

WHEN RECORDED RETURN TO IVORY DEVELOPMENT IIc  
Kyle Honeycutt  
978 East Woodoak Lane  
Salt Lake City, Utah 84117  
(801) 268-0700

11503180  
10/30/2012 11:50:00 AM \$58.00  
Book - 10071 Pg - 7130-7133  
Gary W. Ott  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 4 P.

SECOND SUPPLEMENT TO THE  
DECLARATION OF PROTECTIVE COVENANTS FOR SUMMERWOOD ESTATES PHASE 3, A UTAH  
SUBDIVISION

This second Supplement to the Declaration of Protective Covenants for Summerwood Estates Phase 3, is made and executed by IVORY DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, OF 978 e. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant")

RECITALS

Whereas, the Declaration of Protective Covenants for Summerwood Estates Phase 1 Subdivision was recorded in the Office of the County Recorder of Salt Lake County, Utah on April 12<sup>th</sup>, 2007 as Entry No. 10065221 in Book 9449 at Pages 2990-3010 of the Official Records (the "Declaration")

Whereas, the First Supplement to the declaration of Protective Coventants for Summerwood Estates Phase 1, was recorded in the Office of the County Recorder of Salt Lake County, Utah on May 16<sup>th</sup>, 2007 as Entry 10101889 in book 9465 at Pages 93-96 of the Official Records (the "Declaration")

Whereas, the related Plat Map for Phase 1, 2, of the Project has also been recorded in the Office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 4 of the Declaration, Declarant reserved the unilateral right to expand the subdivision by annexing additional land and expanding the application of the Declaration.

Whereas, Declarant is the fee simple owner of record of the 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 3 Property")

Whereas, Declarant desires to expand the subdivision by creating on the Phase 3 Property additional Lots.

Whereas, Declarant now intends that the Phase 3 Property shall become subject to the Declaration, as amended.

Now, therefore, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this First Supplement to the Declaration of Protective Covenants for Summerwood Estates Phase 3.

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

- A. **Second Supplemental Declaration** shall mean and refer to this Second Supplement to the Declaration of Protective Covenants for Summerwood Estates Phase 3.
- B. **Phase 3 Map** shall mean and refer to the Plat Map of Phase 3 of the project prepared and certified to by Brad Llewelyn, a duly registered Utah Land Surveyor Holding Certificate No. 4938735, and filed for record in the Office of the County Recorder of Salt Lake County, Utah Concurrently with the filing of this Second Supplemental Declaration.
- C. **Subdivision** shall mean and refer to Summerwood Estates Phase 1, Phase 2, and Phase 3 as it may be amended or expanded from time to time.

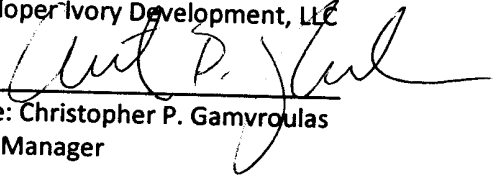
Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by reference.

2. **Legal Description.** The real property described in Exhibit A-2 is hereby submitted to the provisions of the Declarations and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or extended from time to time.
3. **Annexation.** Declarant hereby declares that the Phase 2 Property shall be annexed to and become subject to the Declaration, which upon recordation of the Second 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 the functions, power rights, duties and jurisdiction of the ARC.
4. **Total Number of Units Revised.** As shown in the Phase 3 map, (20) Twenty new lots, Numbers 301-320, are or will be constructed and or created in the Project on the Phase 3 property. Lot 321 is excluded from this declaration. Upon the recordation of the Phase 3 Map and the Second Supplemental Declaration, the total number of Lots in the project will be Sixty Seven (67). The additional Lots (and the Homes to be constructed therein) are or will be substantially similar in Construction, design and quality to the Lots and homes in the prior Phases.

5. **Effective Date.** The effective date of this First Supplemental Declaration and the Phase2 Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County.

Dated the 30 day of August, 2012

Developer Ivory Development, LLC

By   
Name: Christopher P. Gamvroulas  
Title: Manager

**ACKNOWLEDGEMENT**

State of Utah            )  
                                  SS:  
County of Salt Lake    )

The forefोगing instrument was acknowledged before me this 30 day August 2012 by Christopher P. Gamvroulas, the Manager of IVORY HOMES DEVELOPMENT, LLC., a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY HOMES DEVELOPMENT, LLC EXECUTED THE SAME.



Notary Public



Exhibit "a-2"  
Legal Description

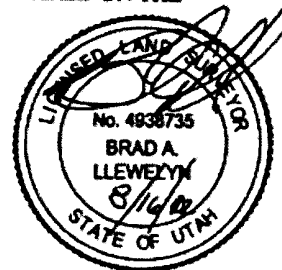
The Property Referred to in the foregoing document as the Summerwood Estates Phase 3 Property is located in Salt Lake County, Utah and is described more particularly as follows:

**SURVEYOR'S CERTIFICATE**

I, BRAD A. LLEWELYN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NUMBER 4938735 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

**SUMMERWOOD, PHASE 3**

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



**BOUNDARY DESCRIPTION**

BEGINNING AT A POINT LOCATED SOUTH 00°12'13" EAST 350.65 FEET AND WEST 1,278.78 FEET FROM THE CENTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 209 SUMMERWOOD, PHASE 2 SUBDIVISION:  
THENCE RUNNING S89°36'21"W 256.28 FEET; THENCE NORTH 359.18 FEET; THENCE N44°26'20"E 274.38 FEET; THENCE N78°16'32"E 55.84 FEET; THENCE N44°26'23"E 370.41; THENCE N06°06'13"E 54.57 FEET; THENCE N13°01'42"E 130.91 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SOUTH JORDAN SCHOOL DISTRICT; THENCE S89°58'53"E 654.16 FEET TO THE NORTHWEST CORNER OF LOT 111 SUMMERWOOD, PHASE 1 SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUMMERWOOD, PHASE 1 SUBDIVISION THE FOLLOWING THREE (3) COURSES: 1) S00°00'40"E 175.07 FEET; 2) N89°59'20"E 3.42 FEET; 3) S00°00'41"E 112.01 FEET TO A POINT LOCATED ON THE NORTH BOUNDARY OF SUMMERWOOD, PHASE 2 SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUMMERWOOD, PHASE 2 SUBDIVISION THE FOLLOWING EIGHT (8) COURSES: 1) S89°59'20"W 271.37 FEET; 2) S70°38'49"W 124.26 FEET; 3) S54°42'26"W 123.56 FEET; 4) S44°26'22"W 357.92 FEET; 5) S46°20'51"W 60.03 FEET; 6) S44°26'20"W 152.08 FEET; 7) S32°37'46"W 98.00 FEET; 8) SOUTH 122.93 FEET TO THE POINT OF BEGINNING.

CONTAINS: 21 LOTS OVER 480,100 SQ.FT. or 11.02 ACRES