

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

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7/22/2016 9:58:00 AM \$22.00
Book - 10455 Pg - 3058-3062
Gary W. Ott
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 5 P.

26-10-233-009, 26-10-235-001, 26-10-235-002,
and 26-10-226-017, 26-10-226-018

**THIRD SUPPLEMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR
ECHO RIDGE SUBDIVISION PHASE 5**

This Third Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision Phase 5 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 "Amended and Restated 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 First Supplemental Declaration for Phase 3 was recorded in the office of the County Recorder of Salt Lake County, Utah on June 20, 2014 as Entry No. 11868859 in Book 10239 at Pages 6207-6211 of the official records (the "First Supplement").

D. The related Plat Map for Echo Ridge Subdivision Phase 3 has also been recorded in the office of the County Recorder of Salt Lake County.

E. The Second Supplemental Declaration for Phase 5 was recorded in the office of the County Recorder of Salt Lake County, Utah on November 24, 2015 as Entry No. 12177035 in Book 10382 at Pages 1689-1693 of the official records (the "Second Supplement").

F. The related Plat Map for Echo Ridge Subdivision Phase 4 has also been recorded in the office of the County Recorder of Salt Lake County.

G. 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-5" attached hereto and incorporated herein by this reference (the "Phase 5 Property").

H. Declarant reserved the unilateral right and now desires to expand Echo Ridge Subdivision and to annex additional land 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 Third Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision (the "Third Supplement") for the purpose of annexing the Phase 3 Property.

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 Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Echo Ridge Subdivision Phase 5.

b. **Phase 5 Map** shall mean and refer to the Final Plat of Phase 5 of the Project, prepared and certified to by Dennis K. Withers, a duly registered Utah Land Surveyor holding Certificate No. 6135190, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Third 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 5 Property is set forth with particularity in Exhibit A-5 attached hereto and incorporated herein by this reference.

3. **Annexation.** Declarant hereby declares that the Phase 5 Property is hereby annexed and the recordation of this Third Supplement and the Final Plat constitutes and effectuates the expansion of Echo Ridge Subdivision so that it includes the Phase 5 Property.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 5 Map, five (5) new Lots, Numbers 501-505 and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 5 Property. Phase 1 has twenty-one (21) Lots. Phase 2 has twenty-four (24) Lots. Phase 3

has twenty-seven (27) Lots. Phase 4 has twenty-eight (28) Lots. Upon the recordation of the Phase 5 Map and this Third Supplemental Declaration, the total number of Lots/Units in the Project will be one hundred and five (105) 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.

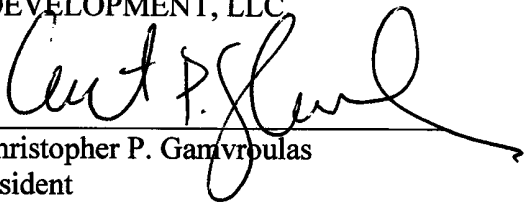
5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this Third Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Third Supplement, and the application of any such provision, paragraph, sentence, 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 Third 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 Third 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. **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 21st day of July, 2016.

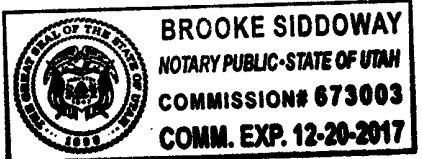
DECLARANT:
IVORY DEVELOPMENT, LLC

By: 
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 21st day July, 2016 by Christopher P. Gamvroulas, as 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.




NOTARY PUBLIC

EXHIBIT "A-5"

LEGAL DESCRIPTION

The Property referred to in the foregoing document as the Phase 5 Property is located in Salt Lake County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, LOCATED IN WEST JORDAN CITY, COUNTY OF SALT LAKE, STATE OF UTAH SAID PARCEL BEING A PORTION OF AN ENTIRE TRACT OF LAND KNOWN AS REMAINDER PARCEL 3, SHOWN ON THE RWK SUBDIVISION PLAT RECORDED IN BOOK 2005P, AT PAGE 314 OF OFFICIAL RECORDS, ON FILE WITH THE SALT LAKE COUNTY RECORDER'S OFFICE SAID PORTION OF ENTIRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ECHO RIDGE PHASE 1 SUBDIVISION, RECORDED IN BOOK 2012P, AT PAGE 109 OF PLATS, SAID POINT BEING NORTH 89° 42' 24" WEST, ALONG THE NORTH LINE OF SAID ECHO RIDGE PHASE 1 AND SAID ENTIRE TRACT, A DISTANCE OF 713.63 FEET, FROM THE NORTHEAST CORNER OF SAID SECTION 10; AND RUNNING THENCE SOUTH 00° 01' 44" EAST, ALONG THE WEST LINE OF SAID ECHO RIDGE PHASE 1, A DISTANCE OF 170.00 FEET TO THE NORTH LINE OF ECHO RIDGE PHASE 3, THENCE ALONG THE NORTHERLY LINE OF ECHO RIDGE PHASES 3 & 4 THE FOLLOWING NINE (9) COURSES: (1) NORTH 89° 42' 24" WEST, A DISTANCE OF 203.94 FEET; (2) NORTH 03° 11' 24" EAST, A DISTANCE OF 85.11 FEET; (3) NORTH 89° 42' 24" WEST, A DISTANCE OF 42.05 FEET; (4) SOUTH 03° 11' 24" WEST, A DISTANCE OF 9.21 FEET TO THE BEGINNING OF A CURVE; (5) SOUTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 87° 00' 36", A DISTANCE OF 22.78 FEET, THE LONG CHORD OF WHICH BEARS SOUTH 46° 41' 42" WEST, A DISTANCE OF 20.65 FEET; (6) NORTH 89° 48' 00" WEST, A DISTANCE OF 176.24 FEET TO THE BEGINNING OF A CURVE; (7) NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 92° 59' 24", A DISTANCE OF 24.34 FEET, THE LONG CHORD OF WHICH BEARS NORTH 43° 18' 18" WEST, A DISTANCE OF 21.76 FEET; (8) NORTH 03° 11' 24" EAST, A DISTANCE OF 6.40 FEET; (9) NORTH 89° 48' 00" WEST, A DISTANCE OF 164.12, TO THE WEST LINE OF SAID ENTIRE TRACT, THENCE NORTH 01° 06' 44" EAST, ALONG SAID WEST LINE, A DISTANCE OF 86.86 FEET, TO THE NORTH LINE OF SAID ENTIRE TRACT, THENCE SOUTH 89° 42' 24" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 610.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 74,101 SQUARE FEET OR 1.701 ACRES IN (5) LOTS