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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
02/05/2007 01:08 PM  
FEE \$51.00 Pgs: 3  
DEP RTT REC'D FOR WOODS CROSS CITY

WHEN RECORDED, RETURN TO:

The Richards Law Office  
2040 East Murray-Holladay Rd , Suite 102  
Salt Lake City, UT 84117  
(801) 274-6800

*Valentine Estates Ph. 2  
06-273-0201 thru 0239*

**SECOND SUPPLEMENTAL <sup>D</sup>  
DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS  
FOR VALENTINE ESTATES PLATA HOMEOWNER'S INC.**

THIS SECOND SUPPLEMENTAL DECLARATION is made this 1 day of February 2007 by Valentine Estates, L.C., a Utah limited liability company (Declarant "A").

**RECITALS**

- A. Declarant "A" is the owner and developer of Valentine Estates Phase 1 Subdivision, an expandable planned residential development in Woods Cross, Davis County, Utah (the "Development");
- B. On or about May 9, 2006, Declarant "A" recorded Valentine Estates Plat A Homeowner's, Inc., Supplemental Declaration of Covenants, Conditions and Restrictions as Entry No. 2166826 in the Davis County Recorder's Office (the "Declaration");
- C. Pursuant to Article III, Section 3.2 (a) of the Declaration, Declarant "A" is permitted to expand the Development by the annexation into the Development of additional real property that is part of the Additional Property as set forth and described in the Declaration for purposes of development in to additional Lots and Common Areas, if any, consistent with the existing Phase 1 of the Development and with the Declaration;
- D. Declarant "A" desires to annex land into the Development for development as Phase 2 of the Development.

**NOW THEREFORE**, Declarant "A" hereby declares as follows:

- 1. All defined terms as used in this Second Supplemental Declaration shall have the same meaning as those set forth and defined in the Declaration.
- 2. The following described real property situated in Woods Cross, Davis County, Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed in to the Development and is to be held, transferred, sold, conveyed, and occupied as a part of the Development:

BEGINNING AT THE NORTHWEST CORNER OF VALENTINE ESTATES PHASE 1 SUBDIVISION BEING 1238.29 FEET SOUTH 0°23'18" EAST ALONG THE SECTION LINE AND 1039.84 FEET NORTH 89°48'15" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 34; AND RUNNING THENCE ALONG THE WEST LINE OF SAID VALENTINE ESTATES PHASE 1 SUBDIVISION OF THE FOLLOWING THREE COURSES: SOUTH 0°11'45" WEST 290.25 FEET TO A POINT OF CURVATURE; SOUTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE 17.84 FEET (CENTRAL ANGLE EQUALS 68°08'34" AND LONG CHORD BEARS SOUTH 34°16'02" WEST 16.81 FEET) TO A POINT OF REVERSE CURVATURE; SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF A 100.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 157.87 FEET (CENTRAL ANGLE EQUALS 90°00'00" AND LONG CHORD BEARS SOUTH 23°20'19" WEST 142.13 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 17.84 FEET (CENTRAL ANGLE EQUALS 68°08'34" AND LONG CHORD BEARS NORTH 55°43'58" WEST 16.81 FEET) TO A POINT OF TANGENCY; THENCE NORTH 89°48'15" WEST 381.61 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG AN ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 17.84 FEET (CENTRAL ANGLE EQUALS 68°08'34" AND LONG CHORD BEARS SOUTH 56°07'28" WEST 16.81 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, WESTERLY, AND NORTHWESTERLY ALONG THE ARC OF A 100.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 239.05 FEET (CENTRAL ANGLE EQUALS 136°17'08" AND LONG CHORD BEARS NORTH 89°48'15" WEST 186.55 FEET) TO A POINT OF REVERSE CURVATURE; THEN NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 17.84 FEET (CENTRAL ANGLE EQUALS 68°08'34" AND LONG CHORD BEARS NORTH 55°43'58" WEST 16.81 FEET) TO A POINT OF TANGENCY; THENCE NORTH 89°48'15" WEST 307.65 FEET; THENCE SOUTH 28°53'00" WEST 101.83 FEET; THENCE NORTH 61°07'00" WEST 100.00 FEET; THENCE NORTH 76°49'28" WEST 58.17 FEET; THENCE NORTH 61°07'00" WEST 100.00 FEET; THENCE NORTH 28°53'00" EAST 462.47 FEET; THENCE SOUTH 89°48'15" EAST 1041.87 FEET TO THE NORTHWEST CORNER OF SAID VALENTINE ESTATES PHASE 1 SUBDIVISION AND THE POINT OF BEGINNING.

**TOGETHER WITH** all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the said parcel of real property, whether or not the same are reflected on a Plat.

**RESERVING UNTO DECLARANT "A,"** however, such easements and rights of ingress and egress over, across, through, and under the said property and any improvements (including buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant "A" (in a manner which is reasonable and not inconsistent with the provisions of the Declaration): (i) to construct and complete each of the Buildings and Units and all of the other improvements described in this Declaration or in a Plat, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete on the Additional Property, or any portion thereof, such improvements as Declarant "A" shall determine to build in its sole discretion (and whether or not the Additional Property or any portion thereof has been or hereafter will be added to the Development), and (iii) to improve portions of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners as Declarant "A" may reasonably determine to be appropriate. If, pursuant to all foregoing reservations, the said property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire seven (7) years after the date on which this Supplemental Declaration is recorded in the Public Records.

**THE FOREGOING IS SUBJECT TO** all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described real property or any portion thereof, including, without limitation, any mortgage

or deed of trust (and nothing in this paragraph shall be deemed to modify or amend such mortgage or deed of trust); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on, or revealed by, a Plat or otherwise existing, an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the said real property at such time as construction of all Development improvements is complete; and all easements necessary for ingress to egress from, maintenance of, and replacement of all such pipes, lines, cable, wires, utility lines, and similar facilities; **AND TO EACH OF THE EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DECLARATION.**

3. Except as amended by the provisions of this Second Supplemental Declaration, the Declaration as previously amended and supplemented shall remain unchanged and, together with this Second Supplemental Declaration shall constitute the Declaration of Covenants, Conditions and Restrictions for the Development as further expanded by the annexation of the Additional Property described herein.

4. This Second Supplemental Declaration shall be recorded in the Davis County Recorder's Office concurrently with the Plat entitled Valentine Estates Phase 2, located in the City of Woods Cross, Davis County, Utah, prepared and certified to by Bruce D. Pimper (a registered land surveyor holding Certificate No. 362256), executed and acknowledged by Declarant "A", and accepted by the City of Woods Cross.

**IN WITNESS WHEREOF**, Declarant "A" has executed this instrument the day and year first set forth above.

**DECLARANT "A"**

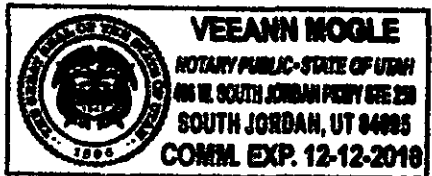
VALENTINE ESTATES, L.C.

By: Valentine Estates Mgrs, LLC

By: *[Signature]*  
Its: manager

STATE OF UTAH     )  
   : ss  
County of Salt Lake )

Acknowledged before me this 1 day of February, 2007, by  
Nathan D. Shipp, as manager (title) of Valentine Estates, L.C.



*[Signature]*  
Notary Public  
Residing in South Jordan  
My commission expires 12/12/2010