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RHASE 2 SUPPLEMENTAL DECEARATION

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DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS

OF

HOBBLE CREEK SUBDIVISIO

THIS PHASE 2 SUPPLEMENTAL DECLARATION TO THE AMENDED AND RESTATED DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS OF HOBBLE CREEK SUBDIVISION (Phase 2 Supplemental Declaration") , 2012 by Salisbury Developers, Inc., is made and executed this 4 day of October a Utah/corporation, ("Declarant") in contemplation of the following facts and circumstances:

On August 21, 2012, Declarant executed and recorded that certain Amended and A. Restated Declaration of Easements, Convenants, Conditions and Restrictions of Hobble Creek Subdivision which was recorded in the office of the Washington County Recorder as Entry 201200 27 866 (the "Restated Declaration");

Under the terms of Section 2.6 of the Restated Declaration, the Declarant has the B. right to annex all or part of the Expansion Property to the Restated Declaration.

Declarant desires to expand the Subdivision and to add the portion of the **⟨C**. Expansion Property comprising Phase to the Restated Declaration.

NOW THEREFORE pursuant to the foregoing, Declarant hereby makes the following Phase 2 Supplemental Declaration:

Recitals." The recitals as set forth above are hereby incorporated herein, 1.

Supplemental 2. Definitions. Unless specifically defined in this Phase 2 Declaration, any capitalized terms used in this Phase 2 Supplemental Declaration shall have the meaning set forth in the Restated Declaration.

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Supplemental Plat. Recorded concurrently herewith is a plat of Phase 2 of the 3. Hobble Creek Subdivision (the "Phase 2 Plat"). The Phase 2 shall be deemed to amend, add to or supplement the Plat as defined in Section 1.13 of the Restated Declaration and any reference to the Plat as provided in the Restated Declaration shall be reafter be deemed to be amended to include the Phase 2-Plat.

The real property which is described as the 4. Description of Additional Land. Phase 2 Property on Exhibit C attached hereto is hereby made subject to the Restated Declaration MOSTICIEN COR Mofficial Colo MOMICIALCOR MOMICIALCOR

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MOMORE COT and deemed incorporated into the Project (the "Phase 2 Land"). The Phase 2 Land shall be included in the term Land as contained in the Restated Declaration.

> <u></u>\5. Submission of Common Area Improvements. Declarant hereby submits to the Restated Declaration, as supplemented by this Phase 2 Supplemental Declaration, any and all improvements which have been constructed by or shall hereafter be constructed by Declarant upon all Common Areas located upon the Phase 2 Land.

> Rights and Benefits; Covenants and Restrictions. The Phase 2 Land, and the 6. Residences located thereon, shall be entitled to all of the rights, benefits, easements, privileges and licenses, and subject to all the covenants, Conditions, restrictions, uses, fimitations, obligations and responsibilities placed upon the Land, all as set forth in the Restated Declaration or as provided by law. Each and every provision of the Restated Declaration shall be deemed to run with and apply to the Phase 2 Land, and shall be binding upon the Declarant, its successors and assigns, and any person acquiring, leasing or owning an interest in the real property and improvements comprising the Project, and to their respective personal representatives, heirs, successors and assigns.

> This Phase 2 Supplemental Declaration shall be constructed 7. Governing Daw. accordance with the laws of the State of Utah.

> IN WITNESS WHEREOF, the undersigned Declarant has executed this Restated Declaration the day and year first above written.

**DECLARANT:** Salisbury Developers, Inc., a Utah corporation, By: Title: STATE OF UTAH :ss. COUNTY OF UTAH) day of August, 2012, personally appeared before me R:ck On this of Salisbury Developers, Inc., a Utah corporation, and that Pres: dem said)<sup>\\</sup> behalf said corporation and said document signed by him in was acknowledged to me that said corporation executed the same Rick Public Notar Notes and Second MOSFICIAL COR AU 10705 A 2

