

When Recorded, Return to
Boyer Holbrook Residential, L.C.
101 South 200 East, Suite 200
Salt Lake City, Utah 84111

**SUPPLEMENT TO MASTER DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
HOLBROOK FARMS
PLAT B, PHASE 4
IN
LEHI, UTAH**

This Supplement to the Master Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Holbrook Farms Plat B, Phase 4, located in Lehi, in Utah County, Utah, is made and executed by Boyer Holbrook Residential, L.C. (“Boyer Holbrook Residential”), a Utah limited liability company, with a registered address of 101 South 200 East, Suite 200, Salt Lake City, Utah 84111.

RECITALS

WHEREAS, that certain Master Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Holbrook Farms was recorded with the County Recorder for Utah County, Utah on March 3, 2017, as Entry No. 21346:2017 (the “Master Declaration”) for the Holbrook Farms development project (the “Project”);

WHEREAS, the Master Declaration provides that the Project may be developed in phases and additional land may be annexed into and made part of the Project and made subject to the Master Declaration;

WHEREAS, Ivory Development, LLC and Boyer Holbrook Farm, L.C., collectively, as Declarant, as provided in the Master Declaration, have assigned certain declarant rights to Boyer Holbrook Residential in connection with the development of the Project pursuant to an Assignment Agreement consistent with the rights and authority granted in the Master Declaration;

WHEREAS, Boyer Holbrook Residential is the record fee owner of certain real property located in Utah County, Utah more specifically described in Exhibit “A” hereinto and incorporated herein by this reference (the “Holbrook Farms Plat B, Phase 4 Property”);

WHEREAS, Boyer Holbrook Residential, as assignee of Declarant rights for Plat B, Phase 4 of the Project desires to develop the Holbrook Farms Plat B, Phase 4 Property to include additional Units and other improvements of a less significant nature;

WHEREAS, a final plat for the Holbrook Farms Plat B, Phase 4 has been or will be recorded with the County Recorder for Utah County, Utah (the “Holbrook Farms Plat B, Phase 4 Plat”); and

WHEREAS, Boyer Holbrook Residential now intends that the Holbrook Farms Plat B, Phase 4 Property and the Lots and Units thereon shall be subject to and burdened and benefitted by the Master Declaration.

SUPPLEMENT TO DECLARATION

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners, Boyer Holbrook Residential hereby executes this Supplement to the Master Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Holbrook Farms (this “Supplement to Declaration”). Unless otherwise defined herein, capitalized terms are defined in the Master Declaration.

1. Legal Description. The real property defined herein as the Holbrook Farms Plat B, Phase 4 Property subject to this instrument is more fully described in Exhibit “A” hereto.

2. Annexation. Consistent with the rights and authority reserved to Declarant and it assigns in the Master Declaration, the Holbrook Farms Plat B, Phase 4 Property shall be and hereby is annexed into the Project and made subject to the Master Declaration, which, upon recordation of the Plat B, Phase 4 Plat and this Supplement to Declaration, shall constitute and effectuate the expansion of the Project making the Holbrook Farms Plat B, Phase 4 Property subject to the powers, rights, duties, functions, and jurisdiction of the Holbrook Farms Master Association (the “Master Association”), the Master Association’s Design Review Board, and the Master Association Design Guidelines. Said land and the Lots and Units thereon shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Master Declaration, as it may be further supplemented or amended from time to time.

3. Description of the Project, as Supplemented by this Supplement to Master Declaration. The initial plat(s) for Holbrook Farms Plat A Phases 1, 2 and 7, collectively, included 119 Units. The Holbrook Farms Plat A, Phase 6A Plat, as amended, added an additional 20 Units (Lots 601 through 620). The Holbrook Farms Plat A, Phase 4 Plat added an additional 52 Units (Lots 401 through 452). The Holbrook Farms Plat A, Phase 8 Plat added an additional 55 Units (Lots 801 through 855). The Holbrook Farms Plat A, Phase 5A Plat added an additional 19 Units (Lots 501 through 519). The Holbrook Farms Plat A, Phase 6B Plat added an additional 6 Units (Lots 621 through 626). The Holbrook Farms Plat B, Phase 1 Plat added an additional 51 Units (Lots 101 through 151). The Holbrook Farms Plat A, Phase 3 Plat added an additional 18 Units (Lots 301 through 318). The Holbrook Farms Plat B, Phase 3 Plat added an additional 76 Units (Lots 301 through 376). The Holbrook Farms Plat A, Phase 9 Plat added an additional 41 Units (Lots 901 through 941). The Holbrook Farms Plat B, Phase 2 Plat added an additional 73 Units (Lots 201 through 273). The Holbrook Farms Plat B, Phase 5 Plat added an additional 11 Units (Lots 501 through 511). The Holbrook Farms Plat B, Phase 6 Plat added an additional 26 Units (Lots 2601 through 2626). The Holbrook Farms Plat B, Phase 4 Plat added an additional 57 Units (Lots 401 through 457) and upon recording of this Supplement to Master Declaration, the total number of Units in the Project will be 624 Units.

4. Benefitted Common Area. The Holbrook Farms Plat B, Phase 4 Property includes includes certain Common Area to be owned, administered, and maintained by the Master

Association, including Parcels A, B and C and private roadways, as depicted on the Holbrook Farms Plat B, Phase 4 Plat. Specifically, Parcels A and B and the private roadways are intended and shall be primarily for the use and benefit of all the Lots on the Plat B, Phase 4 Property and the respective Owners thereof. Consistent with the rights and authority reserved to the Declarant and its assigns in the Master Declaration, Boyer Holbrook Residential hereby designates Parcels A and B and the private roadways as Benefitted Common Area primarily for the use and benefit of Lots 401 through 457 and the Owners thereof. Consistent with the Master Declaration, Owners of Lots 401 through 457 may be subject to Benefitted Common Area Assessments for the Benefitted Common Area Expense for Parcel A and B and the private roadways.

Additionally, Parcel C, as depicted on the Holbrook Farms Plat B, Phase 4 Plat, is intended and shall be primarily for the use and benefit of the Owners of the attached townhomes that are or will be constructed on Lots 431 through 456. Consistent with the rights and authority reserved to the Declarant in the Master Declaration, Boyer Holbrook Residential hereby designates Parcel C as Benefitted Common Area primarily for the use and benefit of Lots 431 through 456 and the Owners thereof. Consistent with the Master Declaration, Owners of Lots 431 through 456 may be subject to Benefitted Common Area Assessments for the Benefitted Common Area Expense for Parcel C.


5. Service Areas. Holbrook Farms Plat B, Phase 4 includes detached single-family homes Lots and attached townhome Lots. Different services may be provided by the Holbrook Farms Master Association for each distinct type of housing. To facilitate the equitable allocation of the expenses of any such service to the Lots and the Owners primarily benefitting therefrom, Boyer Holbrook Residential hereby establishes a distinct Service Area for the attached townhome Lots in Holbrook Farms Plat B, Phase 4 (Lots 431 through 456) and a distinct Service area for the detached single-family home Lots (401 through 430 and 457). The Service Area established herein for the attached townhome Lots may, in the Master Association's discretion, be combined with the Service Area established for the attached townhome in Holbrook Farms Plat B Phase 3. Similarly, the Service Area established herein for the detached single-family home Lots may, in the Master Association's discretion, be combined with the Service Area established for the detached single-family home Lots in Holbrook Farms Plat B Phase 3.

6. Covenants, Conditions and Restrictions Run with the Land. This Supplement to Declaration and the Terms and Conditions established herein are binding on each Owner and his/her/their assigns and successors in interest and are intended to and shall run with the land.

[Remainder of this page intentionally left blank
Signature page to follow]

Dated this 30 day of April, 2019.

BOYER HOLBROOK RESIDENTIAL, L.C.


By: 
Signature

Brian Gochnour
Printed
Manager

Its: _____

STATE OF UTAH)
COUNTY OF Salt Lake) ss
)

On this 30th, day of April, 2019, personally appeared before me Brian Gochnour, whose identity is personally known to me, or proven on the basis of satisfactory evidence and who by me duly sworn/affirmed, did say that he/she is the duly authorized representative of the company and that said document was signed by him/her on behalf of said company with all necessary authority, and acknowledged to me that said company executed the same.


Notary Public

My commission expires:

Sept. 06, 2019

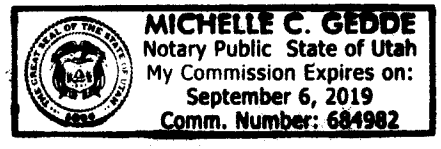


EXHIBIT A

LEGAL DESCRIPTION

Holbrook Farms Plat B, Phase 4, Lots 401 through 457, inclusive, as shown on the official subdivision final plat on file and of record with the County Recorder for Utah County, Utah recorded on April 26, 2019 as Entry No. 2019-16530, and appurtenant Common Area and Facilities.

Parcel Nos. 41:929:0401 through 0457.