

ENT 70803 BK 4374 PG 688  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
1997 Sep 11 9:25 am FEE 53.00 BY JW  
RECORDED FOR WESTBRIDGE

SUPPLEMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
WESTBRIDGE DEVELOPMENT  
A PLANNED UNIT DEVELOPMENT

(Phase III)

THIS SUPPLEMENT TO DECLARATION is made and executed effective the 22 day of August, 1994, by WESTBRIDGE HOMEOWNERS ASSOCIATION, INC., a Utah corporation with its principal place of business located in Provo City, State of Utah, (hereinafter referred to as "Association") and KADD DEVELOPMENT, L.C., a Utah limited liability company (hereinafter referred to as "KADD").

RECITALS:

A. On or about the 16th day of October, 1974, Westbridge Development, Inc., a Utah corporation, as Declarant, made and executed that certain "Declaration of Covenants, Conditions and Restrictions" for Westbridge Homeowners Association, a Planned Unit Development, with respect to the certain real property located in Provo City, Utah County, State of Utah, now known as Westbridge (herein the "Declaration"), which Declaration was recorded in the office of the County Recorder of Utah County, State of Utah, on the \_\_\_th day of \_\_\_\_\_, 1974, in Book 1391, beginning at Page 340, as Entry No. 18857.

B. Under the terms of the Declaration, additional real properties and/or Common Area can be annexed to the Properties with the consent of two-thirds (2/3) of the Members, and KADD now desires to do annex the Property hereinafter described.

C. KADD is the record owner of that certain tract of real property more particularly described in Paragraph 1 of this Supplemental Declaration, which real property KADD desires to subject to the terms and conditions of the Declaration.

D. Association represents and warrants that not less than two-thirds (2/3) of the Members have granted their consent to the annexation in accordance with the provisions of Section 6.04 of the Declaration.

NOW, THEREFORE, in consideration of the recitals set forth hereinabove, the Association and KADD hereby declare and certify as follows:

1. Submission of Plat. KADD hereby submits the following described real properties, and its interests therein, to the terms, conditions, restrictions, covenants and easements to the terms of the Declaration:

SEE EXHIBIT "A" ATTACHED HERETO

EXCLUDING all presently existing or to be constructed or installed sewer lines, water mains, gas lines, electrical conduits, telephone lines, and related facilities to the extent that they are located outside the Lots included with the above-described tract; provided, however, that lines and systems specifically conveyed to the Association by KADD shall not be included within this exclusion.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across and through and under the above-described tract and any improvements now or hereafter constructed thereon as may be reasonably necessary for KADD or any assignee of KADD (in a manner which is reasonable and not inconsistent with the provisions of the Declaration): (i) to construct improvements on each and every Lot; and (ii) to improve the Common Areas with such facilities, including, but not limited to, roads, recreational facilities, walkways and various landscaped areas, designed for the use and enjoyment of all the Members as KADD may reasonably determine to be appropriate. If, pursuant to the foregoing reservation, the above-described tract or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservation hereby effected shall, unless sooner terminated in accordance with its terms, expire seven (7) years after the date on which this Supplemental Declaration is filed for record in the office of the County Recorder of Utah County, Utah.

ALL OF THE FOREGOING IS SUBJECT TO: All liens for current and future taxes, assessments and charges imposed or levied by governmental or quasi-governmental authorities; all patent reservations and exclusions; all mineral reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of

record which affect the above-described tract or any portion thereof, including without limitation, any mortgage or deed of trust; all visible easements and rights-of-way; and all easements and rights-of-way of record.

Such real property submitted to the terms of the Declaration by this Supplemental Declaration shall hereafter be known as "Westbridge Planned Unit Development, Phase III."

2. Westbridge Planned Unit Development, Plat. The annexation of the real property described above as Westbridge Planned Unit Development, Phase III, shall become effective upon the recordation in the office of the Utah County Recorder of a Plat for such real property simultaneously with the recordation of this Supplemental Declaration.

3. Effect of Submission. KADD declares that the annexed real property is to be held, sold, conveyed, encumbered, leased, occupied and improved as part of the Property and subject to the terms of the Declaration.

4. Representations of Association. Association represents as follows:

a. The annexed real property has been accepted by the Association as part of the "Properties" as defined in the Declaration by a vote of not less than two-thirds (2/3) of the Members, all in accordance with the Declaration and the Articles and Bylaws of the Association.

b. Assessments upon the Lots in Westbridge Planned Unit Development, Phase III, shall commence as to each such Lot on the 1st day of each month immediately following the conveyance of the same to an Owner.

5. Effective Date. This Supplemental Declaration shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, Utah.

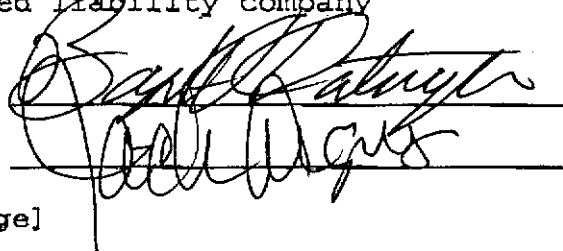
EXECUTED the day and year first above written.

KADD:

KADD DEVELOPMENT, L.C., a Utah limited liability company

By

By



[signatures continued on next page]

WESTBRIDGE HOMEOWNERS ASSOCIATION, INC., a Utah Corporation

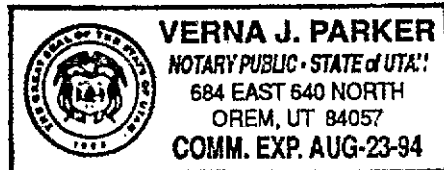
By William Kent Summers, President

STATE OF UTAH )  
: ss  
COUNTY OF UTAH )

On the 22 day of August, 1994, personally appeared before me William Kent Summers, who being by me duly sworn did say that he is the President of WESTBRIDGE HOMEOWNERS ASSOCIATION, INC., and that the within and foregoing instrument was signed on behalf of said corporation by authority of a Resolution of its Board of Directors and said \_\_\_\_\_ duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Verna J. Parker  
NOTARY PUBLIC, Residing at:  
684 E 640th Orem, UT 84057

My Commission Expires:  
Aug - 23 - 1994

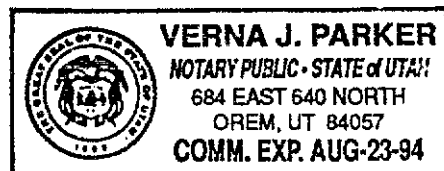


STATE OF UTAH )  
: ss  
COUNTY OF UTAH )

On the 22 day of August, 1994, personally appeared before me Burt [unclear] and [unclear], who being by me duly sworn did say that they are the Managers of KADD DEVELOPMENT, L.C., and that the within and foregoing instrument was signed on behalf of said limited liability company by authority of the Articles of Organization and/or an Operating Agreement and the said Burt [unclear] and [unclear] duly acknowledged to me that said company executed the same.

Verna J. Parker  
NOTARY PUBLIC, Residing at:  
684 E 640th Orem, UT 84057

My Commission Expires:  
Aug - 23 - 1994





# A.L.M. & Associates, Inc.

## Engineering & Development

2230 North University Parkway, Building 6C, Provo, Utah 84604

Phone: (801) 374-6262

Fax: (801) 374-0085

September 11, 1997  
Westbridge Phase 3-4 Combined

ENT 70803 BK 4374 Pg 691-1

Commencing at a point located North 89-37-53 East along the section line 75.64 feet and South 245.99 feet from the North 1/4 corner of Section 11, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence North 89-44-24 East 83.21 feet; thence North 89-08-58 East 114.77 feet; thence North 89-59-15 East 159.15 feet; thence South 52-03-00 East 138.03 feet; thence South 230.86 feet; thence West 233.52 feet; thence North 160.59 feet; thence West 148.15 feet; thence South 00-24-03 East 96.58 feet; thence South 89-35-57 West 5.00 feet; thence South 00-24-03 East 236.16 feet; thence North 89-39-10 West 95.01 feet; thence North 00-24-03 West 257.21 feet; thence North 06-29-31 West 54.32 feet; thence North 00-29-34 East 23.66 feet; thence North 08-00-00 East 151.87 feet to the point of beginning.

Area = 3.19 Acres