

When recorded, return to
Ivory Development, LLC
970 E. Woodoak Lane
Salt Lake City, UT 8411

**FIRST SUPPLEMENTAL DECLARATION
TO
SECOND AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
IVORY RIDGE**

RECITALS

- A. **WHEREAS**, Ivory Development, LLC is the developer and declarant of the Ivory Ridge Planned Mixed-Use Development located in Lehi, Utah (“Ivory Ridge” or the “Project”).
- B. **WHEREAS**, The Project is a residential and commercial mixed-use master-planned community which includes different types of housing and recreational amenities.
- C. **WHEREAS**, a Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for the Ivory Ridge Properties, Swim and Tennis Club, a part of the Ivory Ridge Planned Mixed Use Development (the “Initial Declaration”) was recorded with the Utah County Recorder on November 14, 2006 as Entry No. 152736:2006.
- D. **WHEREAS**, an amendment to the Initial Declaration was recorded with the Utah County Recorder on December 6, 2007 as Entry No. 169711:2007.
- E. **WHEREAS**, an Amended and Restated Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for the Ivory Ridge Properties, a part of the Ivory Ridge Planned Mixed Use Development (the “First Amended and Restated Declaration”) was recorded with the Utah County Recorder on December 14, 2009.
- F. **WHEREAS**, an amendment to the First Amended and Restated Declaration was recorded with the Utah County Recorder on May 28, 2010 (the “First Amendment to the First Amended and Restated Declaration”).
- G. **WHEREAS**, a second amendment to the First Amended and Restated Declaration was recorded with the Utah County Recorder on October 26, 2015 as Entry No. 97053:2015 (the “Second Amendment to the First Amended and Restated Declaration”).

- H. **WHEREAS**, the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for the Ivory Ridge (the “Amended and Restated Master Declaration”) was recorded with the Utah County Recorder on December 4, 2017 as Entry No. 119858.
- I. **WHEREAS**, the Declarant has established the Ivory Ridge Master Property Owners Association, Inc. (the “Master Association”) as a nonprofit corporation and master community association, to operate and maintain various common areas, common elements, and community improvements, and to administer and enforce the Project’s Governing Documents consistent with the Utah Community Association Act and the Utah Revised Nonprofit Corporation Act.
- J. **WHEREAS**, the Amended and Restated Master Declaration expressly reserve to the Declarant the absolute right to annex additional land and expand the Project.
- K. **WHEREAS**, the Declarant is the owner of certain other real property near the Project known as Ivory Ridge Phase H and more fully described in Exhibit “A” hereto.
- L. **WHEREAS**, the Declarant has or will record a subdivision plat for Ivory Ridge Phase H thereby creating 27 additional Units or Lots for annexation into Ivory Ridge.
- M. **WHEREAS** the Declarant now desires to annex the Phase H into the Project and bind Phase H to the Amended and Restated Declaration and other Governing Documents for the Project and to the Master Association.

NOW, THEREFORE, based on the foregoing recitals, Declarant executes this First Supplemental Declaration to the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Ivory Ridge (this “Supplemental Declaration”) effective as of the date of recording.

ARTICLE 1
DEFINITIONS

- 1.1 Except as otherwise herein provided, the definitions contained in the Amended and Restated Master Declaration shall apply to this Supplemental Declaration.
- 1.2 The Amended and Restated Master Declaration definitions are hereby supplemented and expanded to include the following:

Phase H Plat. The Phase H Plat shall mean and refer to the subdivision plat for Ivory Ridge Phase H on file and of record with the Utah County Recorder.

ARTICLE 2
ANNEXATION

- 2.1 Submission of Phase H to the Project. The real property constituting the Phase H Plat shall be and hereby is annexed into and made part of the Project.
- 2.2 Membership in the Master Association. The respective record owners of the Units or Lots created by the recorded Phase H Plat shall be members of the Master Association.
- 2.3 Allocated Interest in the Master Association. Consistent with Section 3.4 of the Amended and Restated Master Declaration, each Ivory Ridge Phase H Unit has an equal allocated interest in the Master Association. Any difference in square footage, location, size, value, or other aspect of any Unit shall not be a reason to alter or change any Allocated Interest. The Owner of the Unit shall be entitled to vote the Unit's Allocated Interest for all matters related to the Master Association that Owners are permitted or required to vote or approve; provided, however, that in no event shall more than one vote be cast for any Unit.

ARTICLE 3
IVORY SWIM AND TENNIS CLUB

- 3.1 Membership Interest Appurtenant to Unit. Consistent with Section 3.3 of the Amended and Restated Master Declaration, Units or Lots in Ivory Ridge Phase H shall include appurtenant membership interests in the Ivory Swim and Tennis Club, subject to further restrictions, rules and user fees as may be established by and amended, from time to time, by the Master Association, which interest shall run with the land and the benefits and burdens thereof shall be binding on subsequent Unit owners.
- 3.2 Assignment to Service Area. Ivory Ridge Phase H Units shall be and hereby are assigned to the Service Area established for the Ivory Swim and Tennis Club. Regardless of use, Units and Owners in Ivory Ridge Phase H may be subject to Service Area Assessments as provided in the Amended and Restated Master Declaration.

ARTICLE 4
DECLARANT RIGHTS

- 4.1 Declarant Rights Reserved. Nothing in this Supplemental Declaration shall be construed to limit the powers and rights of the Declarant as set forth in the Amended and Restated Declaration.

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IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration to be effective upon recording with Office of Recorder for Utah County, Utah.

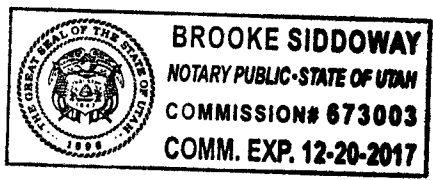
IVORY DEVELOPMENT, LLC
By: *Christopher P. Gamvroulas*
Christopher P. Gamvroulas

DATE: 12/20/17

Its: President

STATE OF UTAH)
COUNTY OF Salt Lake) :SS

Before me, on the 20th day of Dec, 2017, personally appeared Christopher P. Gamvroulas, who acknowledged before me that he executed the foregoing instrument in his capacity as President of Ivory Development, LLC.



Brooke Siddoway
Notary Public

EXHIBIT "A"
PROPERTY DESCRIPTION

The real property and Units referred to the foregoing FIRST SUPPLEMENTAL DECLARATION TO SECOND AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR IVORY RIDGE are located in Utah County, State of Utah and are described more particularly as follows:

- Ivory Ridge Plat H, Lots 801 through 827, inclusive, as shown on the official plat thereof on file and of record in the office of the Utah County Recorder; and all appurtenant Common Area and Facilities, as shown on the official plats on file and of record in the office of the Utah County Recorder. 49:861:0801 through 0827.