

When Recorded Return To:  
Ivory Development, LLC  
Christopher P. Gamvroulas  
978 East Woodoak Lane  
Salt Lake City, UT 84117  
(801) 747-7440



15-075-0041  
15-075-0047

E# 3327849 PG 1 OF 4  
Leann H. Kilts, WEBER COUNTY RECORDER  
03-Jun-24 0418 PM FEE \$40.00 DEP SD  
REC FOR: COTTONWOOD TITLE INSURANCE AGENCY, I  
ELECTRONICALLY RECORDED

**FIRST SUPPLEMENT  
TO  
THE DECLARATION OF  
COVENANTS, CONDITIONS, AND RESERVATION OF EASEMENTS  
FOR  
FAIRHAVEN SUBDIVISION  
AND  
FIRST AMENDMENT  
TO  
THE LAND DRAIN SYSTEM MAINTENANCE AGREEMENT  
FOR  
FAIRHAVEN PHASE 3**

This supplement to Declaration of Covenants, Conditions, and Reservation of Easements for Fairhaven and amendment to the Land Drain System Maintenance Agreement (the “Supplement”) is made and executed by Ivory Development, LLC, a Utah limited liability company with an address of 978 E Woodoak Lane, Salt Lake City, Utah 84117 (the “Declarant”).

**RECITALS**

- A. Declarant recorded that certain Declaration of Covenants, Conditions, and Restrictions for Fairhaven with the Office of Recorder for Weber County, Utah on July 8<sup>th</sup>, 2022 as Entry No. 3245012 (the “Declaration”).
- B. Declarant recorded the Land Drain System Maintenance Agreement for Fairhaven Subdivision with the Office of Recorder for Weber County, Utah on May 4<sup>th</sup>, 2023 as Entry No. 3282412 (the “Land Drain Agreement”).
- C. The Declaration reserves to the Declarant the right and authority to unilaterally expand the Project in accordance with the Declaration.
- D. The Land Drain Agreement reserves the right of the Declarant to Amend the Agreement in accordance with the Declaration.

E. Declarant is the record owner of certain real property located in West Haven City, Weber County, Utah, more fully described herein (the "Property" or "Fairhaven Phase 3").

F. Declarant desires to further expand the Project and the Land Drain Agreement to include an additional thirty-seven (37) Lots, and other improvements of a less significant nature on the Property.

G. Declarant now intends that the Property and the Lots thereon shall become part of the Project and subject to the Declaration and the Land Drain Agreement.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the Project, Declarant, and Owners, Declarant hereby executes this Supplement to the Declaration of Covenants, Conditions, and Restrictions for Fairhaven Phase 3 and this Amendment to the Land Drain System Maintenance Agreement for Fairhaven Subdivision.

### SUPPLEMENT TO DECLARATION

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

- "Fairhaven Phase 3 Plat" shall mean and refer to the final plat maps of the Property that have been or will be recorded with the Office of County Recorder for Weber County, Utah contemporaneous with the filing of this Supplement to the Declaration.

Except as otherwise provided herein, the definitions of capitalized terms contained in the Declaration are incorporated herein by this reference.

2. Annexation. Consistent with the rights and authority reserved to Declarant in the Declaration, the Property shall be and hereby is annexed into the Fairhaven Project. Recordation of this Supplement to Declaration, together with the Fairhaven Phase 3 Plat, shall constitute and effectuate further expansion of the Project, making the real property described in Exhibit A and every Owner and Occupant of a Lot thereon subject to the Declaration and the functions, powers, rights, duties, and jurisdiction of the Association.

3. Land Drain System Maintenance Agreement. The Property, and the Owners of Lots on the Property, are subject to the Land Drain System Maintenance Agreement for Fairhaven Subdivision, recorded in the Office for Recorder of Weber County on May 4<sup>th</sup>, 2023 as Entry No. 3282412.

4. Covenants, Conditions, and Restrictions to Run with the Land. The Covenants, Conditions and Restrictions for the Property and the Lots thereon established by this Supplement to Declaration and Amendment to the Land Drain Agreement are intended to and shall be binding on the Lots, the respective Owners and their successors in interest and shall run with the land.



**EXHIBIT A  
LEGAL DESCRIPTION**

The real property referred to in the foregoing instrument is located in Weber County, Utah and is more particularly described as follows:

**FAIRHAVEN PHASE 3 BOUNDARY DESCRIPTION**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; WEST HAVEN CITY, WEBER COUNTY, UTAH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N89° 16'49"W 1001.19 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, AND S00° 00'00"E 285.57 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 26 AND RUNNING THENCE S00° 51'13"W 114.00 FEET; THENCE S24° 01'19"E 55.11 FEET; THENCE S00° 51'13"W 1372.00 FEET; THENCE S3° 05'57"E 50.12 FEET; THENCE S00° 51'13"W 108.44 FEET; THENCE N89° 16'03"W 296.00 FEET; THENCE N00° 51'13"E 109.06 FEET; THENCE N12° 03'01"W 51.30 FEET; THENCE N00° 51'13"E 1527.00 FEET; THENCE S89° 08'47"E 127.57 FEET; THENCE N80° 51'57"E 51.89 FEET; THENCE S89° 08'47"E 102.14 FEET TO THE POINT OF BEGINNING.

CONTAINS 11.70 ACRES IN AREA

Parcel Numbers: 15-075-0041 and 15-075-0047