



WHEN RECORDED RETURN TO:

Visionary Homes 2020, LLC  
2427 North Main  
Logan, UT 84341

**SUPPLEMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS FOR ARCHIBALD ESTATES TOWNHOMES  
(Plat "M")**

This Supplement to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Archibald Estates Townhomes ("**Supplemental Declaration**") is executed and adopted by Visionary Homes 2020, LLC, a Utah limited liability company ("**Declarant**").

**RECITALS**

A. This Supplemental Declaration shall modify and supplement the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Archibald Estates Townhomes ("**Declaration**") recorded with the Box Elder County Recorder's Office on February 19, 2021 as Entry No. 427251.

B. Visionary Homes 2020, LLC is the Declarant as identified and set forth in the Declaration and is also the owner of all real property subject to this Supplemental Declaration.

C. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land. Declarant now desires to add a portion of the Additional Land as hereinafter provided.

D. Unless otherwise defined herein, capitalized terms shall have the meanings set forth in the Declaration.

**ANNEXATION**

**NOW THEREFORE**, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Subject Property**") is submitted to and properly annexed into the Declaration.

2. Plat. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the

Declaration, are more particularly set forth on the **ARCHIBALD ESTATES PLAT "M"** map, which plat map is recorded with the County Recorder.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Lot within the Subject Property shall be a member of the Archibald Estates Townhome Association. Voting and the apportionment of the Association's Common Expenses shall be as set forth in the Declaration.

5. Maintenance. In addition to the Association's general maintenance responsibilities described in the Declaration, the Association shall also own, maintain, repair and replace the private roads located on the Subject Property as identified as 910 North, 960 North, 920 West, 935 West, and 960 West and all appurtenant facilities and Common Areas. If the maintenance responsibility for any item or facility is not specifically identified in this Supplemental Declaration or the Declaration, then the Association may allocate the maintenance responsibility to Owners or itself, in its sole discretion, through a Board resolution or similar document. All costs incurred for the maintenance described in this Section shall be part of the Common Expenses.

6. Storm Water Easement. The Association and all Owners acknowledge and agree that there shall be a perpetual easement for the collection of storm water from roads adjacent to the Project (and specifically including the storm drain catch basin located on 1000 North) and a perpetual easement for the storage of such storm water in the Association's storm water detention pond or other similar storm water facilities, and that such water will ultimately be released into the City's storm drain system.

7. Reservation of Declarant's Rights. Pursuant to the Declaration, all rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration.

8. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Box Elder County Recorder.

\* \* \* \*

<sup>35</sup> IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration this 1<sup>st</sup> day of March, 2024.

**DECLARANT**  
**VISIONARY HOMES 2020, LLC**  
a Utah limited liability company

By: \_\_\_\_\_

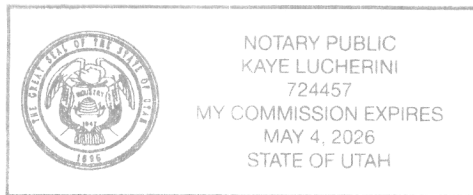
Name: Craig Winder

Title: Authorized Agent

STATE OF UTAH )  
 ) ss.  
COUNTY OF Cache )

On the 1 day of March, 2024, personally appeared before me Craig Winder who by me being duly sworn, did say that she/he is an authorized representative of Visionary Homes 2020, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: Kaye Lucherini



**EXHIBIT A**  
**SUBJECT PROPERTY**  
(Legal Description)

All of **ARCHIBALD ESTATES PLAT "M"**, according to the official plat filed in the office of the Box Elder County Recorder on December 13, 2022, as Entry Number 459356.

Including 59 Townhome Lots and common area

**Parcel Numbers: 05-256-0002 through 05-256-0060**