

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

ENT 45747:2014 PG 1 of 6
Jeffery Smith
Utah County Recorder
2014 Jul 03 10:17 AM FEE 55.00 BY SS
RECORDED FOR Cottonwood Title Insurance Ag
ELECTRONICALLY RECORDED

**FOURTH SUPPLEMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,
AND EASEMENTS
FOR PARK ESTATES AT IVORY RIDGE PLAT E**

This Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions, and Easements for Park Estates at Ivory Ridge Plat E 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 Declaration of Covenants, Conditions and Restrictions for Park Estates at Ivory Ridge Plat A, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on October 13, 2010 as Entry No. 88080:2010 at Pages 1-65 of the Official Records of the County Recorder of Utah County, Utah (the "Declaration").

Whereas, the related Maps for Plat A of the Project have also been recorded in the office of the County Recorder of Utah County, Utah (the "Plat A Property").

Whereas, the First Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Estates at Ivory Ridge for Plat B, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on June 21, 2011 as Entry No. 45430:2011 at Pages 1-12 of the Official Records of the County Recorder of Utah County, Utah (the "First Supplement").

Whereas, the related Maps for Plat B of the Project have also been recorded in the office of the County Recorder of Utah County, Utah (the "Plat B Property").

Whereas, the Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Estates at Ivory Ridge for Plat C, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on July 26, 2012 as Entry No. 62046:2012 at Pages 1-5 of the Official Records of the County Recorder of Utah County, Utah (the "Second Supplement").

Whereas, the related Maps for Plat C have also been recorded in the office of the County Recorder of Utah County, Utah (the "Plat C Property").

Whereas, the Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Estates at Ivory Ridge for Plat D, a planned community development, was recorded in the office of the County Recorder of Utah County, Utah on May 16, 2013 as Entry No. 44095:2013 at Pages 1-5 of the Official Records of the County Recorder of Utah County, Utah (the "Third Supplement").

Whereas, the related Maps for Plat C have also been recorded in the office of the County Recorder of Utah County, Utah (the "Plat D Property").

Whereas, under Article III, Section 47 of the Declaration, Declarant reserved the unilateral right to expand the Project to annex additional land and expand the application of the Declaration.

Whereas, under Article III, Section 45 of the Declaration, Declarant reserved the unilateral right to amend the 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 "Plat E Property").

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

Whereas, Declarant now intends that the Plat E Property shall become subject to the Declaration, as amended and supplemented.

Whereas, the Declarant now intends that the Plat E Property be subject to and bound by the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Ivory Ridge recorded in the office of the Utah County Recorder on November 14, 2006 as Entry No. 152736:2006 of the official records as amended and supplemented (the "Master Declaration").

Whereas, Declarant now intends that the Plat E Property shall also become subject to the Declaration, as amended and supplemented.

Whereas, this document affects the real property, the Plat E Property, located in Utah County, Utah described with particularity on Exhibit "A"

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, Declarant hereby executes this Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions, and Easements for Park Estates at Ivory Ridge Plat E.

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

A. **Fourth Supplemental Declaration** shall mean and refer to this Fourth Supplement and Amendment to the Declaration of Covenants, Conditions and Restrictions, and Easements for Park Estates at Ivory Ridge Plat E.

B. **Plat E Map** shall mean and refer to the Map of Plat E of the Project, prepared and certified to by Brad A. Llewelyn of Focus Engineering & Surveying, 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 First Supplemental Declaration.

C. **Subdivision** shall mean and refer to the planned community development known as Park Estates at Ivory Ridge Plats A, B, C, D and E, as it may be amended or expanded 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," the Plat E Property, 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 Master Declaration and Declaration as amended and supplemented.

3. **Annexation.** Declarant hereby declares that the real property described in Exhibit "A," the Plat E Property, shall be and is hereby annexed to and become subject to the Master Declaration and the Declaration, which, upon recordation of this Fourth Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit "A" subject to the Master Declaration and the Declaration, as amended and supplemented, and the functions, powers, rights, duties and jurisdiction of the Master Association, this Association, and the architectural review committees.

4. **Description of Property and Total Number of Lots Revised.** As shown on the Plat E Map, thirty-four (34) new Lots, Numbers 501- 534, Common Area and other improvements of a less significant nature are or will be constructed and/or created in the

Project on the Plat E Property. Upon the recordation of the Plat E Map and this Fourth Supplemental Declaration, the total number of Lots in the Project will be One Hundred and thirty nine (139). The additional Lots and the homes to be constructed thereon are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

5. **Conflict.** In the event of a conflict between the provisions of the Master Declaration and this Fourth Supplemental Declaration the former shall in all respects govern and control. In the event of a conflict between the provisions of the Declaration and this Fourth Supplemental Declaration, the latter shall in all respects govern and control.

6. **Severance.** If any provision of this Fourth Supplemental Declaration is held to be illegal, invalid, or unenforceable under any present or future law, then that provision will be fully severable. This Fourth 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 Fourth 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 Fourth Supplemental Declaration. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there will be added automatically, as a part of this Fourth Supplemental Declaration, a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid and enforceable.

7. **Effective Date.** The effective date of this Fourth Supplemental Declaration and the Plat E Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Utah County, Utah.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this ___ day of June, 2014.

DECLARANT:
IVORY DEVELOPMENT, LLC.

By: Chris P. Gamvroulas
Name: Chris P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
SS:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 30th day of June, 2014 by Chris P. Gamvroulas, the President of IVORY DEVELOPMENT, LLC., a Utah limited liability company, and said Chris P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC. executed the same.

Brooke Siddoway
NOTARY PUBLIC

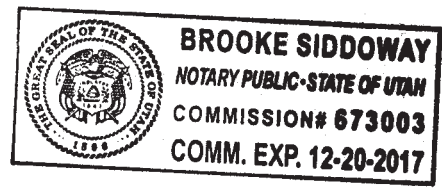


EXHIBIT "A"
LEGAL DESCRIPTION FOR PLAT E

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

BEGINNING AT A POINT ALONG THE NORTH BOUNDARY OF PARK ESTATES AT IVORY RIDGE PLAT "D" SAID POINT BEING LOCATED N89°55'06"W, 2658.38 FEET ALONG THE SECTION LINE AND N0°04'54"E, 983.50 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 32, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE N9°15'12"W, 210.35 FEET; THENCE N3°11'38"E, 63.02 FEET; THENCE N45°08'32"E, 167.66 FEET; THENCE N22°03'40"E, 227.88 FEET; THENCE EAST, 122.03 FEET; THENCE N0°00'55"W, 1039.22 FEET; THENCE S89°57'11"E, 282.79 FEET; THENCE S0°07'38"W, 418.23 FEET; THENCE EAST, 352.29 FEET; THENCE S0°03'31"W, 862.46 FEET TO A POINT ON THE NORTH BOUNDARY OF EAGLE POINT ESTATES; THENCE ALONG THE BOUNDARY OF SAID EAGLE POINT ESTATES THE FOLLOWING TWO (2) COURSES: 1) N89°57'18"W, 47.32 FEET; 2) S0°02'46"E, 258.68 FEET TO THE NORTHEAST CORNER OF SAID PARK ESTATES AT IVORY RIDGE PLAT "D"; THENCE ALONG THE BOUNDARY OF SAID PARK ESTATES PLAT "D" THE FOLLOWING ELEVEN (11) COURSES: 1) N88°33'49"W, 264.69 FEET; 2) S49°40'32"W, 181.51 FEET; 3) N40°19'28"W, 111.19 FEET; 4) 1.51 FEET ALONG A 533.38 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N32°48'07"E, 1.51 FEET); 5) N57°18'47"W, 56.00 FEET; 6) N40°21'49"W, 116.81 FEET; 7) S37°01'34"W, 87.11 FEET; 8) S49°40'32"W, 56.00 FEET; 9) S40°19'28"E, 5.87 FEET; 10) S57°45'06"W, 118.91 FEET; 11) S77°39'31"W, 95.42 FEET TO THE POINT OF BEGINNING.

CONTAINS: 21.95 ACRES

Parcel Nos. 11-033-0276 and 11-033-0269