

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

ENT 127349:2004 PG 1 of 4  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2004 Nov 10 1:48 pm FEE 92.00 BY SB  
RECORDED FOR COTTONWOOD TITLE

**AMENDED AND RESTATED  
DECLARATION OF PROTECTIVE COVENANTS  
FOR HUNTER'S GROVE PLAT A AND PLAT B**

This FIRST AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PLAT A AND PLAT B, 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 27<sup>th</sup> 2004 as Entry 22077: 2004 of the Official Records of the County Recorder of Utah County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Plat A 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-2" attached hereto and incorporated herein by this reference (the "Phase II 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 Plat B Property additional Lots.

Whereas, Declarant now intends that the Plat B Property shall become subject to the Declaration.

Whereas, Declarant desires to amend the requirements of corner lots in regard to fencing requirement's within the Hunter's Grove Subdivision.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PLAT A AND PLAT B.

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 DECLARATION OF PROTECTIVE COVENANTS FOR HUNTER'S GROVE PLAT B.

B. **Plat B Map** shall mean and refer to the Plat Map of Plat B 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 First Supplemental Declaration.

C. **Subdivision** shall mean and refer to HUNTER'S GROVE PLAT A and HUNTER'S GROVE PLAT B.

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-2 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 II Property shall be annexed to and become subject to the Declaration, which, upon recordation of this First Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to the functions, powers, rights, duties and jurisdiction of the ARC.

4. **Total Number of Units Revised.** As shown on the Phase II Map, thirty-seven (37) new Lots, Numbers 201-237, are or will be constructed and/or created in the Project on the Phase II Property. Upon the recordation of the Phase II Map and this First Supplemental Declaration, the total number of Lots in the Project will be seventy-five (75) 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 Phase.

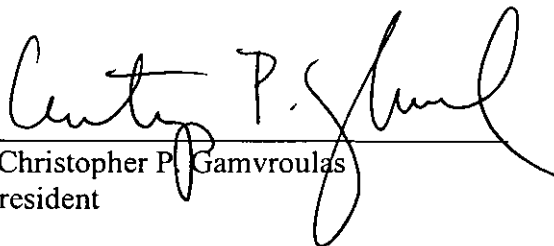
5. **Mortgage Protection.** Nothing herein contained, and no violation of these covenants, conditions, and restrictions, shall invalidate or impair the lien of any mortgage or deed of trust, given in good faith and for value.

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

7. **Corner Lots.** All corner lots within Hunter's Grove Plat A and Plat B will be required to install fencing so that Lehi City will have access to the water utilities from the City right of way.

Dated the 4 day of ~~October~~<sup>NOVEMBER</sup>, 2004.

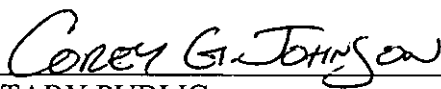
DEVELOPER:  
IVORY DEVELOPMENT, LLC..

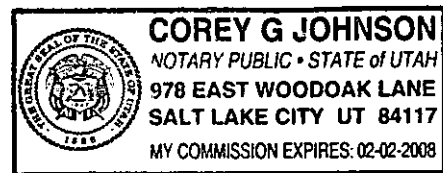
By:   
Name: Christopher P. Gamvroulas  
Title: President

**ACKNOWLEDGMENT**

STATE OF UTAH            )  
  ss:  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 4 day ~~October~~<sup>November</sup>, 2004 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.

  
NOTARY PUBLIC  
Residing at: SALT LAKE  
My Commission Expires: 02-02-08



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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

All of Lots 101 thru 138, PLAT "A", HUNTER'S GROVE SUBDIVISION, according to the official plat thereof as recorded in the office of the Utah County Recorder, State of Utah.

All of Lots 201 thru 237, PLAT "B", HUNTER'S GROVE SUBDIVISION, according to the official plat thereof as recorded in the office of the Utah County Recorder, State of Utah.