included herein.

5. **Conflict.** In the event of any conflict, inconsistency or incongruity between the provisions of the Declaration, as supplemented or amended, and the First Supplemental Declaration, the latter shall in all respects govern and control.

6. **Effective Date.** The effective date of this First Supplemental Declaration and the Final Plat shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

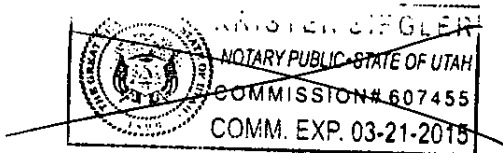
Dated this 8th day of June, 2011.

EAST TOWN VILLAGE, L.C.,
a Utah limited liability company

By: *Gary Peterson*
Name: Gary A. Peterson
Title: Manager

STATE OF UTAH)
Utah-13 ss:
COUNTY OF ~~SALT LAKE~~)

On the 8 day of June, 2011, personally appeared before me Gary Peterson, who by me being duly sworn, did say that he is the Manager of East Town Village, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said Company by authority of its Articles of Organization or a resolution of its Members, and said Gary Peterson duly acknowledged to me that said Company executed the same.



Kristen Biegler
NOTARY PUBLIC

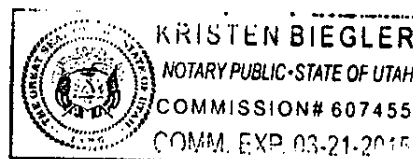


EXHIBIT "A-2"

LEGAL DESCRIPTION

The Property referred to in the foregoing document as the Phase 31 Property is located in Salt Lake County, Utah and is described more particularly as follows:

EAST TOWN PHASE 31 DESCRIPTION

BEGINNING AT A POINT S89°15'05"E 121.06 FEET AND S00°21'25"W 614.69 FEET AND EAST 203.84 FEET FROM THE WEST QUARTER CORNER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING:

THENCE S89°54'59"E 130.53 FEET ALONG THE SOUTH LINE OF EAST TOWN VILLAGE PHASES 20 & 21; THENCE EAST 154.15 FEET ALONG THE SOUTH LINE OF EAST TOWN VILLAGE PHASE 17; THENCE SOUTH 34.61 FEET; THENCE EAST 69.50 FEET; THENCE SOUTH 116.00 FEET; THENCE WEST 69.50 FEET; THENCE SOUTH 11.82 FEET; THENCE S41°21'22"E 67.52 FEET; THENCE SOUTH 15.84 FEET; THENCE N87°05'40"W 138.89 FEET; THENCE SOUTH 11.82 FEET; THENCE ALONG THE ARC OF A 329.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 39.34 FEET, (THE CHORD BEARS S03°25'31"W 39.31 FEET); THENCE ALONG THE ARC OF A 271.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 32.40 FEET, (THE CHORD BEARS S03°25'31"W 32.38 FEET); THENCE SOUTH 18.31 FEET; THENCE WEST 58.00 FEET; THENCE NORTH 18.31 FEET; THENCE ALONG THE ARC OF A 329.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 39.34 FEET, (THE CHORD BEARS N03°25'31"E 39.31 FEET); THENCE ALONG THE ARC OF A 271.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 32.40 FEET, (THE CHORD BEARS N03°25'31"E 32.38 FEET); THENCE NORTH 18.80 FEET; THENCE WEST 130.33 FEET; THENCE NORTH 24.00 FEET; THENCE EAST 130.33 FEET; THENCE NORTH 18.75 FEET; THENCE ALONG THE ARC OF A 271.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 17.27 FEET, (THE CHORD BEARS N01°49'32"W 17.27 FEET); THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 22.61 FEET, (THE CHORD BEARS N46°49'32"W 20.53 FEET); THENCE WEST 272.28 FEET; THENCE N00°21'25"E 58.00 FEET; THENCE EAST 266.38 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT 23.56 FEET, (CHORD BEARS N45°00'00"E 21.21 FEET); THENCE NORTH 48.97 FEET; THENCE WEST 126.53 FEET; THENCE NORTH 19.10 FEET TO THE POINT OF BEGINNING. CONTAINING 1.67 ACRES, 1 CLUBHOUSE.