

WHEN RECORDED RETURN TO:  
Ivory Development, LLC  
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(801) 747-7440

**FIRST SUPPLEMENT  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND  
RESERVATION OF EASEMENTS  
FOR  
EAGLE COVE PLAT B**

This First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Eagle Cove Plat B is made and executed by Ivory Development, LLC., a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

**RECITALS**

A. Whereas, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Eagle Cove Plat A was recorded in the office of the County Recorder of Utah County, Utah on April 1, 2016 as Entry No. 27919:2016 at Pages 1-16 of the official records (the "Declaration").

B. Whereas the related Plat Map for Plat A has also been recorded in the office of the County Recorder of Utah County, Utah (the "Plat A Final Plat").

C. Whereas, under Article 4 of the Declaration, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

D. 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-2" attached hereto and incorporated herein by this reference (the "Plat B Property").

E. Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

F. Whereas, Declarant desires to expand the subdivision by creating on the Plat B Property additional Lots.

G. Whereas, Declarant now intends that the Plat B Property shall become subject to the Declaration.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this First Supplement to the Declaration.

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

a. **First Supplemental Declaration** shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Eagle Cove Plat B.

b. **Plat B Map** shall mean and refer to the Plat Map of Plat B of the Project, prepared and certified to by Ryan W. Hall, a duly registered Utah Land Surveyor holding Certificate No.6310734, and filed for record in the Office of the County Recorder of Utah County, Utah concurrently with the filing of this First Supplemental Declaration.

c. **Subdivision** shall mean and refer to Eagle Cove Plat A and Plat B, as it may be supplemented from time to time.

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

2. **Legal Description.** The real property described in Exhibit A-2 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Plat B Property shall be annexed to and become subject to the Declaration, which, upon recordation of this First Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the Plat B Map, thirty-eight (38) new residential Lots, Numbers 30-67, inclusive, and an area known as "Ex. Detention Pond/Open Space" which has been or will be dedicated to Spanish Fork City are or will be constructed and/or created in the Project on the Plat B Property. Upon the recordation of the Plat B Map and this First Supplemental Declaration, the total number of Lots in the Project will be sixty-seven (67) 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. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this First Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the First Supplement, and the



**EXHIBIT "A-2"****LEGAL DESCRIPTION  
BOUNDARY - EAGLE COVE PLAT B**

The Property referred to in the foregoing document as the Eagle Cove Plat B or the Plat B Property is located in Utah County, Utah and is described more particularly as follows:

A PORTION OF SECTION 29, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, LOCATED IN SPANISH FORK, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PLAT "A", EAGLE COVE SUBDIVISION, SAID POINT BEING LOCATED S89°17'15"W ALONG THE SECTION LINE 1298.40 FEET AND SOUTH 1678.99 FEET FROM THE NORTH QUARTER CORNER OF SECTION 29, T8S, R3E, S.L.B.&M.; THENCE N89°24'14"E 113.37 FEET; THENCE S0°35'46"E 11.26 FEET; THENCE N89°26'50"E 101.90 FEET; THENCE S0°33'13"E 56.17 FEET; THENCE N89°26'47"E 166.08 FEET; THENCE N0°33'13"W 53.37 FEET; THENCE N89°26'47"E 153.98 FEET; THENCE N0°33'13"W 12.90 FEET; THENCE EAST 105.00 FEET TO THE WEST LINE OF CANYON SOUTH SUBDIVISION; THENCE S0°33'13"E ALONG SAID LINE 838.30 FEET TO THE NORTH LINE OF CANYON VIEW SUBDIVISION; THENCE S89°19'32"W ALONG SAID LINE 641.46 FEET; THENCE N0°42'09"W 400.62 FEET; THENCE N0°16'25"W 441.14 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±12.04 ACRES