

**SECOND SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF**

**DUTCH FIELDS, P.U.D.**

**(PHASE III)**

THIS SECOND SUPPLEMENT TO DECLARATION is made and executed this 19 day of April, 2005, by **WATTS DUTCH FIELDS, L.L.C.**, a Utah limited liability company (hereinafter referred to as "Declarant").

**RECITALS:**

A. Declarant is the Declarant as identified and set forth in that certain Declaration of Covenants, Conditions and Restrictions of Dutch Fields, P.U.D. dated October 4, 2002, and recorded in the office of the Wasatch County Recorder on October 4, 2002 as Entry No. 249391 in Book 0580 beginning at page 0715 (the "Declaration").

B. On or about the 17<sup>th</sup> day of August, 2004, Declarant made and executed that certain First Supplement to Declaration of Covenants, Conditions and Restrictions of Dutch Fields, P.U.D. (Phase II) (herein the "First Supplement"), which First Supplement was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 15<sup>th</sup> day of September, 2004, as Entry No. 275223, in Book 0713, beginning at Page 0024. The First Supplement added Phase II to the Project.

C. Under the terms of the Declaration, Declarant reserved the right to annex certain additional real properties ("Additional Land" or portions thereof) to the provisions of the Declaration and now desires to do the same in order to further the intent of the Declarant as expressed in the Declaration.

NOW, THEREFORE, in consideration of the recitals set forth hereinabove, the Declarant hereby declares and certifies as follows:

1. Submission of Phase III. Declarant hereby submits the following described real properties, and its interests therein, to the terms, conditions, restrictions, covenants and easements to the terms of the Declaration, as amended:

**SEE SCHEDULE "A" ATTACHED HERETO**

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described real property (the real property).

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across and through and under the above-described tract and any improvements now or hereafter constructed thereon as may be reasonably necessary for Declarant or any assignee of Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration): (i) to construct a Living Unit on each and every Lot; and (ii) to improve the Common Areas with such facilities, including, but not limited to, roads, recreational facilities, walkways and various landscaped areas, designed for the use and enjoyment of all the Members as Declarant may reasonably determine to be appropriate; and (iii) for the benefit of the Additional Land, however developed or utilized, over the real property described on Exhibit "B" attached to the Declaration, whether or not the Additional

Land, or portions thereof, is part of the Development. If, pursuant to the foregoing reservation, the above-described tract 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 reservation hereby effected shall, unless sooner terminated in accordance with its terms, expire twenty (20) years after the date on which the Declaration was filed for record in the office of the County Recorder of Wasatch County, Utah.

ALL OF 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 and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described tract or any portion thereof, including without limitation, any mortgage or deed of trust; all visible easements and rights-of-way; and all easements and rights-of-way of record.

ALL OF 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; any mineral reservations of record and rights incident thereto; all instruments of record which affect the real property or any portion thereof, including, without limitation, any mortgage or deed of trust; all visible easements and rights-of-way;

2. Supplemental Plat. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on a supplemental Plat pertaining to the same, which supplemental Plat shall be recorded with this Supplement.

3. Representations of Declarant. Declarant represents as follows:

a. The annexed real property is part of the Additional Land as identified in the Declaration.

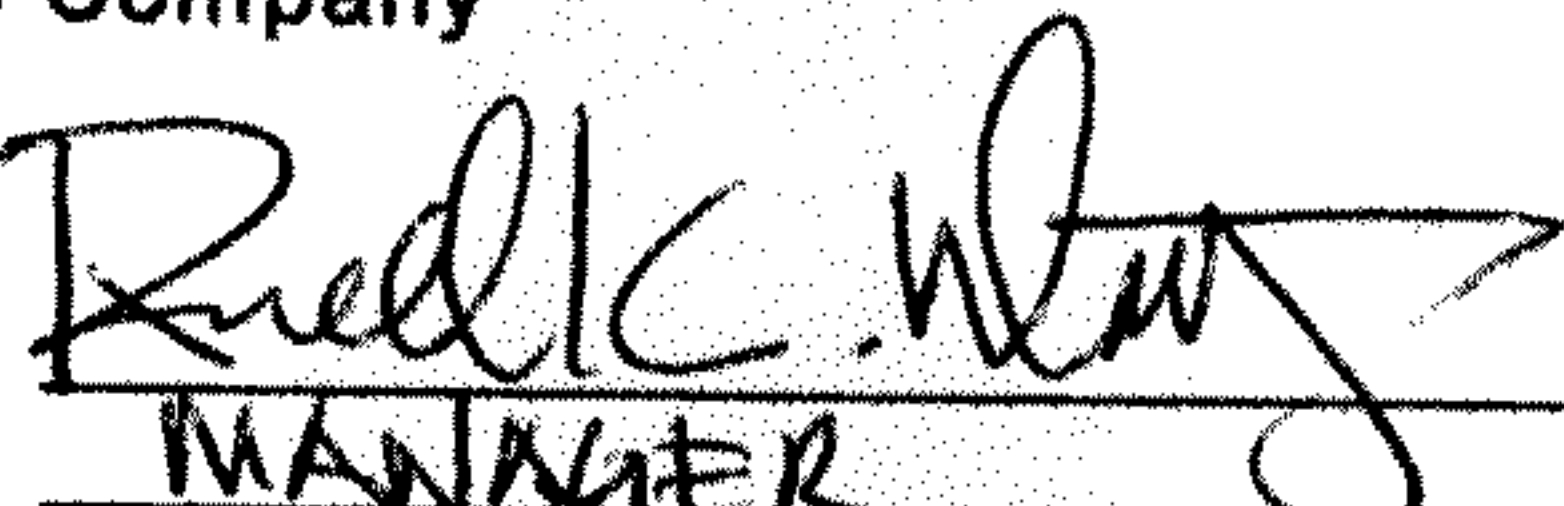
b. By the annexation of the real property described in paragraph 1, the total number of Living Units when completed, will equal ninety (90).

4. Effective Date. This Supplemental Declaration, and the Supplement Plat relative to this addition, shall take effect upon their being filed for record in the office of the County Recorder of Wasatch County, Utah.

EXECUTED the day and year first above written.

Declarant:

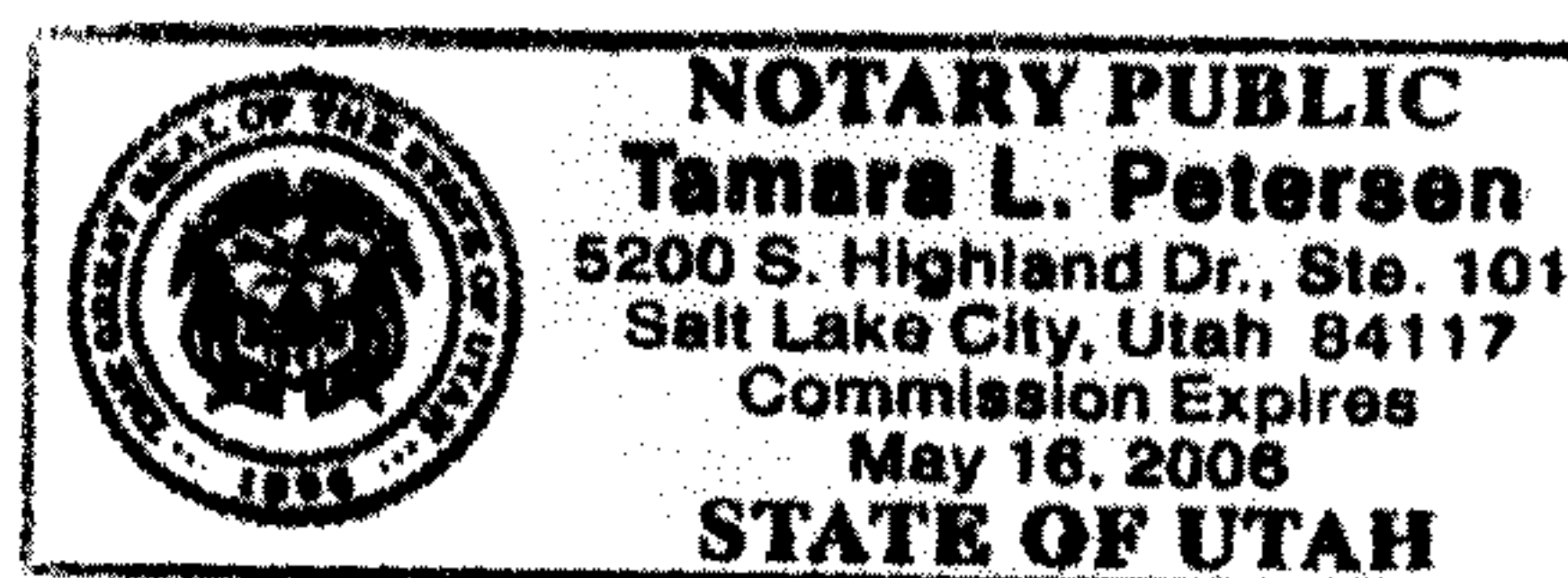
WATTS DUTCH FIELDS, L.L.C., a Utah Limited Liability Company

By:   
Its: MANAGER

STATE OF UTAH )  
 : ss  
COUNTY OF SALT LAKE )

On the 19 day of APRIL, 2005, personally appeared before me Russell Kwatts, who being by me duly sworn did say that he is a Manager of WATTS DUTCH FIELDS, L.L.C., and that the within and foregoing instrument was signed in behalf of said limited liability company by authority of a resolution of its Members and said Russell Kwatts duly acknowledged to me that said limited liability company executed the same.

*Tamara L. Petersen*  
NOTARY PUBLIC



DUTCH FIELDS P.U.D., PHASE III, PLAT A, LOT 68-90.

EXHIBIT "A"

LEGAL DESCRIPTION

Beginning at the Northeast corner of Section 26, Township 3 South, Range 4 East, Salt Lake Base & Meridian; thence South 89°41'16" West 1,726.10 feet along the section line; thence South 518.42 feet to the point of beginning.

Thence South 63°36'22" East 112.53 feet;  
Thence South 57°53'22" East 225.78 feet;  
Thence East 533.64 feet;  
Thence South 149.88 feet;  
Thence East 56.61 feet;  
Thence South 10°49'10" West 379.43 feet;  
Thence South 23°43'48" West 118.92 feet;  
Thence along the arc of a 1175.00 foot radius curve to the left 107.91 feet (curve has a central angle of 05°26'19" and a chord bearing North 63°38'20" West 107.87 feet);  
Thence South 28°59'32" West 262.99 feet;  
Thence South 61°29'08" West 103.18 feet;  
Thence South 75°34'34" West 132.41 feet;  
Thence North 89°49'44" West 70.75 feet;  
Thence North 76°59'11" West 174.59 feet;  
Thence North 72°56'25" West 50.98 feet;  
Thence North 05°49'48" East 231.45 feet;  
Thence North 69°36'32" West 448.94 feet;  
Thence North 34°23'38" East 182.66 feet;  
Thence North 29°40'47" East 147.88 feet;  
Thence North 30°02'28" East 283.72 feet;  
Thence North 25°47'46" East 110.93 feet;  
to the point of beginning.