

5/10/02

After recordation, return to:

LeGrand Woolstenhulme
2230 North University Parkway
Building 2 F
Provo, UT 84604

← M

ENT 48677:2000 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2000 Jun 21 1:41 pm FEE 31.00 BY SB
RECORDED FOR WOOLSTENHULUM, LEGRAND

FIFTH SUPPLEMENT TO
DECLARATIONS OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS
OF
DAVENCOURT AT PILGRIMS LANDING
A Planned Unit Development (Expandable)

Lehi, Utah County, Utah

THIS FIFTH SUPPLEMENT TO DECLARATION is made as of this 12 day of June, 2000 by DAVENCOURT AT PILGRIMS LANDING, LC., a Utah limited liability company (the "Declarant"), pursuant to the following:

RECITALS:

- A. Declarant is the developer of Davencourt at Pilgrims Landing, an expandable Planned Unit Development in Lehi, Utah (the "Development").
- B. On or about December 3rd, 1998, Declarant caused to be recorded as Entry No.124918, Book 4882, Page 887, in the office of the Recorder of Utah County, Utah, that certain Declaration of Easements, Covenants, Conditions and Restrictions of Davencourt at Pilgrims Landing, A Planned Unit Development (Expandable), Lehi, Utah County, Utah (the "Declaration") relating to the Development.
- C. Pursuant to §3.03 of the Declaration, Declarant is permitted to annex into the Development additional real property ("Additional Land") as set forth and described in the Declaration (including any exhibit thereto) for purposes of development into additional Lots and Common Areas, if any, consistent with the existing Phases of the Development and with the Declaration.
- D. Declarant desires to annex a portion of the Additional Land into the Development for development as Phase "VI" of the Development.

NOW, THEREFORE, Declarant hereby declares as follows:

- 1. All defined terms as used in this Fifth Supplement to Declaration shall have the same meaning as those set forth and defined in the Declaration.
- 2. The following described real property situated in the city of Lehi, Utah County, and State of Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed into the Development to be held, transferred, sold, conveyed and occupied as a part thereof:

TOGETHER WITH all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying the above-described parcel of real property, whether or not the same are reflected on the Plat.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through, and under, the said property and any improvements (including buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant (in a manner which is reasonable and consistent with the provisions of the Declaration): (i) to construct and complete each of the buildings and Units and all of the other improvements described in the Declaration or in the Plat recorded concurrently herewith, and to do all things reasonably necessary or proper on connection therewith; (ii) to construct and complete on the Additional Land or any portion thereof such improvements as Declarant shall determine to build in its sole discretion (and whether or not the Additional Land or any portion thereof has been or hereafter will be added to the Development); and (iii) to improve portions of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all the

EXHIBIT A
TO
FIFTH SUPPLEMENT TO
DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS
Of
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A Planned Unit Development (Expandable)

Lehi, Utah County, Utah

THIS DESCRIPTION OF THE ADDITIONAL ALAND IS SET FORTH AND ATACHED IN THIS EXHIBIT A TO THE DECLARATION SOLEY FOR PURPOSES OF IDENTIFICATION. THE DECLARATION NOT INTENDED AS ANDSHOULD NOT BE DEEMED TO CONSTITUTE ANY LIEN, ENCUMBRANCE, RESTRICTION, OR LIMITATION UPON ANY PORTION OF THE EXPANSION LAND UNLESS AND UNTIL SUCH PORTION IS ADDED TO THE DEVELOPMENT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

Located in Lehi City, Utah County Utah:

PLAT 6
DAVENCOURT @
PILGRIM'S LANDING

Commencing at a point which is N 89°51'26" W 385.36 feet, from the South Quarter Corner of Section 25, Township 4 South, Range 1 West, Salt Lake Base & Meridian said point being the POINT OF BEGINNING;
thence N 89°51'26" W 211.34 feet,
thence N 0°00'00" E 64.84 feet,
thence N 7°14'34" W 65.44 feet,
thence N 0°00'00" E 94.53 feet,
thence N 90°00'00" E 218.59 feet,
thence S 0°15'14" E 224.82 feet,
to the POINT OF BEGINNING;

Containing 1.1110 acres, more or less.