

WHEN RECORDED RETURN TO:
IVORY DEVELOPMENT, LLC
Brad Mackay
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 268-0700

ENT 40962:2012 PG 1 of 5
Jeffery Smith
Utah County Recorder
2012 May 17 08:46 AM FEE 55.00 BY EO
RECORDED FOR Cottonwood Title Insurance Ag
ELECTRONICALLY RECORDED

**SECOND SUPPLEMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE WALK AT IVORY RIDGE PLAT C**

This Second Supplement to the Declaration of Covenants, Conditions and Restrictions for The Walk at Ivory Ridge Plat C is made and executed by IVORY DEVELOPMENT, LLC., a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Master Declaration Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements of Ivory Ridge Properties for Clubview Towns at Ivory Ridge Plat A, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on November 14, 2006 as Entry No. 152736:2006 at Pages 1-73 of the Official Records (as amended and supplemented the "Master Declaration").

Whereas, the related Map for the Ivory Ridge Properties has been recorded in the office of the County Recorder of Utah County, Utah and may be amended or supplemented from time to time.

Whereas, pursuant to the Declaration, the Declaration of Covenants, Conditions and Restrictions for Clubview Towns at Ivory Ridge Plat A, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on November 21, 2006 as Entry No. 156291:2006 at Pages 1-53 of the Official Records (as amended and supplemented the "Declaration").

Whereas, the related Map for Clubview Towns at Ivory Ridge Plat A of the Project has been recorded in the office of the County Recorder of Utah County, Utah and may be amended or supplemented from time to time.

Whereas, the First Supplement to the Declaration of Covenants, Conditions and Restrictions for Clubview Towns at Ivory Ridge Plat B, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on May 2, 2007 as Entry

No. 64590:2007 at Pages 1-4 of the Official Records of the County Recorder of Utah County, Utah (the "First Supplement").

Whereas, the related Map for Clubview Towns at Ivory Ridge Plat B has been recorded in the office of the County Recorder of Utah County, Utah.

Whereas, the Second Supplement to the Declaration of Covenants, Conditions and Restrictions for The Walk at Ivory Ridge Plat A was recorded in the office of the County Recorder of Utah County, Utah on May 9, 2008 as Entry No. 55168:2008 at Pages 1-4 of the official records (the "Second Supplement").

Whereas, the related Map for The Walk at Ivory Ridge Plat A has been recorded in the office of the County Recorder of Utah County, Utah and may be amended or supplemented from time to time.

Whereas, the Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for The Walk at Ivory Ridge was recorded in the office of the County Recorder of Utah County, Utah on June 15, 2010 as Entry No. 49458:2010 at Pages 1-52 of the official records (the "The Walk Declaration").

Whereas, under Section 16 of The Walk Declaration, Declarant reserved the unilateral right to expand the Project to annex additional land and expand the application of the Walk Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference (the "The Walk at Ivory Ridge Plat C Property").

Whereas, Declarant desires to expand the planned community development by creating on The Walk at Ivory Ridge Plat C Property additional Lots, Common Area, and other improvements of a less significant nature.

Whereas, Declarant now intends that The Walk at Ivory Ridge Plat C Property shall become subject to the Master Declaration, Declaration, and The Walk Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, Declarant hereby executes this Second Supplement to the Declaration of Covenants, Conditions and Restrictions for The Walk at Ivory Ridge Plat C.

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

- A. **Second Supplemental Declaration** shall mean and refer to this Second Supplement to the Declaration of Covenants, Conditions and Restrictions for The Walk at Ivory Ridge Plat C.

- D. **The Walk at Ivory Ridge Plat C Map** shall mean and refer to the Map of The Walk at Ivory Ridge Plat C of the Project, 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 Utah County, Utah concurrently with the filing of this Second Supplemental Declaration.
- E. **Subdivision** shall mean and refer to the planned community development known as The Walk at Ivory Ridge Plat C, as it may be amended or expanded from time to time, unless the context clearly requires the Ivory Ridge Properties or the Clubview Towns at Ivory Ridge Neighborhood (which includes The Walk at Ivory Ridge).

Except as otherwise herein provided, the definition of terms contained in the Master Declaration and 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 Master Declaration, Declaration, and The Walk Declaration, and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of thereof as they may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that The Walk at Ivory Ridge Plat C Property shall be annexed to and become subject to the Master Declaration, Declaration, and The Walk Declaration, which, upon recordation of this Second Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to the Master Declaration, Declaration, and The Walk Declaration, and the corresponding Associations and the Architectural Review Committees.

4. **Description of Property and Total Number of Lots Revised.** The Walk at Ivory Ridge Plat A consists of 50 Lots. The Walk at Ivory Ridge Plat B consists of 28 Lots. As shown on The Walk at Ivory Ridge Plat C Map, 34 new Lots, Numbers 79-112, Common Area and other improvements of a less significant nature are or will be constructed and/or created in the Project on The Walk at Ivory Ridge Plat C Property. Upon the recordation of The Walk at Ivory Ridge Plat C Map and this Second Supplemental Declaration, the total number of Lots in the Project will be 112. The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

5. **Severance.** If any provision of this Second Supplemental Declaration is held to be illegal, invalid, or unenforceable under any present or future law, then that provision will be fully severable. This Second Supplemental Declaration will be construed and enforced as if the illegal, invalid, or unenforceable provision had never comprised a part hereof, and the remaining provisions of this Second Supplemental Declaration will remain in full force and effect and will not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Second Supplemental Declaration. Furthermore, in lieu of each such illegal, invalid, or

EXHIBIT "A"
LEGAL DESCRIPTION

The Property referred to in the foregoing document as The Walk at Ivory Ridge Plat C Property is located in Utah County, Utah and is described more particularly as follows:

THE WALK AT IVORY RIDGE PLAT "C"

05/02/12

BEGINNING AT A POINT LOCATED NORTH 89°56'33" WEST, 47.28 FEET ALONG THE SECTION LINE AND NORTH 00°03'27" EAST, 748.85 FEET FROM THE EAST QUARTER CORNER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
THENCE RUNNING ALONG THE BOUNDARY OF THE RECORDED PLAT "THE WALK AT IVORY RIDGE PLAT "B" THE FOLLOWING (7) COURSES; (1) WEST, 162.32 FEET; (2) NORTH, 79.28 FEET; (3) WEST, 269.50 FEET; (4) NORTH, 38.52 FEET; (5) WEST, 56.50 FEET, (6) SOUTH, 101.58 FEET; (7) WEST, 111.99 FEET; THENCE NORTH 00°04'54" WEST, 558.36 FEET; THENCE SOUTH 89°10'51" EAST, 47.17 FEET; THENCE SOUTHEASTERLY 99.86 FEET ALONG THE ARC OF A 92.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 58°05'12" EAST, 95.03 FEET); THENCE SOUTH 26°59'33" EAST, 52.03 FEET; THENCE SOUTHEASTERLY 100.60 FEET ALONG THE ARC OF A 143.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 47°08'50" EAST, 98.54 FEET); THENCE SOUTHEASTERLY 118.38 FEET ALONG THE ARC OF A 378.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 76°16'27" EAST, 117.90 FEET); THENCE SOUTH 85°14'47" EAST, 60.15 FEET; THENCE 85.86 FEET ALONG THE ARC OF A 1028.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 87°38'22" EAST, 85.84 FEET); THENCE NORTH 89°58'04" EAST, 91.16 FEET; THENCE SOUTHEASTERLY 40.86 FEET ALONG THE ARC OF A 26.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 45°00'58" EAST, 36.78 FEET); THENCE SOUTH, 347.84 FEET TO THE POINT OF BEGINNING.

CONTAINS: 5.258 ACRES