

5-22
12938720
02/22/2019 02:24 PM \$40.00
Book - 10754 Pg - 9527-9531
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
MREC DAI EDELWEISS
BY: TBP, DEPUTY - WI 5 P.

When Recorded Return To:
MREC DAI Edelweiss LLC
1099 W. South Jordan Parkway
South Jordan, UT 84095

**SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS AND RESTRICTIONS FOR
SUNCREST
a Planned Community
(Edelweiss Phase 6)**

This Supplement to the Declaration of Covenants, Conditions, Easements and Restrictions for SunCrest ("Supplement") is executed and adopted on behalf of Draper City ("Declarant") by the SunCrest Owners Association, Inc. ("Association")

RECITALS

A. SunCrest is a master planned community located in Salt Lake and Utah Counties and is subject to the restrictions set forth in the Declaration of Covenants, Conditions, Easements and Restrictions for SunCrest, recorded with the Utah County Recorder's Office on December 22, 2000 as Entry No. 101565:2000, and also Recorded in the Salt Lake County Recorder's Office on December 28, 1999 as Entry No. 7543075 ("Declaration").

B. Draper City is the Declarant as identified and set forth in the Declaration.

C. MREC DAI Edelweiss LLC is the owner of the real property subject to this Supplement as identified in Exhibit A. By signing this Supplement, MREC DAI Edelweiss LLC consents to subjecting this real property to the terms, covenants and restrictions contained herein and those terms, covenants and restrictions contained in the Declaration.

D. Under the terms of the Declaration, Declarant reserved the unilateral right to expand the SunCrest planned community by the annexation of Additional Land as described in the Declaration.

E. Declarant desires to add a portion of Additional Land to the SunCrest master planned community as hereinafter provided for.

ANNEXATION

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant and the Association hereby confirm that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Subject Property**") is submitted to and properly annexed into the Declaration. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the terms, covenants, restrictions, easements, charges, assessments, and liens set forth in the Declaration and all supplements and amendments thereto.

2. Supplemental Plat Map. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the **Edelweiss Phase 6** Plat Map on file in the office of the Salt Lake County Recorder.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Lot or Parcel within the Subject Property shall be a member of the SunCrest Owners Association, Inc. and shall be entitled to all benefits of such membership.

5. Allocation of Assessments & Voting Rights. Each Lot or Parcel within the Subject Property shall be apportioned a share of the Community Expenses of SunCrest and shall also be entitled to voting rights as set forth in the Declaration. Assessments and voting rights shall commence as of the date this Supplemental Declaration is recorded.

6. Limited Use Driveway Assessment. The Subject Property may contain Lots that are accessed via Limited Use Driveways. Pursuant to the Declaration, all Lot Owners benefited by a Limited Use Driveway shall be subject to an assessment (that is in addition to regular common assessments) for an equal share of the maintenance, repair, replacement, operation, snow removal and service costs associated with the Limited Use Driveway. Limited Use Driveway maintenance, reserves, and administration shall be governed by section 10.4 of the Declaration.

7. Representations of Declarant. Declarant represents that the annexed Subject Property is part of the Additional Land described in the Declaration.

8. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County and Utah County Recorders.

IN WITNESS WHEREOF, the SunCrest Owners Association, Inc. has executed this Supplemental Declaration on behalf of the Declarant on the date set forth below.

DATED this 19 day of December, 2018.

DECLARANT
DRAPER CITY
a Utah Municipal Corporation

By: SunCrest Owners Association, Inc.
a Utah nonprofit corporation

By: Tod Bawn

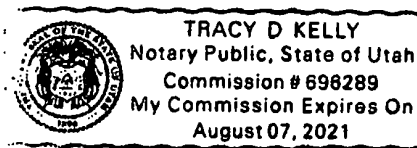
Name: TOD BAWN

Title: Community Manager

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

On the 19 day of December, 2018, personally appeared before me Tod Bawn who by me being duly sworn, did say that she/he is an authorized representative of SunCrest Owners Association, Inc., and that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.

Tracy D. Kelly
Notary Public



IN WITNESS WHEREOF, MREC DAI Edelweiss, LLC, hereby consents to the submission the Subject Property to the terms of the Declaration.

DATED this 4th day of January, 2019.

SUBJECT PROPERTY OWNER
MREC DAI EDELWEISS LLC
a Delaware limited liability company

By: Edelweiss Draper, LLC
A Utah limited liability company, its Manager

By: DAI Managers LLC
A Utah limited liability company, its Manager

By: _____
Name: Nathan Shipp
Its: Manager

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

On the 4th day of January, 2019, personally appeared before me Nathan Shipp who by me being duly sworn, did say that he is an authorized representative of DAI Managers, LLC, Edelweiss Draper, LLC, and MREC DAI Edelweiss LLC, and that the foregoing instrument is signed on behalf of said companies and executed with all necessary authority.



Katelyn Mickelsen
Notary Public

EXHIBIT A
SUBJECT PROPERTY/ADDITIONAL LAND
(Legal Description)

All of **Edelweiss, Phase 6**, according to the official plat on file in the office of the Salt Lake County Recorder.

More particularly described as:

A portion of the SW1/4 of Section 10, Township 4 South, Range 1 East, Salt Lake Base & Meridian, located in Draper City, Utah, more particularly described as follows:

Beginning at the northwest corner of Lot 101, EDELWEISS, PHASE 1A Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, said point also being on the Easterly line of STONELEIGH HEIGHTS AT SUNCREST NO. 1, according to the Official Plat thereof on file in the Office of the Salt Lake County Surveyor, said northwest corner being located N00°07'17"W along the Section line 1,551.96 feet and East 313.57 feet from the Southwest Corner of Section 10, T4S, R1E, SLB&M (Basis of Bearing: N89°52'50"E along the Section line from the South 1/4 Corner of Section 9 to the Southwest Corner of Section 10, T4S, R1E, SLB&M); thence N00°00'05"E along said STONELEIGH HEIGHTS AT SUNCREST NO. 1 Subdivision and the extension thereof 1,093.85 feet to the 1/4 Section line; thence S89°44'21"E along the 1/4 Section line 469.40 feet; thence S02°08'32"W 175.16 feet; thence Southwesterly along the arc of a non-tangent curve to the left having a radius of 82.00 feet (radius bears: S50°42'13"W) a distance of 331.11 feet through a central angle of 231°21'34" Chord: S25°01'26"W 147.80 feet; thence N25°14'52"E 28.15 feet; thence Northeasterly along the arc of a non-tangent curve to the left having a radius of 58.00 feet (radius bears: N12°53'44"W) a distance of 35.02 feet through a central angle of 34°35'58" Chord: N59°48'17"E 34.49 feet; thence Northeasterly along the arc of a non-tangent curve to the right having a radius of 122.00 feet (radius bears: S47°29'41"E) a distance of 24.05 feet through a central angle of 11°17'49" Chord: N48°09'14"E 24.02 feet; thence S02°08'32"W 41.13 feet; thence S10°30'53"W 42.25 feet; thence S56°39'35"E 186.37 feet; thence N33°20'25"E 7.85 feet; thence S56°39'35"E 168.70 feet; thence S47°36'54"W 5.41 feet; thence S16°08'46"W 135.21 feet to a point on the Northerly extension of the Westerly line of Lot 124, EDELWEISS, PHASE 1B, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence along the extension of and along said plat the following 5 (five) courses and distances: S11°40'56"W 215.43 feet; thence S17°57'04"W 89.01 feet; thence S21°00'46"W 132.98 feet; thence S33°08'31"W 114.51 feet; thence N89°53'02"W 101.46 feet to a point on the Easterly line of EDELWEISS, PHASE 1A, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence along said plat the following 6 (six) courses and distances: along the arc of a curve to the right having a radius of 32.00 feet a distance of 27.93 feet through a central angle of 50°00'00" Chord: N64°53'02"W 27.05 feet; thence N39°53'02"W 11.03 feet; thence along the arc of a curve to the right with a radius of 15.00 feet a distance of 23.56 feet through a central angle of 90°00'00" Chord: N05°06'58"E 21.21 feet; thence N50°06'58"E 13.63 feet; thence N39°53'02"W 196.00 feet; thence S66°42'39"W 307.53 feet to the point of beginning.

Contains: 14.30 acres +/-

Parcel Numbers to be assigned

Parcel # 34-10-300-023
34-10-300-024
34-10-300-025
34-10-300-032
34-10-300-034

5

BK 10754 PG 9531