

When Recorded, Mail to:
Legacy Properties and Investments, L.C.
1402 West State Street
Pleasant Grove, Utah 84062

ENT 79603:2000 PG 1 of 13
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2000 Oct 10 10:58 am FEE 83.00 BY ML
RECORDED FOR LEGACY PROPERTIES & INVESTM

**SUPPLEMENT NO. 1 TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CANYON HEIGHTS AT CEDAR HILLS**

THIS SUPPLEMENT NO. 1 TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CANYON HEIGHTS AT CEDAR HILLS (this "Supplement No. 1") is made this ____ day of August, 2000, by LEGACY PROPERTIES AND INVESTMENTS, L.C., a Utah limited liability company ("Declarant").

RECITALS:

A. On January 10, 2000 Declarant caused to be recorded in the Office of the Recorder of Utah County, Utah the subdivision plat for Canyon Heights at Cedar Hills Plat A.

B. In connection with the creation of Canyon Heights at Cedar Hills Plat A, Declarant caused to be recorded in the Office of the Recorder of Utah County, Utah that certain Declaration of Covenants, Conditions and Restrictions for Canyon Heights at Cedar Hills dated December 15, 1999 (the "Initial Declaration"). The Initial Declaration was recorded in the Office of the Recorder of Utah County, Utah on January 10, 2000 as part of the Development Agreement which was recorded as Entry No. 2362:2000 at Pages 56 through 78. The Initial Declaration was re-recorded in the Office of the Recorder of Utah County, Utah on August ____, 2000 as Entry No. ____ at pages ____ through _____. The Initial Declaration pertains to and affects the real property described on Exhibit "A-1" attached to this Supplement No. 1 and incorporated herein by this reference.

C. Section 9.12 of the Initial Declaration refers to certain "Additional Land" which adjoins or is in the vicinity of Canyon Heights at Cedar Hills, which Additional Land is identified on Exhibit "B" attached to the Initial Declaration. Section 9.12 of the Initial Declaration provides that the Declarant may subdivide all or part of the Additional Land and may then add it to the "Subdivision," which is subject to the Initial Declaration. Section 9.12 of the Initial Declaration provides that any of the Additional Land may be subjected to the Initial Declaration and become a part of the "Subdivision," as defined in the Initial Declaration, by recording a subdivision plat describing such Additional Land and the Lots created on it, and a supplemental declaration stating that such Additional Land has been added to the "Subdivision," and is subject to the Initial Declaration.

D. Declarant owns certain real property (the "Plat B Property") located in Utah County, Utah, which is more particularly described on Exhibit "A-2" attached to this Supplement No. 1 and incorporated herein by this reference. The Plat B Property comprises a portion of the real property which is identified as the Additional Land in the Initial Declaration.

E. Pursuant to Section 9.12 of the Initial Declaration, Declarant intends to subdivide the Plat B Property and add it to the "Subdivision" which is subject to the Initial Declaration. Declarant will develop and convey all of the Plat B Property subject to all the covenants, conditions and restrictions as set forth in the Initial Declaration, and as supplemented and amended by this Supplement No. 1, all of which are deemed to be covenants running with the land, mutually burdening and benefiting all of the Property and each of the Lots subject to the Initial Declaration, and as supplemented and amended by this Supplement No. 1.

ARTICLE I

DECLARATION

1.1 Initial Declaration Incorporated by Reference. The Initial Declaration in its entirety is hereby incorporated by reference and made a part of this Supplement No. 1 as though it were set forth herein in its entirety. The Initial Declaration, as supplemented and amended by this Supplement No. 1, shall herein collectively be referred to as "this Declaration."

1.2 Plat B Property Subjected to this Declaration. Declarant hereby declares that all of the Plat B Property is hereby added to the Subdivision and is subject to this Declaration, and the Plat B Property, together with all of the other Property located within the Subdivision, shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to and in strict accordance with all of the terms and conditions of this Declaration, including without limitation all of the covenants, conditions and restrictions set forth herein, all of which are created for the mutual benefit of the Owners of the Property and the Lots. It is the intention of the Declarant in imposing the covenants, conditions and restrictions set forth in this Declaration to create a generally uniform pattern of development of the Property and to protect and enhance the property values and aesthetic values of the Property by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners of the Lots. All of the terms and conditions of this Declaration, including without limitation all covenants, conditions and restrictions set forth herein, are intended to and shall in all cases run with the title of the land comprising the Property and shall be binding upon the Owners, their successors, assigns, heirs, lien holders, and any other person holding any interest in the Property and shall inure to the benefit of all other Property in the Subdivision. All of the terms and conditions of this Declaration, including without limitation the covenants, conditions and restrictions set forth herein, shall be binding upon Declarant as well as all of Declarant's successors in interest, and may be enforced by Declarant, by the Architectural/Technical Committee, or by any Owner.

Notwithstanding the foregoing, no provisions of this Declaration shall prevent Declarant from the completion of any Subdivision Improvements, or from using any Lot owned by Declarant as a model home, temporary construction or sales office, nor limit Declarant's right to post signs or engage in other reasonable activities on the Property incidental to sales or construction which are in compliance with the applicable ordinances of Cedar Hills.

ARTICLE II

DEFINITIONS

2.1 All of the terms which are defined in the Initial Declaration shall continue to have the same meaning when used in this Declaration, except with respect to the following terms, which are hereby amended to have the following meanings:

“Additional Land” shall mean that certain real property adjacent to or in the vicinity of the Property that is owned or controlled by Declarant, which is located in Utah County, Utah and which is identified on the amended map attached to this Supplement No. 1. as Exhibit “B” and incorporated herein by this reference, which map of the Additional Land identifies the location of the Property in relation to the Additional Land.

“Declaration” shall mean the Initial Declaration as supplemented and amended by this Supplement No. 1, together with any subsequent supplements, amendments or additions, and any other matters or conditions shown on the official Plat of the Subdivision, which are incorporated into this Declaration by reference.

“Lot” shall mean any numbered building Lot shown on the Plat of the Subdivision.

“Owner” shall mean the person or persons having title to any Lot or other parcel of Property as shown on the Plat of the Subdivision. Owner shall mean the person holding fee simple title, including the Declarant, and buyers under any contract for deed, but shall exclude any person or entity holding title for purposes of securing performance of an obligation.

“Plat” shall mean the Plats of the Subdivision known as Canyon Heights at Cedar Hills Plat A and Canyon Heights at Cedar Hills Plat B as approved by Cedar Hills and recorded in the Office of the Recorder of Utah County, Utah, and any amendments thereto that may be made from time to time, including the addition of subsequent phases of the Subdivision, if any, provided that any such subsequent phase of the Subdivision is made subject to the provisions of this Declaration by a supplemental declaration stating that such subsequent phase has been added to the Subdivision and is subject to this Declaration. Any such subsequent declaration must be recorded in the Office of the Recorder of Utah County, Utah.

“Property” shall mean all of the land described on the Plat of the Subdivision, including Lots, Roadways, and Open Space.

“Subdivision” shall mean the subdivision known as Canyon Heights at Cedar Hills Plat A and Canyon Heights at Cedar Hills Plat B, and all Lots and other Property within the Subdivision as shown on the Plat, and as it may be amended or expanded from time to time.

ARTICLE III

Except as expressly provided in this Supplement No. 1, all other terms and conditions of the Initial Declaration are unmodified and remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Supplement No. 1 as of the date first above written.

LEGACY PROPERTIES AND INVESTMENTS,
L.C., a Utah limited liability company

By: 

John Heiner

Title: Member

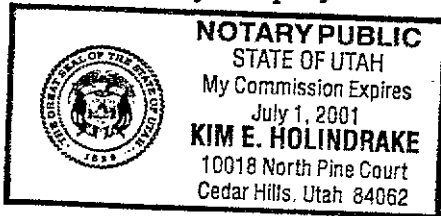
By: 

Reed Swenson

Title: Member

STATE OF UTAH)
 : SS
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 25th day of ~~August~~ ^{September}, 2000 by John Heiner in his capacity as a Member of Legacy Properties and Investment, L.C., a Utah limited liability company.



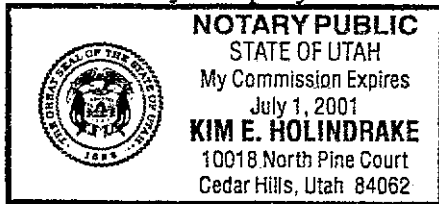
Kim E. Holindrake
NOTARY PUBLIC
Residing at: Cedar Hills, Utah

My Commission Expires:

7-1-01

STATE OF UTAH)
 : SS
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 25th day of ~~August~~ ^{September}, 2000 by Reed Swenson in his capacity as a Member of Legacy Properties and Investment, L.C., a Utah limited liability company.



Kim E. Holindrake
NOTARY PUBLIC
Residing at: Cedar Hills, Utah

My Commission Expires:

7-1-01

EXHIBIT "A-1"
TO
SUPPLEMENT NO. 1 TO THE DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR CANYON HEIGHTS AT CEDAR HILLS

Legal Description of Real Property Comprising Canyon Heights at Cedar Hills Plat A.

BOUNDARY DESCRIPTION Canyon H. - A

BEGINNING AT A BRASS CAP MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 8, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING;

THENCE SOUTH 89°39'09" WEST ALONG THE SOUTH LINE OF SAID SECTION FOR 832.55 FEET; THENCE NORTH 11°35'26" WEST FOR 488.63 FEET; THENCE NORTH 15°03'37" WEST FOR 161.45 FEET; THENCE NORTH 46°14'32" WEST FOR 189.89 FEET; THENCE NORTH 23°25'00" EAST FOR 23.97 FEET; THENCE NORTH 50°24'40" WEST FOR 145.19 FEET; THENCE NORTH 49°09'57" WEST FOR 132.98 FEET; THENCE NORTH 38°45'15" WEST FOR 106.66 FEET; THENCE NORTH 40°54'39" WEST FOR 81.07 FEET; THENCE NORTH 52°27'48" WEST FOR 92.48 FEET; THENCE NORTH 56°18'36" WEST FOR 117.55 FEET; THENCE NORTH 63°40'05" WEST FOR 103.74 FEET; THENCE NORTH 70°02'01" WEST FOR 110.18 FEET; THENCE NORTH 73°33'26" WEST FOR 126.82 FEET; THENCE NORTH 35°33'09" WEST FOR 45.89 FEET; THENCE WITH A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 229.00 FEET, WHOSE CENTER BEARS NORTH 64°30'06" WEST, WITH A CENTRAL ANGLE OF 83°03'14" (CHORD BEARING AND DISTANCE OF SOUTH 67°01'31" WEST - 303.64 FEET) FOR AN ARC DISTANCE OF 331.95 FEET; THENCE THE FOLLOWING 3 COURSES AND DISTANCES ALONG THE COTTAGES AT CANYON HEIGHTS PLAT 1 (1) WITH A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 371.00 FEET, A CENTRAL ANGLE OF 08°29'55" (CHORD BEARING AND DISTANCE OF NORTH 75°41'50" WEST - 54.98 FEET) FOR AN ARC DISTANCE OF 55.03 FEET; (2) THENCE WITH A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 229.00 FEET, WITH A CENTRAL ANGLE OF 19°20'16" (CHORD BEARING AND DISTANCE OF NORTH 70°16'39" WEST - 76.92 FEET) FOR AN ARC DISTANCE OF 77.29 FEET; (3) THENCE NORTH 60°36'31" WEST FOR 87.05 FEET; THENCE THE FOLLOWING 3 COURSES AND DISTANCES ALONG THE JORDAN AQUEDUCT - REACH 4 (1) NORTH 35°48'51" WEST FOR 36.45 FEET; (2) THENCE SOUTH 81°20'09" WEST FOR 145.10 FEET; (3) THENCE WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 94.60', WITH A CENTRAL ANGLE OF 16°00'43" (CHORD BEARING AND DISTANCE OF SOUTH 88°57'45" WEST - 26.35 FEET) FOR AN ARC DISTANCE OF 26.44 FEET TO THE N-S MIDSECTION LINE OF SAID SECTION 8; THENCE NORTH 00°57'43" WEST ALONG SAID QUARTER SECTION LINE, A DISTANCE OF 136.66 FEET; THENCE NORTH 54°16'19" EAST FOR 30.40 FEET; THENCE SOUTH 60°36'31" EAST FOR 33.43 FEET; THENCE NORTH 38°51'45" EAST FOR 168.12 FEET; THENCE ALONG A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY NO. 87095 IN BOOK 5172 AT PAGE 258 OF UTAH COUNTY RECORDS FOR THE FOLLOWING 5 COURSES, FORMERLY DESCRIBED WITH BEARINGS 00°00'05" CLOCKWISE, (1) THENCE SOUTH 44°53'53" EAST FOR 302.58 FEET; (2) THENCE NORTH 89°10'45" EAST FOR 132.05 FEET; (3) THENCE NORTH 00°34'36" WEST FOR 395.72 FEET; (4) THENCE NORTH 00°49'15" WEST FOR 894.89 FEET; (5) THENCE NORTH 79°00'58" WEST FOR 517.62 FEET; THENCE LEAVING SAID BOUNDARY LINE AGREEMENT, NORTH 00°18'12" WEST ALONG EASTERLY BOUNDARY OF MAHOGANY ACRES PLAT "B", FOR 238.44 FEET; THENCE NORTH 72°01'04" EAST FOR 488.17 FEET; THENCE WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 632.00 FEET, WHOSE CENTER BEARS SOUTH 70°45'57" WEST, WITH A CENTRAL ANGLE OF 16°34'09" (CHORD BEARING AND DISTANCE OF SOUTH 10°56'59" EAST - 182.13 FEET) FOR AN ARC DISTANCE OF 182.77 FEET; THENCE NORTH 87°20'06" EAST FOR 196.79 FEET; THENCE WITH A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 829.00 FEET, WHOSE CENTER BEARS SOUTH 86°55'33" WEST, WITH A CENTRAL ANGLE OF 02°15'17" (CHORD BEARING AND DISTANCE OF SOUTH 01°56'49" EAST - 32.62 FEET) FOR AN ARC DISTANCE OF 32.62 FEET; THENCE SOUTH 00°49'10" EAST FOR 43.92 FEET; THENCE SOUTH 74°39'10" EAST FOR 177.01 FEET; THENCE SOUTH 25°42'12" WEST FOR 112.00 FEET; THENCE SOUTH 23°51'05" EAST FOR 148.58 FEET; THENCE SOUTH 12°59'34" EAST FOR 295.58 FEET; THENCE SOUTH 55°23'03" EAST FOR 183.46 FEET; THENCE SOUTH 23°35'38" EAST FOR 744.01 FEET; THENCE SOUTH 43°46'27" EAST FOR 187.93 FEET; THENCE SOUTH 27°04'29" EAST FOR 391.95 FEET; THENCE SOUTH 72°04'29" EAST FOR 28.28 FEET; THENCE SOUTH 27°04'29" EAST FOR 68.31 FEET; THENCE NORTH 62°55'31" EAST FOR 134.00 FEET; THENCE NORTH 85°16'48" EAST FOR 51.90 FEET; THENCE NORTH 62°42'54" EAST FOR 234.87 FEET; THENCE NORTH 26°35'47" WEST FOR 629.16 FEET; THENCE NORTH 63°28'19" EAST FOR 871.51 FEET TO THE EAST LINE OF SAID SECTION 8; THENCE SOUTH 00°08'47" EAST ALONG THE EAST LINE OF SAID SECTION AND THE BOUNDARY OF THE U.S. FOREST LAND, FOR 2157.52 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 72.1185 ACRES.

EXHIBIT "A-2"

ENT 79603:2000 PG 8 of 13

TO

**SUPPLEMENT NO. 1 TO THE DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR CANYON HEIGHTS AT CEDAR HILLS**

Legal Description of Real Property Comprising Canyon Heights at Cedar Hills Plat B.

CANYON HEIGHTS PLAT B

A PARCEL OF LAND LYING WITHIN THE EAST ½ OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE EAST 1/4 CORNER OF SAID SECTION 8, SAID POINT ALSO BEING THE REAL POINT OF BEGINNING;

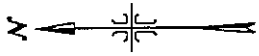
THENCE S00°08'47"E ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 491.18 FEET TO A POINT ON THE BOUNDARY OF CANYON HEIGHTS AT CEDAR HILLS PLAT "A", AS SHOWN ON THE OFFICIAL PLAT THEREOF, ON FILE WITH THE UTAH COUNTY RECORDERS OFFICE; THENCE THE FOLLOWING 20 COURSES AND DISTANCES ALONG SAID SUBDIVISION BOUNDARY, 1) S. 63°28'19" W. A DISTANCE OF 871.52 FEET; 2) THENCE S. 26°35'47" E. A DISTANCE OF 629.16 FEET; 3) THENCE S. 62°42'54" W. A DISTANCE OF 234.87 FEET; 4) THENCE S. 85°16'48" W. A DISTANCE OF 51.90 FEET; 5) THENCE S. 62°55'31" W. A DISTANCE OF 134.00 FEET; 6) THENCE N. 27°04'29" W. A DISTANCE OF 68.31 FEET; 7) THENCE N. 72°04'29" W. A DISTANCE OF 28.28 FEET; 8) THENCE N. 27°04'29" W. A DISTANCE OF 391.95 FEET; 9) THENCE N. 43°46'27" W. A DISTANCE OF 187.93 FEET; 10) THENCE N. 23°35'38" W. A DISTANCE OF 744.01 FEET; 11) THENCE N. 55°23'03" W. A DISTANCE OF 183.46 FEET; 12) THENCE N. 12°59'34" W. A DISTANCE OF 295.58 FEET; 13) THENCE N. 23°51'05" W. A DISTANCE OF 148.58 FEET; 14) THENCE N. 25°42'12" E. A DISTANCE OF 112.00 FEET; 15) THENCE N. 74°39'10" W. A DISTANCE OF 177.01 FEET; 16) THENCE N. 00°49'10" W. A DISTANCE OF 43.92 FEET TO A POINT OF CURVATURE TO THE LEFT; 17) THENCE NORTHWESTERLY A DISTANCE OF 32.62 FEET ALONG THE ARC OF A 829.00-FOOT RADIUS CURVE, HAVING A CENTRAL ANGLE OF 02°15'17", SUBTENDED BY A CHORD THAT BEARS N01°56'49"W A DISTANCE OF 32.62 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; 18) THENCE S. 87°20'06" W. A DISTANCE OF 196.79 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; 19) THENCE NORTHWESTERLY A DISTANCE OF 182.77 FEET ALONG THE ARC OF A 632.00-FOOT RADIUS CURVE, HAVING A CENTRAL ANGLE OF 16°34'09", A CHORD BEARING OF N. 10°56'59" W. A DISTANCE OF 182.13 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; 20) THENCE S. 72°01'04" W. A DISTANCE OF 488.16 FEET TO A POINT ON THE EAST BOUNDARY OF MAHOGANY ACRES PLAT "B", AS SHOWN ON THE OFFICIAL PLAT THEREOF, ON FILE WITH THE UTAH COUNTY RECORDERS OFFICE; THENCE N. 00°18'12" W. ALONG SAID SUBDIVISION BOUNDARY, A DISTANCE OF 125.21 FEET; THENCE N. 76°58'36" E. A DISTANCE OF 330.80 FEET; THENCE N. 32°29'09" E. A DISTANCE OF 288.77 FEET; THENCE N. 26°26'42" W. A DISTANCE OF 68.34 FEET; THENCE N. 63°17'40" E. A DISTANCE OF 189.18 FEET TO A POINT OF CURVATURE OF A 200.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY A DISTANCE OF 184.66 FEET ALONG THE ARC OF SAID CURVE, HAVING A CENTRAL ANGLE OF 52°54'05", A CHORD BEARING OF N. 35°29'47" E. A DISTANCE OF 178.17 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE S. 56°06'30" E. A

DISTANCE OF 319.90 FEET; THENCE N. $89^{\circ}41'47''$ E. A DISTANCE OF 693.53 FEET; THENCE S. $00^{\circ}18'13''$ E. A DISTANCE OF 956.43 FEET TO A POINT ON THE EAST-WEST MID SECTION LINE OF SAID SECTION 8; THENCE N. $89^{\circ}41'47''$ E. ALONG SAID MID SECTION LINE, A DISTANCE OF 954.80 FEET TO THE REAL POINT OF BEGINNING. CONTAINING 60.94 ACRES OF LAND.

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE UNITED STATES OF AMERICA, AS RECORDED JANUARY 13, 1950 AS ENTRY NO. 401 IN BOOK 545, AT PAGE 131, IN THE UTAH COUNTY RECORDERS OFFICE.

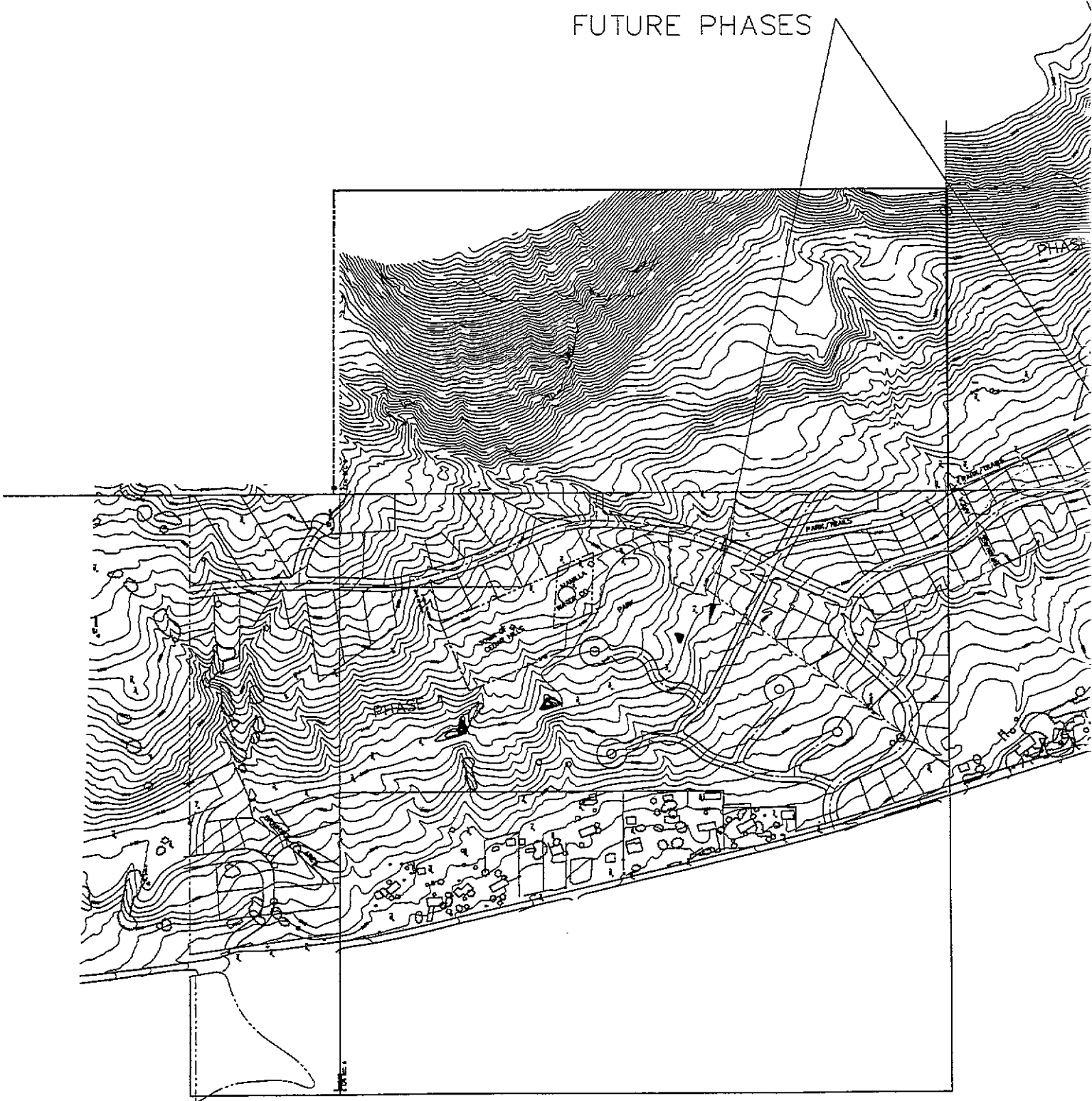
EXHIBIT "B"
TO
SUPPLEMENT NO. 1 TO THE DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR CANYON HEIGHTS AT CEDAR HILLS

Map Showing the Approximate Location of the Additional Land



SCALE: 1" = 300'

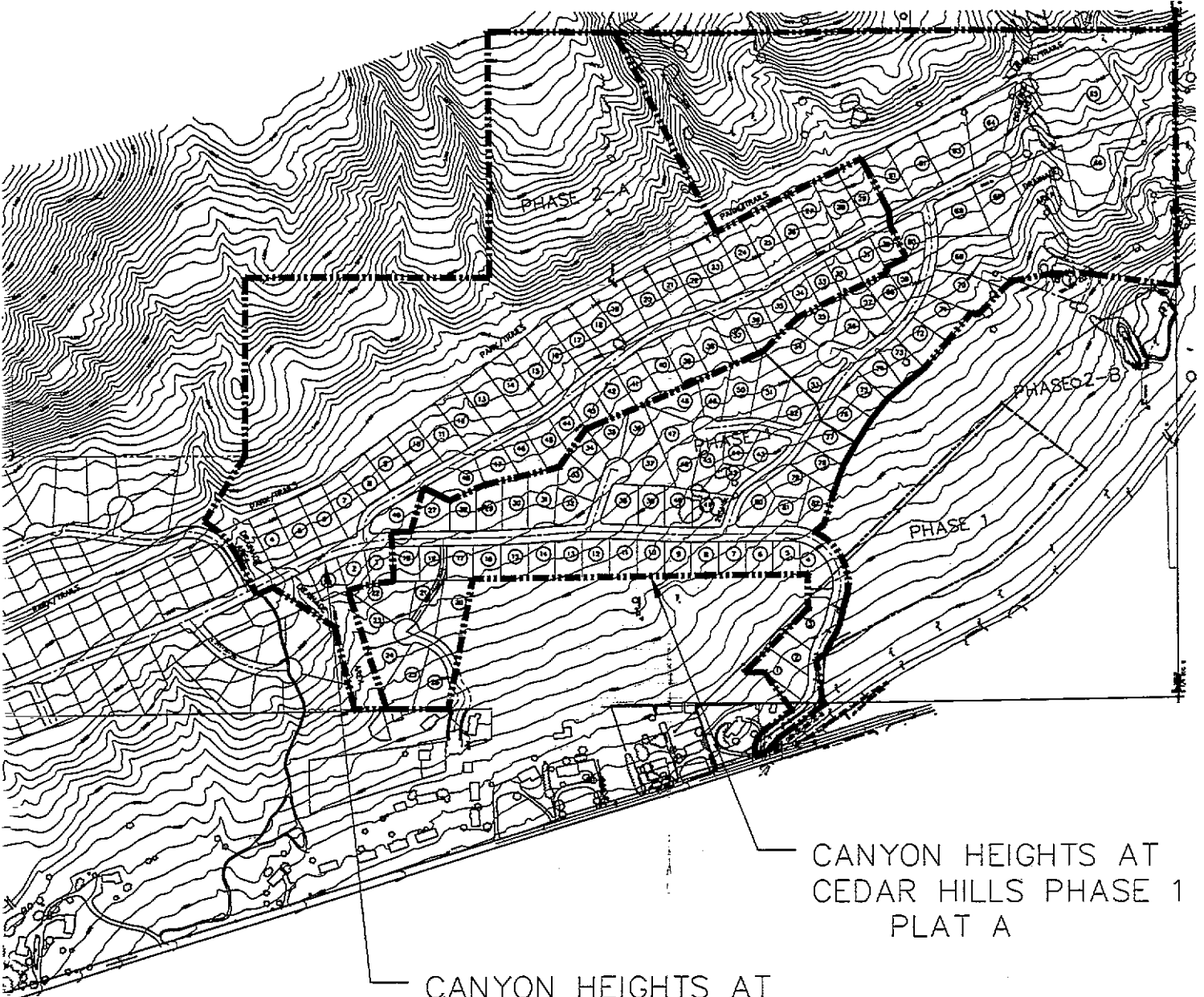
FUTURE PHASES



6			DESIGNED BY:	DATE:
5			DRAWN BY:	DATE:
4			CHECKED BY:	DATE:
3			APPROVED:	DATE:
2			COGG FILE:	DATE:
1			REV. COGG FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGG FILE: H:\Allan\con\PHASE1\CANTONHEIGHTS.dwg 09/08/2000 07:28:00 AM MDT



HUBBLE ENGINEERING, INC.
ENGINEERING-SURVEYING-PLANNING



CANYON HEIGHTS AT
CEDAR HILLS PHASE 1
PLAT A

CANYON HEIGHTS AT
CEDAR HILLS PHASE 2
PLAT B

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED
ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY
AGREEMENT IN WRITING WITH HUBBLE ENGINEERING, INC.

71 N. 1200 W.
HEM, UTAH 84057
313 802-8992

CANYON HEIGHTS
AT CEDAR HILLS

ALL AMERICAN DEVELOPMENT
MASTER PLAN

JOB NO.
3-98-972
SHEET NO.
1