RECORDING REQUESTED BY, AND
WHEN RECORDED, PLEASE RETURN TO:
Wade R. Budge, Esq.
SNELL & WILMER LLP
Gateway Tower West
15 W. South Temple, Suite 1200
Salt Lake City, Utah 84101

RANDAZE A. COUINGTON UTAH COUNTY RECORDER 2006 Dec 05 3:15 pm FEE 55.00 BY SN RECORDED FOR CAMBRIDGE PARTNERS LLC

# SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS OF THE LAKES AT SLEEPY RIDGE A PLANNED RESIDENTIAL UNIT DEVELOPMENT

THIS SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS OF THE LAKES AT SLEEPY RIDGE A PLANNED RESIDENTIAL UNIT DEVELOPMENT (this "Supplemental Declaration") is executed pursuant to the provisions of the Declaration identified below by THE LAKES AT SLEEPY RIDGE, INC., a Utah corporation ("Declarant").

### **RECITALS:**

- A. On April 4, 2006, Declarant recorded with the Recorder of Utah County, Utah, a Declaration of Covenants, Conditions, Easements and Restrictions of the Lakes at Sleepy Ridge A Planned Residential Unit Development as Entry No. 40252:2006 (the "**Declaration**"), covering the Property situated in Utah County, Utah described in the Declaration and, more specifically, those Plats, including those recorded at the time of and subsequent to the recording of the Declaration, that pertain to portions of the Property (the "**Project**").
- B. Pursuant to Section 2.1 of the Declaration, Declarant reserved the right to develop the Property in multiple phases with supplements to the Declaration executed by Declarant in connection with such additional phases and the associated approved and recorded subdivision plats. Declarant now desires to exercise its right to expand the Project by adding to the Project the subdivision plat entitled "The Lakes At Sleepy Ridge Phase 1 Plat "B"". This Supplemental Declaration is hereby recorded against each of the lots created by the foregoing plat, a description of which is attached hereto as Exhibit "A" ("Additional Phase").

NOW, THEREFORE, Declarant hereby exercises its right to expand the Project to include the Additional Phase and supplements and amends the Declaration as follows:

- 1. <u>Defined Terms and Status of Recitals</u>. Capitalized terms used and not otherwise defined in this Supplemental Declaration shall have the meaning or meanings given to them in the Declaration. The Recitals set forth above shall constitute a portion of the terms of this Supplemental Declaration.
- 2. Exercise of Option to Expand. Declarant hereby exercises its option to expand the Project pursuant to Section 2.1 of the Declaration, and adds to the Project the Additional Phase described in Exhibit "A" together with the improvements located thereon or to be located thereon, to become part of the Project as Residential Lots as more particularly set forth in the subdivision plat The Lakes At Sleepy Ridge Phase 1 Plat "B". Declarant and the Owners of

record declare, affirm and reaffirm that from and after the date set forth below, the Additional Phase is subject to, and governed by, the provisions of the Declaration and any amendments or supplements thereto.

- 3. Reservation of Declarant Rights. Pursuant to the Declaration, all Declarant rights concerning the Project reserved to the Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Additional Phase hereby added to the Project. The exercise of Declarant rights concerning such Additional Phase shall be governed by the same terms, provisions and limitations set forth in the Declaration regarding the exercise of Declarant rights.
- 4. <u>Declaration Remains in Effect</u>. This Supplemental Declaration shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated by the recording of this Supplemental Declaration.
- 5. <u>Authority</u>. Declarant hereby certifies that Declarant may execute this Supplemental Declaration without the consent or signature of any other party or Owner as provided by the Declaration.

IN WITNESS WHEREOF, this Supplemental Declaration is hereby executed this day of December, 2006.

#### **DECLARANT**:

THE LAKES AT SLEEPY RIDGE, INC., a Utah corporation

By: Joe Brown, Vice President

STATE OF UTAH

SS.

COUNTY OF 1 Hah

On the 5th day of 2006, personally appeared before me J. Brandt Andersen, signer of the above Supplemental Declaration, who being duly sworn, did say that he is the President of The Lakes at Sleepy Ridge, Inc., a Utah corporation, and that the Supplemental Declaration was signed in behalf of said company and said individual duly acknowledged to me that said company executed the same.

Notary Public

#### **EXHIBIT "A"**

## Legal Description

All of the Lots 115 through 156 of THE LAKES AT SLEEPY RIDGE PHASE 1 – PLAT "B", according to the official plat thereof on file with the Utah County Recorder.

Beginning at a point which is South 00°25'55" East, 33.00 feet from the North Quarter Corner of Section 20, Township 6 South, Range 2 East, Salt Lake Base and Meridian; and running thence South 00°48'25" East, 364.46 feet; thence South 65°08'59" East, 26.00 feet; thence East, 175.22 feet; thence South 00°34'10" East, 122.01 feet; thence North 89°25'50" East, 70.00 feet; thence North 00°34'10" West, 121.32 feet; thence East, 94.41 feet; thence South 05°17'18" West, 122.16 feet to a point on a 219.00 foot radius curve to the left; thence 22.39 feet along said curve through a central angle of 05°51'28" (chord bears North 87°38'26" West, 22.38 feet); thence South 89°25'50" West, 9.55 feet; thence South 00°34'10" East, 168.80 feet; thence South 89°25'50" West, 31.32 feet; thence North 83°14'35" West, 70.58 feet; thence South 89°25'50" West, 77.54 feet; thence South 89°53'27" West, 70.72 feet; thence North 86°28'53" West, 76.48 feet; thence North 79°48'52" West, 70.59 feet; thence North 75°44'55" West, 70.80 feet; thence North 66°58'37" West, 70.90 feet; thence North 60°30'54" West, 36.43 feet; thence South 54°26'05" West, 116.20 feet; thence South 61°51'43" West, 82.52 feet; thence South 68°45'24" West, 70.74 feet; thence South 73°27'21" West, 63.04 feet; thence South 73°44'17" West, 130.00 feet; thence South 68°11'36" West, 70.33 feet; thence South 76°48'32" West, 76.02 feet; thence North 11°16'39" West, 112.01 feet; thence North 29°46'33" East, 49.40 feet to a point on a 235.00 foot radius curve to the left; thence 5.96 feet along said curve through a central angle of 01°27'13" (chord bears North 70°03'38" East, 5.96 feet) thence North 20°39'59" West, 115.00 feet; thence North 68°06'24" East, 60.01 feet; thence North 06°08'24" West, 180.86 feet; thence North 42°38'46" East, 172.72 feet; thence North 26°24'39" West, 101.68 feet; thence North 00°55'28" East, 83.29 feet; thence North 26°36'04" East, 70.17 feet; thence North 51°09'23" East, 70.17 feet; thence North 73°37'14" East, 23.17 feet; thence North 04°13'36" West, 15.69 feet to a point on a 717.00 foot radius curve to the right; thence 224.88 feet along said curve through a central angle of 17°58'14" (chord bears South 85°14'29" East, 223.96 feet); thence South 76°15'22" East, 187.68; thence South 07°02'05" East, 20.32 feet; thence North 88°52'35" East, 94.93 feet to a point on a 783.00 foot radius curve to the left; thence 102.02 feet along said curve through a central angle of 07°27'56" (chord bears South 86°41'57" East, 101.95 feet); thence North 89°34'05" East, 3.02 feet to the point of beginning.

Contains: 14.68 Acres