

WHEN RECORDED RETURN TO:  
Ivory Development, LLC  
Christopher P. Gamvroulas  
978 East Woodoak Lane  
Salt Lake City, UT 84117  
(801) 747-7440

**FOURTH SUPPLEMENT  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND  
RESERVATION OF EASEMENTS  
FOR  
HYDE POINT PHASE 6**

This Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 6 is made and executed by Ivory Development, LLC., a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the “Declarant”).

**RECITALS**

A. Whereas, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 1 was recorded in the office of the County Recorder of Salt Lake County, Utah on June 6, 2017 as Entry No. 12550426 in Book 10565 at Pages 1594-1649 of the official records (the “Declaration”).

B. Whereas the related Plat Map for Phase 1 has also been recorded in the office of the County Recorder of Salt Lake County, Utah (the “Phase 1 Final Plat”).

C. Whereas, the First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 2 was recorded in the office of the County Recorder of Salt Lake County, Utah on July 2<sup>nd</sup> 2018 as Entry No. 12803656 in Book 10690 at Pages 3363-3370 of the official records (the “First Supplement”).

D. Whereas the related Plat Map for Phase 2 has also been recorded in the office of the County Recorder of Salt Lake County, Utah (the “Phase 2 Final Plat”).

E. Whereas, the Second Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 3 was recorded in the office of the County Recorder of Salt Lake County, Utah on August 29<sup>th</sup>, 2018 as Entry No. 12838586 in Book 10707 at Pages 4035-4038 of the official records (the “Second Supplement”).

F. Whereas, the related Plat Map for Phase 3 has also been recorded in the office of the County Recorder of Salt Lake County, Utah (the "Phase 3 Final Plat").

G. Whereas, the Third Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 4 & 5 was recorded in the office of the County Recorder of Salt Lake County, Utah on August 20<sup>th</sup>, 2019 as Entry No. 13055396 in Book 108018 at Pages 4956-4963 of the official records (the "Third Supplement").

H. Whereas, the related Plat Maps for Phase 4 & 5 have also been recorded in the office of the County Recorder of Salt Lake County, Utah (the "Phase 4 Final Plat" and the "Phase 5 Final Plat").

I. Whereas, under Article 4 of the Declaration of Covenants, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

J. Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-6" attached hereto and incorporated herein by this reference (the "Phase 6 Property").

K. Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

L. Whereas, Declarant desires to expand the subdivision by creating on the Phase 6 Property additional Lots.

M. Whereas, Declarant now intends that the Phase 6 Property shall become subject to the Declaration.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this Fourth Supplement to the Declaration.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

a. **Fourth Supplemental Declaration** shall mean and refer to this Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Point Phase 6.

b. **Phase 6 Map** shall mean and refer to the Plat Map of Phase 6 of the Project, prepared and certified to by Robbin J. Mullen, a duly registered Utah Land Surveyor holding Certificate No.368356, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Fourth Supplemental Declaration.

c. **Subdivision** shall mean and refer to Hyde Point Phases 1 2, 3, 4, 5 and 6 as it may be supplemented from time to time.

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-6 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 6 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Fourth Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-6 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the Phase 6 Map, twenty-six (26) new Lots, Numbers 151-176 are or will be constructed and/or created in the Project on the Phase 6 Property. Upon the recordation of the Phase 6 Map and this Fourth Supplemental Declaration, the total number of Lots in the Project will be one hundred seventy six (176). 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 Phases.

5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this Fourth Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Fourth Supplement, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

6. **Topical Headings and Conflict.** The headings appearing at the beginning of the paragraphs of this Second Supplement are only for convenience of reference and are not intended to describe, interpret, define or otherwise affect the content, meaning or intent of this Second Supplement of any paragraph or provision hereof. In case any provisions hereof shall conflict with Utah law, Utah law shall be deemed to control.

7. **Effective Date.** This annexation shall take effect upon the recording of this instrument and the Final Plat in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this 9<sup>TH</sup> day of March, 2020.

DECLARANT:  
IVORY DEVELOPMENT, LLC.

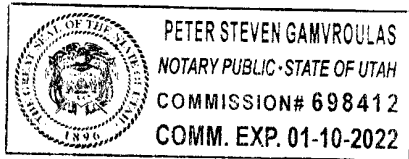
By: [Signature]  
Name: Kevin Anglesey  
Title: Secretary

**ACKNOWLEDGMENT**

STATE OF UTAH                    )  
                                          ss:  
COUNTY OF SALT LAKE    )

The foregoing instrument was acknowledged before me this 9<sup>TH</sup> day of March, 2020 by Kevin Anglesey, as Secretary of IVORY DEVELOPMENT, LLC, a Utah limited liability company, and said Kevin Anglesey duly acknowledged to me that said IVORY DEVELOPMENT, LLC executed the same.

[Signature]  
NOTARY PUBLIC



**EXHIBIT "A-6"**

**LEGAL DESCRIPTION  
BOUNDARY - HYDE POINT PHASE 6**

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

**BOUNDARY DESCRIPTION**

BEGINNING AT A POINT THAT IS ON THE SECTION LINE, SAID POINT BEING S 01° 00' 21" E FOR A DISTANCE OF 1231.11 FEET FROM THE WEST ¼ CORNER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, FROM SAID POINT OF BEGINNING, THE FOLLOWING CALLS:

THENCE, ALONG HYDE POINT PHASE 2 THE FOLLOWING 4 CALLS:

THENCE, N 88° 59' 39" E FOR A DISTANCE OF 110.00 FEET TO A POINT ON A LINE. THENCE, S 01° 00' 21" E FOR A DISTANCE OF 47.30 FEET TO A POINT ON A LINE. THENCE, N 88° 59' 39" E FOR A DISTANCE OF 50.00 FEET TO A POINT ON A LINE. THENCE, N 88° 59' 39" E FOR A DISTANCE OF 109.00 FEET TO A POINT ON A LINE.

THENCE, ALONG HYDE POINT PHASE 5 THE FOLLOWING 4 CALLS:

THENCE, S 01° 00' 21" E FOR A DISTANCE OF 231.35 FEET TO A POINT ON A LINE. THENCE, N 88° 59' 39" E FOR A DISTANCE OF 109.00 FEET TO A POINT ON A LINE. THENCE, N 84° 11' 57" E FOR A DISTANCE OF 50.18 FEET TO A POINT ON A LINE. THENCE, S 80° 44' 11" E FOR A DISTANCE OF 564.70 FEET TO A POINT ON A LINE.

THENCE, ALONG HYDE POINT PHASE 4 THE FOLLOWING 3 CALLS:

THENCE, S 09° 15' 49" W FOR A DISTANCE OF 109.00 FEET TO A POINT ON A LINE. THENCE, S 05° 20' 15" W FOR A DISTANCE OF 50.12 FEET TO A POINT ON A LINE. THENCE, S 09° 15' 49" W FOR A DISTANCE OF 109.00 FEET TO A POINT ON A LINE.

THENCE, N 80° 44' 11" W FOR A DISTANCE OF 954.55 FEET TO A POINT ON A LINE. THENCE N 01° 00' 20" W A DISTANCE OF 469.27 FEET TO THE POINT OF BEGINNING

SAID PROPERTY CONTAINS 7.14 ACRES MORE OR LESS AND 26 LOTS

Parcel Number(s):