

WHEN RECORDED RETURN TO:
Ivory Development, LLC
Darin Haskell
978 East Woodoak Lane
Salt Lake City, UT 84117
(801) 747-7440

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6/20/2014 9:05:00 AM \$44.00
Book - 10239 Pg - 6207-6211
Gary W. Ott
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 5 P.

**FIRST SUPPLEMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR
ECHO RIDGE SUBDIVISION PHASE 3**

This First Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision Phase 3 is made and executed by Ivory Development, LLC., a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

RECITALS

A. The Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision was recorded in the office of the County Recorder of Salt Lake County, Utah on February 24, 2014 as Entry No. 11808797 in Book 10213 at Pages 1114-1168 of the official records (the "Declaration").

B. The related Plat Maps for Echo Ridge Subdivision Phases 1 and 2 have also been recorded in the office of the County Recorder of Salt Lake County, Utah.

C. The 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" attached hereto and incorporated herein by this reference (the "Phase 3 Property").

G. Declarant reserved the unilateral right and now desires to expand Echo Ridge Subdivision and to annex the Phase 3 Property to the Project.

AGREEMENT

NOW, THEREFORE, for the reasons recited above, and for the benefit of Echo Ridge Subdivision and all of the Lot Owners, Declarant hereby executes this First Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision (the "First Supplement") for the purpose of annexing the Phase 3 Property.

ACCOMMODATION RECORDING ONLY.
COTTONWOOD TITLE INSURANCE AGENCY,
INC. MAKES NO REPRESENTATION AS TO
CONDITION OF TITLE, NOR DOES IT ASSUME
ANY RESPONSIBILITY FOR VALIDITY,
SUFFICIENCY OR EFFECTS OF DOCUMENT.

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

a. **First Supplemental Declaration** shall mean and refer to this First Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision Phase 3.

b. **Phase 3 Map** shall mean and refer to the Final Plat of Phase 3 of the Project, prepared and certified to by Dennis K. Withers, a duly registered Utah Land Surveyor holding Certificate No. 8135190, 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.

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

2. **Legal Description.** The legal description for the Phase 3 Property is set forth with particularity in Exhibit A-3 attached hereto and incorporated herein by this reference.

3. **Annexation.** Declarant hereby declares that the Phase 3 Property is hereby annexed and the recordation of this First Supplement and the Final Plat constitutes and effectuates the expansion of Echo Ridge Subdivision so that it includes the Phase 3 Property.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 3 Map, twenty-seven (27) new Lots, Numbers 301-327 and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 3 Property. Phase 1 has twenty-one (21) Lots. Phase 2 has twenty-four (24) Lots. Upon the recordation of the Phase 3 Map and this First Supplemental Declaration, the total number of Lots in the Project will be seventy-seven (77) Lots. 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 single earlier Phases.

5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this First Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the First Supplement, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

6. **Topical Headings and Conflict.** The headings appearing at the beginning of the paragraphs of this First Supplement are only for convenience of reference and are not intended to describe, interpret, define or otherwise affect the content, meaning or intent of this First Supplement of any paragraph or provision hereof.

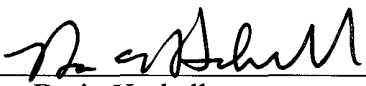
In case any provisions hereof shall conflict with Utah law, Utah law shall be deemed to control.

7. **Incorporation by Reference.** This First Supplemental Declaration is supplemental to the Declaration, which is by this reference made a part hereof, and all the terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to this First Supplemental Declaration and are made a part of this First Supplemental Declaration as though they were expressly rewritten, incorporated, and included herein.

8. **Effective Date.** This annexation shall take effect upon the recording of this instrument and the Final Plat in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this 12th day of June, 2014.

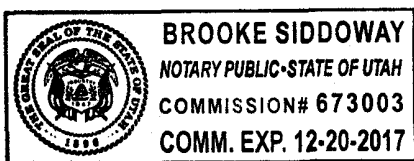
DECLARANT:
IVORY DEVELOPMENT, LLC.

By: 
Name: Darin Haskell
Title: Secretary

ACKNOWLEDGMENT

STATE OF UTAH)
 SS:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 12th day June, 2014 by Darin Haskell, as Secretary of IVORY DEVELOPMENT, LLC, a Utah limited liability company, and said Darin Haskell duly acknowledged to me that said IVORY DEVELOPMENT, LLC executed the same.



Brooke Siddoway

NOTARY PUBLIC

EXHIBIT "A-3"

LEGAL DESCRIPTION

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

BEGINNING AT THE SOUTHWEST CORNER OF ECHO RIDGE SUBDIVISION PLAT PHASE 2, RECORDED IN BOOK 2012P AT PAGE 155, ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE, SAID SOUTHWEST CORNER BEING SOUTH 89° 48' 14" EAST, ALONG THE SECTION LINE, A DISTANCE OF 20.72 FEET, TO THE NORTHWEST CORNER OF BINGHAM BUSINESS PARK PHASE 1, RECORDED IN BOOK 99P, AT PAGE 93, OF PLATS AND THE NORTH EAST CORNER OF SAID ENTIRE TRACT; THENCE SOUTH 01° 07' 48" WEST, ALONG THE WESTERLY LINE OF SAID BINGHAM BUSINESS PARK PHASE 1, AND THE EASTERLY LINES OF ECHO RIDGE SUBDIVISIONS PHASES 1 & 2, A DISTANCE OF 1310.63 FEET, TO THE SOUTHEAST CORNER OF SAID ECHO RIDGE SUBDIVISION PHASE 2 AND THE SOUTHEAST CORNER OF SAID ENTIRE TRACT; THENCE SOUTH 87° 57' 35" WEST, ALONG THE SOUTH LINES OF SAID ECHO RIDGE PHASE 2 & SAID ENTIRE TRACT, A DISTANCE OF 61.25 FEET; THENCE NORTH 89° 48' 00" WEST, ALONG SAID SOUTH LINES, A DISTANCE OF 745.77 FEET, FROM THE NORTHEAST CORNER OF SAID SECTION 10, AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 89° 48' 00" WEST, ALONG NORTH LINE OF PARCEL # 3A RWK SUBDIVISION AMENDED (PROTECTION STRIP), A DISTANCE OF 227.28 FEET; THENCE NORTH 00° 12' 00" EAST, A DISTANCE OF 168.60 FEET; THENCE NORTH 89° 48' 00" WEST, A DISTANCE OF 60.18 FEET; THENCE NORTH 01° 07' 48" EAST, A DISTANCE OF 777.58 FEET; THENCE NORTH 03° 10' 41" EAST, A DISTANCE OF 106.17 FEET; THENCE SOUTH 89° 48' 00" EAST, A DISTANCE OF 103.12 FEET; THENCE NORTH 80° 59' 55" EAST, A DISTANCE OF 42.97 FEET; THENCE NORTH 88° 39' 56" EAST, A DISTANCE OF 123.75 FEET; THENCE NORTH 00° 01' 47" WEST, A DISTANCE OF 81.47 FEET; THENCE SOUTH 89° 42' 24" EAST, A DISTANCE OF 85.00 FEET; TO THE WEST LINE OF SAID ECHO RIDGE PHASE 1; THENCE ALONG THE WEST LINES OF SAID ECHO RIDGE PHASES 1 & 2 THE FOLLOWING NINE (9) COURSES: (1) SOUTH 00° 01' 44" EAST, A DISTANCE OF 170.28 FEET; (2) SOUTH 89° 59' 27" WEST, A DISTANCE OF 24.76 FEET; (3) SOUTH 00° 00' 33" EAST, A DISTANCE OF 42.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; (4) SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF WHICH BEARS SOUTH 0° 00' 33" EAST, THROUGH A CENTRAL ANGLE OF 91° 08' 21", A DISTANCE OF 23.86 FEET. THE LONG CHORD BEARS OF WHICH BEARS SOUTH 44° 28' 23" EAST, A DISTANCE OF 21.42 FEET; (5) SOUTH 01° 07' 48" WEST, A DISTANCE OF 493.98 FEET; (6) NORTH 89° 49' 51" WEST, A DISTANCE OF 103.01 FEET; (7) SOUTH 01° 07' 48" WEST, A DISTANCE OF 253.48 FEET; (8) SOUTH 89° 48' 00" EAST, A DISTANCE OF 39.43 FEET; (9) SOUTH 00° 12' 00" WEST, A DISTANCE OF 168.60 FEET TO THE POINT OF BEGINNING;

CONTAINING 331,049 SQUARE FEET, OR 7.600 ACRES IN 27 LOTS

Parcel Nos. 26-10-230-014, 26-10-230-013, 26-10-230-012, 26-10-232-009, 26-10-232-008, 26-10-232-007, 26-10-232-006, 26-10-232-005, 26-10-232-004, 26-10-232-003, 26-10-232-002, 26-10-232-001, 26-10-226-014, 26-10-231-004, 26-10-231-005, 26-10-231-006, 26-10-231-007, 26-10-231-008, 26-10-231-009, 26-10-231-010, 26-10-231-011, 26-10-231-016, 26-10-231-015, 26-10-231-014, 26-10-231-013, 26-10-231-012 and 26-10-226-015