

SUPPLEMENTAL DECLARATION

THIS SUPPLEMENTAL DECLARATION is made this 28th day of September, 2001 by COYOTE DEVELOPMENT, LLC, a Utah limited liability company, RITCHIE ENTERPRISES, LP, a Utah limited partnership, MELVIN C. MCQUARRIE AND JEANETTE C. MCQUARRIE, a husband and wife residing in the State of Utah, ERIC M. VARVEL AND SHAUNA VARVEL, a husband and wife residing in the Nation of Singapore, and BRENT C. HILL AND AUDREY C. HILL, a husband and wife residing in the State of Utah (hereinafter, collectively the "Declarant").

RECITALS

- A. Declarant is the owner of certain real property located in the City of Heber, County of Wasatch, State of Utah and more particularly described in the Attached Exhibit "A".
- B. Coyote Development, LLC, filed and recorded in the Office of the County Recorder in the County of Wasatch, State of Utah, a Declaration of Codes, Covenants, Restrictions and Management Policies covering said real property described in Exhibit "A" on August 27, 2001, as entry number 236271, Book 518, Pages 334-349 ("Original Declaration").
- C. Pursuant to said Original Declaration, Article 11.3, Declarant has the right to amend said Original Declaration so long as the amendment is signed by "not less than ninety percent (90%) of the Lot Owners" and "must be recorded in the Office of the County Recorder before such amendment shall become effective."
- D. Declarant, as a consortium, represents one hundred percent (100%) of the Lot Owners to the real property described in Exhibit "A".

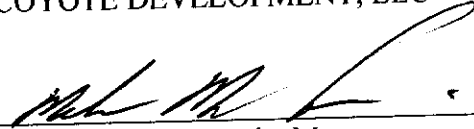
NOW THEREFORE, Declarant hereby elects to accept the Original Declaration as presently constituted and further agrees that all the real property in Exhibit "A", which is owned by Declarant, shall be subject to and must adhere to all the terms, conditions and provisions as outlined in the Original Declaration.

Further, Declarant hereby elects that the Original Declaration is an enforceable document, shall be appurtenant to the real property and, therefore, that the obligation to abide and adhere to the said Original Declaration shall transfer to any new Lot Owner as any portion of the real property in Exhibit "A" is sold or deeded by Declarant to any and all new Lot Owners.

Said affirmation and acceptance by Declarant of the Original Declaration is hereby adopted, thereby amending the Original Declaration, pursuant to Article 11.3.

DECLARANT:


COYOTE DEVELOPMENT, LLC



By: Mel C. McQuarrie, Manager

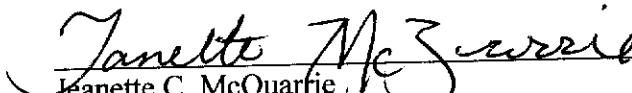
RITCHIE ENTERPRISES, LP

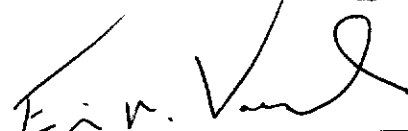
By: Hamilton Finance, Inc.

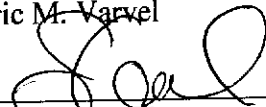
Its: General Partner


By: Ryan J. Ritchie
Its: Vice President


Melvin C. McQuarrie


Jeanette C. McQuarrie


Eric M. Varvel


Shauna Varvel


Brent C. Hill

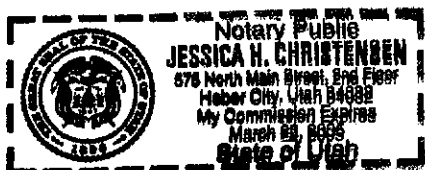

Audrey C. Hill

STATE OF UTAH)

SS:

COUNTY OF WASATCH)

On the 24th day of October, 2001, personally appeared before me, Melvin C. McQuarrie, who being duly sworn by me did say, that he is the manager of COYOTE DEVELOPMENT, LLC, and that the within and foregoing instrument was signed on behalf of said limited liability company by authority.



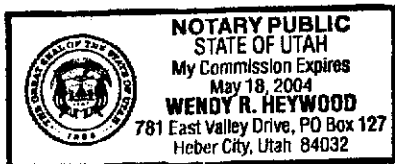
Jessica H. Christensen
NOTARY PUBLIC

STATE OF UTAH)

SS:

COUNTY OF WASATCH)

On the 28th day of September, 2001, personally appeared before me, Ryan J. Ritchie, who being duly sworn by me did say, that he is the Vice President of Hamilton Finance, Inc., the general partner to RITCHIE ENTERPRISES, LP, and that the within and foregoing instrument was signed on behalf of said limited partnership by authority.



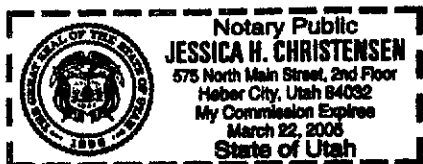
Wendy R. Heywood
NOTARY PUBLIC

STATE OF UTAH)

SS:

COUNTY OF WASATCH)

On the 24th day of October, 2001, personally appeared before me, Melvin C. McQuarrie and Jeanette C. McQuarrie, a husband and wife, and being duly sworn by me that they did execute the above and acknowledged it to be the free and voluntary act and deed of their own person.



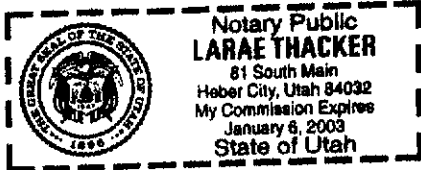
Jessica H. Christensen
NOTARY PUBLIC

STATE OF UTAH)

SS:

COUNTY OF WASATCH)

On the 22 day of Oct, 2001, personally appeared before me, Brent C. Hill and Audrey C. Hill, a husband and wife, and being duly sworn by me that they did execute the above and acknowledged it to be the free and voluntary act and deed of their own person.



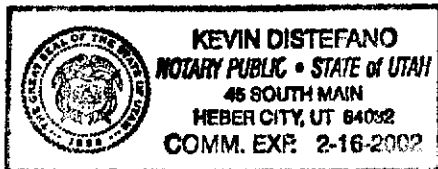
[Signature]
NOTARY PUBLIC

STATE OF UTAH)

SS:

COUNTRY OF WASATCH)

On the 19 day of Oct, 2001, personally appeared before me, Eric M. Varvel and Shauna Varvel, a husband and wife, and being duly sworn by me that they did execute the above and acknowledged it to be the free and voluntary act and deed of their own person.



[Signature]
TITLE/SEAL

EXHIBIT A

COYOTE DEVELOPMENT, LLC, a Utah limited liability company, is the owner of record in and to the following described tract(s) of land in the County of Wasatch, State of Utah:

All of Lots 19, 20 and 37, THE COVE AT VALLEY HILLS Subdivision, according to the Official Plat thereof, recorded in the Office of the County Recorder of Wasatch County, State of Utah;

RITCHIE ENTERPRISES, LP, a Utah limited partnership, is the owner of record in and to the following described tract(s) of land in the County of Wasatch, State of Utah:

All of Lots 4, 5, 12, 25, 28, 31, 36, 39, 47, 48, 51, 59, 61, 62 and 63, THE COVE AT VALLEY HILLS Subdivision, according to the Official Plat thereof, recorded in the Office of the County Recorder of Wasatch County, State of Utah;

MEL C. MCQUARRIE AND JEANETTE C. MCQUARRIE, husband and wife, as joint tenants and the owner of record in and to the following described tract(s) of land in the County of Wasatch, State of Utah:

All of Lots 1, 6, 9, 10, 15, 21, 24, 30, 35, 40, 42, 44, 50, 52, and 56, THE COVE AT VALLEY HILLS Subdivision, according to the Official Plat thereof, recorded in the Office of the County Recorder of Wasatch County, State of Utah;

ERIC M. VARVEL AND SHAUNA VARVEL, husband and wife, as joint tenants and the owner of record in and to the following described tract(s) of land in the County of Wasatch, State of Utah:

All of Lots 3, 7, 11, 14, 26, 27, 32, 33, 38, 43, 45, 53, 57, 60 and 64, THE COVE AT VALLEY HILLS Subdivision, according to the Official Plat thereof, recorded in the Office of the County Recorder of Wasatch County, State of Utah;

BRENT C. HILL AND AUDREY C. HILL, husband and wife, as joint tenants and the owner of record in and to the following described tract(s) of land in the County of Wasatch, State of Utah:

All of Lots 2, 8, 13, 16, 22, 23, 29, 34, 41, 46, 49, 54, 55, 58 and 65, THE COVE AT VALLEY HILLS Subdivision, according to the Official Plat thereof, recorded in the Office of the County Recorder of Wasatch County, State of Utah;

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OCV-0001 THROUGH OCV-0016

OCV-0019 THROUGH OCV-0065