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When recorded mail to:
Destination Homes
67 South Main Street
Layton, Utah 84041

E 3096525 B 7027 P 31-36
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
06/01/2018 09:45 AM
FEE \$57.00 Pgs: 6
DEP RT REC'D FOR DESTINATION HOMES

**SUPPLEMENTAL DECLARATION OF PHASE 5 TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
For Hill Farms Subdivision
Davis County, Utah**

This Supplemental Declaration of Phase 5 to the Declaration of Covenants, Conditions and Restrictions for Hill Farms Subdivision ("Supplemental Declaration - Phase 5") is executed by Legacy Neighborhoods, LLC, a Utah limited liability company ("Declarant"), and hereby supplements that certain Declaration of Covenants, Conditions & Restrictions for Hill Farms Subdivision, as amended, recorded in the Davis County Recorder's Office on November 26, 2013, as Entry No. 2778856, as amended ("Declaration").

11-825-0501 -> 0538

RECITALS:

- A. This Supplemental Declaration - Phase 5 is hereby submitted for the purpose of confirming the annexation of portions of the Undeveloped Land, as contained within the Phase 5 Plat, identified herein, and as provided for generally within Declaration and specifically within Article XXII of the Declaration.
- B. At the time of the recordation of the Phase 5 Plat, the Declarant, the Joseph F. Hill and Rozanna S. Hill Family Limited Partnership a Utah Limited Partnership and the Judy P. Godfrey Hill Family Trust (collectively "Hill") are the owners of record of all real property within Phase 5, which real property and Lots are more particularly described in **Exhibit "A"** attached hereto and by this reference made a part hereof. Hill has already approved and signed the Plat, and the property owned by Hill is not subject to the Declaration, as supplemented hereby. It is anticipated that the Plat for Phase 5 will be recorded contemporaneously with this Supplemental Declaration - Phase 5.
- C. The Declarant desires to submit and subject certain Lots and real property within the Phase 5 Plat, as provided herein, to the covenants, conditions, restrictions, easements, charges and liens created by that certain Declaration, as supplemented hereby.
- D. In addition, the Declarant, in accordance with Article 23.4, may at its sole direction during the Class B Control Period modify and/or supplement the Declaration, including the annexation of additional property within the Undeveloped Land.

NOW, THEREFORE, BE IT DECLARED:

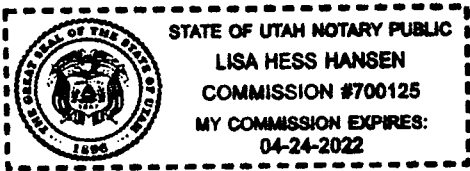
COVENANTS, CONDITIONS AND RESTRICTIONS

1. Recitals. The above Recitals are specifically incorporated herein by reference and made a part hereof.
2. Definitions. All terms used but not defined herein shall have the meanings given them under the Declaration of Covenants, Conditions & Restrictions for Hill Farms Subdivision, as amended (“Declaration”).
3. Effective Date. This Supplemental Declaration - Phase 5 will take effect on the date recorded at the office of the Davis County Recorder’s Office (the “Effective Date”).
4. Title. This instrument is titled and shall hereinafter be referred to as the Supplemental Declaration of Phase 5 to the Declaration of Covenants, Conditions and Restrictions for Hill Farms Subdivision (“Supplemental Declaration - Phase 5”).
5. No Other Changes. Except as otherwise expressly provided in this Supplemental Declaration - Phase 5, the Declaration remain in full force and effect without modification.
6. Authorization. The individuals signing for the respective entities make the following representations: (i) he/she has read the Supplemental Declaration - Phase 5, (ii) he/she has authority to act for the entity designated below, and (iii) he/she shall execute the Supplemental Declaration - Phase 5 acting in said capacity.
7. Identification of Annexed Lots. The Lots to be annexed to the Property, as confirmed by the recordation of this Supplemental Declaration - Phase 5, are the Lots comprising Phase 5 and more particularly described in **Exhibit "A"** attached hereto. The Lot Type for each of the Lots being annexed hereby is identified in **Exhibit "B"** attached hereto.
8. Annexation. To the extent not already completed, the Lots described in **Exhibit "A"** and the Phase 5 Plat are hereby annexed to the Property and shall hereafter be held, sold, conveyed, encumbered, leased, occupied and improved as part of the Property subject to the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration, the full text of which is incorporated herein by reference and made a part hereof, as the same may be supplemented hereby.
9. General Restrictions and Requirements. All general restrictions and requirements of the Declaration shall apply to the Lots, with the exception noted herein for Lot 512.
10. Land Classification. The real property annexed herewith, as set forth in the Phase 5 Plat, does create separate Lots, Common Areas, and driveways/alleyways, as depicted in the Plat, which shall all be governed by and made subject to the covenants, conditions, restrictions, easements, charges and liens provided for in the Declaration.
11. Exemption of Lot 512 (“Original Lot”). Lot 512 is serviced by public roads and utilities, remains exempt and shall not be subject to the terms and conditions of the Declaration.

The Original Lots are not responsible for Common Expenses or Association Assessments and shall not receive any maintenance or services provided by the Association. No change or amendment to this ¶ 11 may be made without the written consent of the owner of the Original Lot so affected.

12. Conflict. If any provisions of this Supplemental Declaration - Phase 5 conflict with any terms set forth in the Declaration, the terms of this Supplemental Declaration - Phase 5, as to Phase 5, shall govern.

IN WITNESS WHEREOF, the undersigned have executed this instrument on the year and date indicated below.



LEGACY NEIGHBORHOODS, LLC

By:

David Bailey

David Bailey
Its: Managing Member

STATE OF UTAH)
 : ss
COUNTY OF DAVIS)

On the 16 day of May, 2018, personally appeared before me, David Bailey, who being by me duly sworn did say that he/she is an authorized agent of Legacy Neighborhoods, LLC, and that the within and foregoing instrument was signed in behalf of said limited liability company and duly acknowledged to me that he/she executed the same.

Lisa Hansen

NOTARY PUBLIC

**EXHIBIT A
LEGAL DESCRIPTION**

BEGINNING AT A POINT ON THE EASTERLY LINE OF ANGEL STREET, SAID POINT BEING THE SOUTHWESTERLY CORNER OF HILL FARMS SUBDIVISION PHASE 2A PRUD, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE, SAID POINT BEING LOCATED SOUTH 89°56'03" WEST ALONG QUARTER SECTION LINE 486.43 FEET AND NORTH 492.97 FEET FROM THE CENTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (THE BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 00°05'30" EAST 2642.30 FEET MEASURED BETWEEN THE SOUTHWEST AND WEST QUARTER CORNERS OF SAID SECTION 32), AND RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID PHASE 2A THE FOLLOWING SIX COURSES: (1) NORTH 50°24'18" EAST 70.13 FEET; (2) SOUTH 39°35'42" EAST 20.00 FEET; (3) NORTH 50°24'18" EAST 186.60 FEET; (4) NORTH 45°41'58" EAST 55.85 FEET; (5) NORTH 52°05'46" EAST 195.43 FEET; AND (6) NORTH 39°35'42" WEST 21.01 FEET TO THE SOUTHWESTERLY CORNER OF HILL FARMS SUBDIVISION PHASE 2B PRUD, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; AND RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID PHASE 2B THE FOLLOWING THREE COURSES: (1) NORTH 50°24'18" EAST 120.00 FEET; (2) NORTH 49°56'19" EAST 106.36 FEET; AND (3) NORTH 37°48'09" EAST 288.04 FEET TO THE WESTERLY LINE OF WILKIE ESTATES NO. 3, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; THENCE SOUTH 40°16'30" EAST 466.70 FEET ALONG THE WESTERLY LINE OF WILKIE ESTATES NO. 1 AND 3; THENCE NORTH 51°47'08" EAST 0.63 FEET ALONG SAID SUBDIVISION TO THE NORTHWESTERLY CORNER OF MOUNTAIN SHADOW ESTATES NO. 3, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE; THENCE SOUTH 39°48'45" EAST ALONG THE WESTERLY LINE OF SAID SUBDIVISION 81.20 FEET; THENCE SOUTH 50°24'18" WEST 198.94 FEET; THENCE SOUTH 50° 24'18" WEST 55.00 FEET; THENCE NORTH 39°35'42" WEST 53.13 FEET; THENCE SOUTH 50°24'18" WEST 101.96 FEET; THENCE SOUTH 26°26'07" WEST 96.52 FEET; THENCE SOUTH 03°51'01" EAST 111.78 FEET; THENCE SOUTH 08°29'06" EAST 55.08 FEET; THENCE 257.87 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 467.79 FEET (CHORD BEARS NORTH 79°49'41" WEST 254.62 FEET); THENCE SOUTH 34°26'07" WEST 288.00 FEET; THENCE NORTH 61°46'26" WEST 21.80 FEET; THENCE NORTH 89°21'54" WEST 41.55 FEET; THENCE SOUTH 56°50'05" WEST 37.54 FEET TO THE NORTHEASTERLY LINE OF SAID ANGEL STREET; THENCE NORTHWESTERLY ALONG SAID STREET THE FOLLOWING (4) COURSES: (1) NORTH 33°09'46" WEST 6.70 FEET, (2) NORTH 36°58'36" WEST 112.96 FEET, (3) NORTH 33°09'55" WEST ALONG SAID STREET 257.73 FEET, AND (4) NORTH 39°35'42" WEST ALONG SAID STREET 66.33 FEET TO THE POINT OF BEGINNING. CONTAINING 496,349 SQ.FT. (11.39 ACRE).

ALSO, BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF WILKIE ESTATES NO. 3 PRUD, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF HILL FARMS SUBDIVISION PHASE 2C PRUD, A PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE, SAID POINT BEING LOCATED NORTH 00°07'05" EAST ALONG QUARTER SECTION LINE 1740.04 FEET AND WEST 215.64 FEET FROM THE CENTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, (THE BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 00°05'30" EAST 2642.30 FEET MEASURED BETWEEN THE SOUTHWEST AND WEST QUARTER CORNERS OF SAID SECTION 32) RUNNING THENCE SOUTH 40°16'30" EAST ALONG THE SOUTHWESTERLY LINE OF SAID WILKIE ESTATES 460.03 FEET TO A POINT ON THE NORTHEASTERLY LINE OF HILL FARMS SUBDIVISION PHASE 2B PRUD; THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE BOUNDARY OF SAID PHASE 2B THE FOLLOWING FIVE COURSES: (1) SOUTH 50°24'18" WEST 115.68 FEET; (2) SOUTH 30°24'18" WEST 77.76 FEET; (3) NORTH 59°35'42" WEST 245 FEET; (4) NORTH 23°16'56" WEST 100.41 FEET; AND (5) NORTH 39°35'42" WEST 160.00 FEET TO THE SOUTHERLY LINE OF SAID PHASE 2C; AND THENCE NORTH 50°24'18" EAST 238.88 FEET ALONG THE SOUTHERLY LINE OF SAID PHASE 2C TO THE POINT OF BEGINNING. CONTAINING 111,795 SQ.FT. (2.57 ACRE).

EXHIBIT "B"
("Lot Types")

Cottage Lots	Garden Lots	Preserve Lots
504	501	526
505	502	527
506	503	528
507	509	529
508	510	530
513	511	532
514	517	533
515	518	534
516	519	
522	520	
523	521	
524	525	
	531	

Lot 512 is exempt.