

E 2651283 B 5486 P 1255-1259
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
03/26/2012 04:03 PM
FEE \$51.00 Pas: 5
DEP RTT REC'D FOR WOODS CROSS CITY

WHEN RECORDED RETURN TO:
Ivory Development, LLC
Brad Mackay
978 East Woodoak Lane
Salt Lake City, Utah 84117
(801) 747-7440

06-343-0301 thru 0324

**SUPPLEMENT TO THE ^D
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MOUNTAIN VIEW TOWNS PHASE 3**

This Supplement to the Declaration of Covenants, Conditions and Restrictions for Mountain View Towns Phase 3, is made and executed by Ivory Development, LLC., a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, Utah 84117 (the "Declarant").

RECITALS

Whereas, the Declaration of Covenants, Conditions and Restrictions for Mountain View Subdivision was recorded in the office of the County Recorder of Davis, Utah on August 28, 2006 as Entry No. 2196530 in Book 4105 at Pages 413-454 of the Official Records (the "Declaration").

Whereas, supplements to the Declaration have been recorded in the office of the Davis County Recorder.

Whereas, the related Plat Maps for various phases of the Mountain View Subdivision have also been recorded in the office of the Davis County Recorder.

Whereas, in the Declaration Declarant reserved the unilateral right to expand the subdivision to annex additional land and expand the application of the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Woods Cross City, Davis County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference (the "Mountain View Towns Phase 3 Property").

Whereas, Declarant desires to expand the subdivision by creating on the Mountain View Towns Phase 3 Property seven (7) Buildings and twenty-eight townhouse Lots, numbering 301 through 327, inclusive.

Whereas, Declarant now intends that the Mountain View Towns Phase 3 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 Supplement to the Declaration of Covenants, Conditions and Restrictions for Mountain View Towns Phase 3.

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

- a. **Mountain View Towns Phase 3 Property Map** shall mean and refer to the Final Plat for Mountain View Towns Phase 3 Property, prepared and certified to by Brad A. Llewelyn, a duly registered Utah Land Surveyor holding Certificate No. 4938735, and filed for record in the Office of the County Recorder of Davis County, Utah concurrently with the filing of this Supplemental Declaration.
- b. **Supplemental Declaration** shall mean and refer to this Supplement to the Declaration of Covenants, Conditions and Restrictions for Mountain View Phase 6 Subdivision.

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 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.

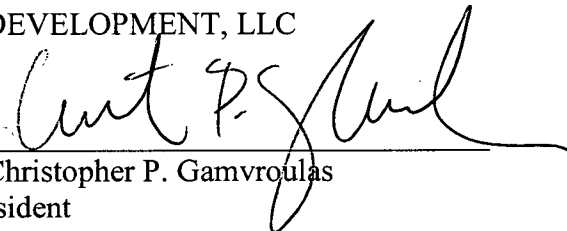
3. **Annexation.** Declarant hereby declares that the Mountain View Towns Phase 3 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to this Declaration and the functions, powers, rights, duties, and jurisdiction of the Association .

4. **Description of Property and Total Number of Units Revised.** Mountain View Towns Phase 3 Property will contain seven (7) Buildings and twenty-eight townhouse Lots, numbering 301 through 327, inclusive, and other improvements of a less significant nature. The additional townhouse Lots and the improvements constructed thereon are or will be substantially similar in construction, design and quality to the townhouse Lots and improvements in prior phases.

5. **Effective Date.** The effective date of this Supplemental Declaration and the Mountain View Towns Phase 3 Property Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Davis County, Utah.

Dated the 23 day of ^{March}~~February~~, 2012.

DEVELOPER:
IVORY DEVELOPMENT, LLC

By: 
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
SS:)
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 13 day ^{March} ~~February~~, 2012 by Christopher P. Gamvroulas, the President of IVORY DEVELOPMENT, LLC., a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC. executed the same.

Stacy Malone
NOTARY PUBLIC

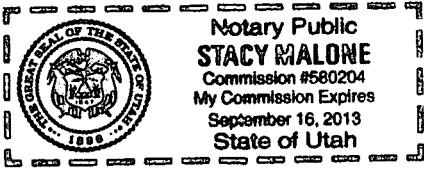


EXHIBIT "A"

**LEGAL DESCRIPTION
MOUNTAIN VIEW TOWNS PHASE 3 PROPERTY**

The Property referred to in the foregoing document as the Mountain View Towns Phase 3 Property is located in Davis County, Utah and is described more particularly as follows:

LOCATED IN THE SOUTH EAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN

BEGINNING AT THE SOUTHEAST CORNER OF MOUNTAIN VIEW TOWNS P.U.D. PHASE 2, SAID POINT BEING SOUTH 89°48'13" EAST ALONG THE SOUTH EAST LINE OF SAID SECTION 27, 2009.97 FEET AND NORTH 00°11'47" EAST, 1611.91 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE EAST BOUNDARY OF SAID MOUNTAIN VIEW TOWNS P.U.D. PHASE 2 THE FOLLOWING THREE (3) COURSES: 1) NORTH 00°04'33" WEST, 348.67 FEET; 2) NORTH 81°08'52" WEST, 40.76 FEET; 3) NORTH, 121.28 FEET TO THE SOUTH LINE OF THALMAN PROPERTIES, LLC; THENCE ALONG SAID SOUTH LINE S89°59'42"E, 313.35 FEET; THENCE SOUTH 00°12'41" EAST, 476.51 FEET; THENCE NORTH 89°56'09" WEST, 274.36 FEET TO THE POINT OF BEGINNING.

CONTAINING: 135,428 SQUARE FEET OR 3.109 ACRES, MORE OR LESS