

WHEN RECORDED RETURN TO:
IVORY DEVELOPMENT
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 747-7440

**THIRD SUPPLEMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS
FOR HUNTER'S GROVE PHASE D**

This THIRD SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PHASE D, is made and executed by IVORY DEVELOPMENT, 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 HUNTER'S GROVE Subdivision was recorded in the office of the County Recorder of Utah County, Utah on February 27th 2004 as Entry No. 22077: 2004 of the Official Records of the County Recorder of Utah County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase A of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Supplement to the Declaration was recorded in the office of the County Recorder of Utah County, Utah on the 10TH of November, 2004 as Entry No. 127349:2004 of the Official Records (the "First Supplement").

Whereas, the related Plat Map(s) for Phase B of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Second Supplement to the Declaration was recorded in the office of the County Recorder of Utah County, Utah on May, 2005 as Entry No. 51008:2005 of the Official Records (the "Second Supplement").

Whereas, the related Plat Map(s) for Phase C of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 3 of the Declaration, Declarant reserved an option to expand the subdivision in accordance with the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit "A-3" attached hereto and incorporated herein by this reference (the "Phase D Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

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

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

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this **THIRD SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PHASE D**.

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

A. **Third Supplemental Declaration** shall mean and refer to this **THIRD SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PHASE D**.

B. **Phase D Map** shall mean and refer to the Plat Map of Phase D of the Project, prepared and certified to by Roger Dudley, a duly registered Utah Land Surveyor holding Certificate No. 147089, and filed for record in the Office of the County Recorder of Utah County, Utah concurrently with the filing of this Third Supplemental Declaration.

C. **Subdivision** shall mean and refer to **HUNTER'S GROVE PHASE A** and **HUNTER'S GROVE PHASE B**, **HUNTER'S GROVE PHASE C**, and **HUNTER'S GROVE PHASE D**.

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-3 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 D Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Third Supplemental

Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-3 subject to the functions, powers, rights, duties and jurisdiction of the ARC.

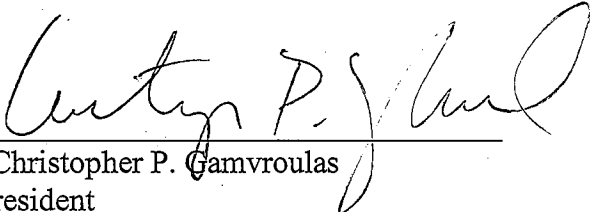
4. **Total Number of Units Revised.** As shown on the Phase D Map, sixteen (16) new Lots, Numbers 401-416, are or will be constructed and/or created in the Project on the Phase D Property. Upon the recordation of the Phase D Map and this Third Supplemental Declaration, the total number of Lots in the Project will be one hundred and thirty (130). 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. **Mortgagee Protection.** Nothing herein contained, and no violation of these covenants, conditions, and restrictions, shall invalidate or impair the lien of any mortgage or deed of trust, given in good faith and for value.

6. **Effective Date.** The effective date of this Third Supplemental Declaration and the Phase D Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Utah County, Utah.

Dated the 25th day of October, 2005.

DEVELOPER:
IVORY DEVELOPMENT, LLC..

By: 
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 25 day October, 2005 by Christopher P. Gamvroulas, the President of Ivory Development, LLC., a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC. executed the same.

Donna Perkins
NOTARY PUBLIC
Residing at: Salt Lake
My Commission Expires: 5/30/06

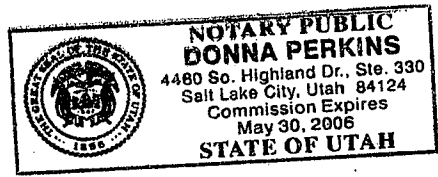


EXHIBIT "A-3"
LEGAL DESCRIPTION

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

Plat "D" Plat Boundary

Commencing at the Northwest corner of Lot 232, Plat "B", Hunter's Grove Subdivision, said point being located North $00^{\circ}13'21''$ West along the Section line 1053.31 feet and East 474.31 feet from the Southwest corner of Section 10, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North $00^{\circ}28'00''$ West 316.21 feet; thence South $85^{\circ}13'28''$ East 170.71 feet; thence South $86^{\circ}05'24''$ East 180.27 feet; thence North $89^{\circ}54'05''$ East 246.23 feet; thence South $88^{\circ}23'00''$ East 166.83 feet; thence along the Westerly boundary line of Plat "C", Hunter's Grove Subdivision as follows: South 185.41 feet, East 12.99 feet, South 100.06 feet; thence West along the Northerly boundary line of Plat "B", Hunter's Grove Subdivision 773.37 feet to the point of beginning.

Area: 226,077 SF 5.19 acres