

When recorded mail to:
Destination Homes
c/o VP of Land
67 South Main Street #300
Layton, Utah 84041

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7/16/2019 3:32:00 PM \$56.00
Book - 10804 Pg - 716-720
RASHELLE HOBBS
Recorder, Salt Lake County, UT
STEWART TITLE INS AGCY OF UT
BY: eCASH, DEPUTY - EF 5 P.

**SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAYBREAK LAKE VILLAGE TOWNHOMES**

(ADDING ADDITIONAL LAND – LOTS 201 THROUGH 218 OF DAYBREAK
LAKE ISLAND PLAT 2)

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK LAKE VILLAGE TOWNHOMES (ADDING ADDITIONAL LAND – LOTS 201 THROUGH 218 OF DAYBREAK LAKE ISLAND PLAT 2) (this “**Supplement**”) is made as of July 12th, 2019, by DAYBREAK LAKE VILLAGE, LLC, a Utah limited liability company, as successor-in-interest to VP Daybreak Operations LLC, a Delaware limited liability company (“**Declarant**”) under that certain Declaration of Covenants, Conditions and Restrictions for Daybreak Lake Village Townhomes, recorded on April 7, 2017, as Entry No. 12510666, in Book 10545, beginning at Page 4607, as previously supplemented and amended from time to time (the “**Declaration**”), and is consented to by VP Daybreak Operations LLC, a Delaware limited liability company (“**VP Daybreak Operations**”).

RECITALS:

- A. Pursuant to the Declaration, Declarant has established the *Daybreak Lake Village Townhome* project (the “**Project**”) initially consisting of various residential “Lots” as more particularly defined and described therein, which Lots are to be improved with certain attached residential units called “townhomes”. The Project is located within the community commonly known as “*Daybreak*” located in South Jordan, Utah.
- B. VP Daybreak Operations owns certain parcels of real property (collectively, the “**Additional Land**”) adjacent to the Project. The Additional Land is legally described in **Exhibit A**, attached hereto and incorporated herein by this reference.
- C. Declarant and VP Daybreak Operations desire to add the Additional Land to the Project and to submit and subject the same to the Declaration, as the terms, conditions, covenants and restrictions thereof now exist or may hereafter be amended.

NOW, THEREFORE, Declarant hereby declares the following:

- 1. **Definitions**. Unless otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed to such terms in the Declaration.

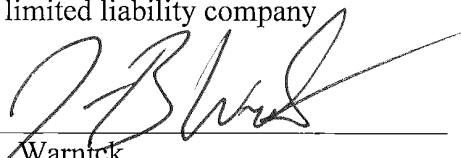
2. **Submission of Additional Land (Lots) to Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby exercises its option to expand the Project and add the Additional Land to the Project, effective as of the recording of this Supplement; and Declarant submits and subjects the Additional Land to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. VP Daybreak Operations hereby consents to the submission and subjection of the Additional Land to the Declaration. From and after the recordation of this Supplement, the Additional Land shall be held, transferred, sold, conveyed and occupied subject to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration. In addition, the Additional Land shall be subject to the governance of the Daybreak Lake Village Townhomes Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.
3. **Full Force and Effect.** The Declaration, as amended hereby, remains in full force and effect.
4. **Incorporation by Reference.** The Recitals and Exhibits to this Supplement are hereby incorporated into this Supplement by this reference.

[Signatures on Following Pages]

IN WITNESS WHEREOF, Declarant has executed this Supplement, and VP Daybreak Operations has consented to the same, as of the date first written above.

DECLARANT:

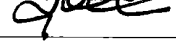
DAYBREAK LAKE VILLAGE, LLC,
a Utah limited liability company

By: 
John B. Warnick
Its: Manger

VP DAYBREAK OPERATIONS:

VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

By: DAYBREAK COMMUNITIES LLC,
a Delaware limited liability company
Its: Project Manager

By: 
Name: Ty McCutcheon
Its: President & CEO

[Acknowledgments on Following Page]

ACKNOWLEDGMENTS

STATE OF UTAH)
 : ss
COUNTY OF salt lake)

On the 12th day of July, 2019, before me, the undersigned Notary Public, personally appeared John B. Warnick, who being by me duly sworn, did say that he is the Manager of the DAYBREAK LAKE VILLAGE, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company by authority and said member duly acknowledged to me that said limited liability company approved the same.



Katie K McDermott
Notary Public in and for said State
My commission expires: 09/17/2019

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On July 12, 2019, personally appeared before me, a Notary Public, Ty McCutcheon, President & CEO of DAYBREAK COMMUNITIES LLC, a Delaware limited liability company, the Project Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.

WITNESS my hand and official Seal.



Ty McCutcheon
Notary Public in and for said State
My commission expires: 09/17/2019

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND

Lots 201 through 218 (inclusive) of that plat map entitled "DAYBREAK LAKE ISLAND PLAT 2 AMENDING LOT A-6 OF THE KENNECOTT DAYBREAK OQUIRRH LAKE PLAT" recorded on February 27th 2019, as Entry No. 12941070, Book 2019P, at Page 074 of the Official Records of Salt Lake County, Utah.

27-18-360-002 - 008, 27-19-103-044 - 052, 27-17-106-001, 002