

When Recorded Return To:

D.R. Horton, Inc.
12351 South Gateway Park Place, Suite D-100
Draper, Utah 84020
Attention: Adam Loser



ENT 129440:2021 PG 1 of 7
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Jul 22 4:07 pm FEE 40.00 BY AS
RECORDED FOR D R HORTON

**THIRD SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
COLD SPRING RANCH**

THIS THIRD SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COLD SPRING RANCH (this **“Third Supplemental Declaration”**) is made as of July 15, 2021, by D.R. HORTON, INC., a Delaware corporation (**“Declarant”**), with reference to the following:

A. On August 1, 2019, Declarant caused to be recorded as Entry No. 72840:2019 in the official records of the Office of the Recorder of Utah County, Utah (the **“Official Records”**), that certain Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **“Original Declaration”**) pertaining to a master planned development known as Cold Spring Ranch.

B. On July 31, 2020, Declarant caused to be recorded as Entry No. 111209:2020 in the Official Records that certain First Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **“First Supplemental Declaration”**).

C. On May 7, 2021, Declarant caused to be recorded as Entry No. 86873:2021 in the Official Records that certain Second Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Cold Spring Ranch (the **“Second Supplemental Declaration”**).

D. Article XIX of the Original Declaration provides that Declarant shall have the absolute right and option, from time to time and at any time, to subject some or all of the Additional Land described in the Original Declaration to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, which shall be effective upon recording a supplemental declaration in the Official Records.

E. Pursuant to Article XIX of the Original Declaration, Declarant desires to subject that portion of the Additional Land described on Exhibit A, which is attached hereto and incorporated herein by this reference (the **“Subject Property”**), to the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration.

F. Declarant is executing and recording this Third Supplemental Declaration for the purpose of subjecting the Subject Property to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration.

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. **Defined Terms.** All defined terms as used in this Third Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, unless otherwise defined in this Third Supplemental Declaration.

2. **Subject Property Subjected to the Original Declaration As Amended.** The Subject Property is hereby subjected to the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, and as amended and supplemented by this Third Supplemental Declaration, and the Subject Property shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, and as supplemented by this Third Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof. All such provisions shall run with the Subject Property and shall be binding upon all Persons having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof. The Subject Property shall hereafter be deemed to be a part of the Property, as such term is defined in Section 1.62 of the Original Declaration.

3. **Future Plats and Future Lots.** Declarant has received approval from the City to record in the Office of the Recorder of Utah County, Utah certain subdivision plats (the “**Future Plats**”) which pertain to portions of the Subject Property. Attached hereto as Exhibit B are copies of the Future Plats. The Future Plats attached as Exhibit B identify the future lots (the “**Future Lots**”) that will be created when the Future Plats are recorded. When the Future Plats are recorded and the Future Lots are created, the Neighborhood Designations for such Future Lots shall be as follows:

**Neighborhood
Designations**

Future Lot Number

HD 5 units 1424 to 1532
MD 2 phase 2 units 1533 to 1579
MD 2 phase 2 lots 501 to 540

Neighborhood Designation

Townhome Lots
Townhome Lots
Single Family Lots

4. **Declaration Redefined.** The Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration,

and as supplemented by this Third Supplemental Declaration, shall collectively be referred to as the "Declaration." Except as amended by the provisions of this Third Supplemental Declaration, the Original Declaration, as previously amended and supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Third Supplemental Declaration to be executed by a person duly authorized to execute the same on the date first above written.

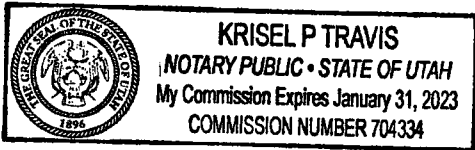
D.R. HORTON, INC.,
a Delaware corporation

By: *Adam R. Loser*
Name: *Adam R. Loser*
Title: *Vice President*

STATE OF UTAH)
 : ss.
COUNTY OF *Salt Lake*)

The foregoing instrument was acknowledged to me this *16* day of July, 2021, by *Adam R. Loser*, in such person's capacity as the *Vice President* of D.R. Horton, Inc., a Delaware corporation.

Krisel P Travis
NOTARY PUBLIC



**EXHIBIT A
TO
THIRD SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
COLD SPRING RANCH**

Legal Description of the Subject Property

The Subject Property consists of that certain real property located in Utah County, Utah more particularly described as follows:

HD 5

A PORTION OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 11, AND THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, LOCATED IN LEHI, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF OLD RANCH ROAD, SAID POINT BEING LOCATED S89°51'47"W ALONG THE SECTION LINE 115.67 FEET AND NORTH 2292.24 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EASTERLY LINE OF OLD RANCH ROAD THE FOLLOWING TWO (2) COURSES :NORTHEASTERLY ALONG THE ARC OF A 1163.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (RADIUS BEARS :S65°20'24"E) 60.82 FEET THROUGH A CENTRAL ANGLE OF 2°59'47" (CHORD :N26°09'29"E 60.81 FEET); THENCE ALONG THE ARC OF A 1237.00 FOOT RADIUS CURVE TO THE LEFT 470.93 FEET THROUGH A CENTRAL ANGLE OF 21°48'45" (CHORD :N16°45'00"E 468.09 FEET); THENCE N89°48'41"E 616.56 FEET; THENCE S18°09'00"E 263.23 FEET; THENCE EAST 210.47 FEET; THENCE S18°09'00"E 296.56 FEET; THENCE WEST 996.16 FEET; THENCE ALONG THE ARC OF A 528.00 FOOT RADIUS CURVE TO THE RIGHT 169.88 FEET THROUGH A CENTRAL ANGLE OF 18°26'02" (CHORD :N80°46'59"W 169.14 FEET) TO THE POINT OF BEGINNING.

CONTAINS: ±10.73 ACRES

MD 2 PHASE 2

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, LOCATED IN LEHI, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S89°51'47"W ALONG THE SECTION LINE 3S6,14 FEET AND NORTH 7S8.4S FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 846.77 FEET; THENCE ALONG THE ARC OF A 21.00 FOOT RADIUS CURVE TO THE RIGHT 32.99 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD; N45°00'00"W 29.70 FEET); THENCE NORTH 54.77 FEET; THENCE ALONG THE ARC OF A 531.00 FOOT RADIUS CURVE TO THE LEFT 127.07 FEET THROUGH A CENTRAL ANGLE OF 13°42'39" (CHORD; N6°S1'20"W 126.77 FEET); THENCE N13°42'39"W 8.97 FEET; THENCE ALONG THE ARC OF A 969.00 FOOT RADIUS CURVE TO THE RIGHT 164.18 FEET THROUGH A CENTRAL ANGLE OF 9°42'29" (CHORD; N8°S1'2S"W163.99 FEET); THENCE ALONG THE ARC OF A 19.00 FOOT RADIUS

CURVE TO THE RIGHT 31.17 FEET THROUGH A CENTRAL ANGLE OF 94°00'10"(CHORD: N42°59'55"E 27.79 FEET); THENCE EAST 45.83 FEET; THENCE ALONG THE ARC OF A 15.00FOOT RADIUS CURVE TO THE RIGHT 22.13 FEET THROUGH A CENTRAL ANGLE OF 86°02'10" [CHORD; S46°S8'3S"E 20.47 FEET]; THENCE N82°03'17"E 38.10 FEET; THENCE EAST 726.S9 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 1031.00 FOOT RAD IUS NON-TANGENT CURVE TO THE RIGHT (RADIUS BEARS; N8S'12 '32"W) S.9S FEET THROUGH A CENTRAL ANGLE OF 0°19'10" [CHORD; S4°S7'23"W S.9S FEET); THENCE SS0 07'17"W 81.29 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RAD IUS CURVE TO THE RIGHT 24.04 FEET THROUGH A CENTRAL ANGLE OF 91°48'32" {CHORD: S51°01'33"W 21.55 FEET); THENCE S3°18'26"W 38.08 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT [RADIUS BEARS; S7°04'1S"W) 22.78 FEET THROUGH A CENTRAL ANGLE OF 87°01'29" (CHORD; S39°2S'00"E 20.66 FEET); THENCE S77°11'S7"E 38.46 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A IS.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT [RADIUS BEARS; S86°09'18"E) 2S.17 FEET THROUGH A CENTRAL ANGLE OF 96°07'28" (CHORD; NSI' 54'26"E 22.32 FEET); THENCE S80°01'50"E 51.76 FEET; THENCE ALONG THE ARC OF A 19.00 FOOT RADIUS CURVE TO THE RIGHT 27.67 FEET THROUGH A CENTRAL ANGLE OF 83°26'43" [CHORD; S38°18'28"E 2S.29 FEET); THENCE ALONG THE ARC OF A 1246.00 FOOT RADIUS CURVE TO THE LEFT 214.88 FEET THROUGH A CENTRAL ANGLE OF 9°S2'S2" [CHORD; SI031'33"E 214.62 FEET); THENCE ALONG THE ARC OF A 36.00 FOOT RADIUS CURVE TO THE RIGHT 60.61 FEET THROUGH A CENTRAL ANGLE OF 96°27'59" (CHORD; S41'46'01"W 53.70 FEET) TO THE POINT OF BEGINNING.

CONTAINS - 8.72 ACRES

**EXHIBIT B
TO
THIRD SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
COLD SPRING RANCH**

COPIES OF THE FUTURE PLATS

