



After recordation, return to:  
D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, UT 84020

ENT 91902:2011 PG 1 of 5  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2011 Dec 20 4:30 pm FEE 32.00 BY SW  
RECORDED FOR OREM CITY CORPORATION

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR  
WHISPERING SPRINGS AT SLEEPY RIDGE P.R.D. PHASE 3**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR WHISPERING SPRINGS AT SLEEPY RIDGE P.R.D. PHASE 3 (this "Phase 3 Supplemental Declaration") is made as of the 2 day of December, 2011, by **D.R. Horton, Inc.**, a Delaware corporation ("Horton"), and by **Whispering Springs Home Owners' Association**, a Utah nonprofit corporation (the "Association").

RECITALS:

A. On April 21, 2009, Hearthstone Development, Inc., a Utah corporation, caused to be recorded as Entry No. 42794:2009 in the Office of the Recorder of Utah County, Utah, that certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Whispering Springs Subdivision, a Planned Development (the "Original Declaration") pertaining to Whispering Springs at Sleepy Ridge, a Planned Residential Development, in Orem City, Utah County, Utah (the "Project").

B. The Original Declaration was amended by that certain Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Whispering Springs Subdivision, a Planned Development ("Amendment No. 1"), that was executed by the Association on June 30, 2011, and which Amendment No. 1 was recorded in the Office of the Recorder of Utah County, Utah on August 1, 2011 as Entry No. 54246:2011. The Original Declaration, as amended by Amendment No. 1 and as supplemented by all previously recorded supplements to the Declaration and as supplemented by this Phase 3 Supplemental Declaration, shall collectively be referred to herein as the "Declaration".

C. Section 14.16 of the Declaration provides that the Association, together with the Owners of any Lots located within any phase of the Project, as shown on an official plat that has been recorded in the Office of the Recorder of Utah County, Utah, may subject such Lots to the terms and conditions of the Declaration by executing, acknowledging and recording in the Office of the Recorder of Utah County, Utah a supplemental declaration, whereby such Lots within any recorded phase of the Project are subjected to the terms and conditions of the Declaration.

D. Horton is the owner of all of the Lots located within Phase 3 of the Project, which Lots are more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Phase 3 Lots").

E. Horton desires to subject the Phase 3 Lots to the terms and conditions of the Declaration, and the Association has authorized and approved the recording of this Phase 3 Supplemental Declaration so that the Phase 3 Lots may be subjected to the terms and conditions of the Declaration.

**NOW, THEREFORE,** Horton and the Association declare as follows:

1. All defined terms as used in this Phase 3 Supplemental Declaration shall have the same meanings as those set forth and defined in the Declaration, unless otherwise defined in this Supplemental Declaration. For purposes of this Phase 3 Supplemental Declaration, Horton shall be deemed to be the "Declarant" with respect to all of the Phase 3 Lots, and Horton shall have and be entitled to exercise all of the rights and authority as the Declarant under the Declaration with respect to the Phase 3 Lots, including without limitation all of the rights of the Declarant under Article 6 of the Declaration.

2. The Phase 3 Lots described on Exhibit "A" attached hereto are hereby subjected to the terms and conditions of the Declaration. The Phase 3 Lots shall be held, transferred, sold, conveyed, and occupied subject to the terms and conditions of the Declaration, which shall run with the land and which shall be binding on all subsequent Owners of the Phase 3 Lots,


**TOGETHER WITH** all easements, rights-of-ways, and other appurtenances and rights incident to, appurtenant to, or accompanying the Phase 3 Lots and all other portions of the Project that are subject to the terms and conditions of the Declaration.

3. Except as amended by the provisions of this Phase 3 Supplemental Declaration, the Declaration as previously amended and supplemented shall remain unmodified and in full force and effect.

4. This Phase 3 Supplemental Declaration shall be recorded in the Office of the Recorder of Utah County, Utah.

**IN WITNESS WHEREOF,** Horton and the Association have caused this Phase 3 Supplemental Declaration to be executed by persons duly authorized to execute the same as of the day and year first above set forth.

D.R. HORTON, INC., a Delaware corporation

By:   
Boyd A. Martin  
Title: Vice President

WHISPERING SPRINGS SUBDIVISION HOME OWNERS' ASSOCIATION, a Utah nonprofit corporation

By: [Signature]  
Title: President

By: [Signature]  
Title: Secretary

STATE OF UTAH )  
COUNTY OF Utah ) : ss.

The foregoing instrument was acknowledged before me this 1st day of December, 2011, by Boyd A. Martin, in his capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.

[Signature]  
NOTARY PUBLIC  
Residing at: Utah count

My Commission Expires:  
06/05/2013



STATE OF UTAH )  
 : ss.  
COUNTY OF Utah )

On the 1st day of December, 2011, personally appeared before me Christian W. Johnson who, being first duly sworn, did that say that such person is the President of the Whispering Springs Subdivision Home Owners' Association, a Utah nonprofit corporation (the "Association"), who is authorized to sign the foregoing instrument and that the foregoing instrument was signed on behalf of the Association.

Debra Solari

NOTARY PUBLIC  
Residing at: Utah County

My Commission Expires:

06/05/2013



STATE OF UTAH )  
 : ss.  
COUNTY OF Davis )

On the 2nd day of December, 2011, personally appeared before me Emberly Argyle who, being first duly sworn, did that say that such person is the Secretary of the Whispering Springs Subdivision Home Owners' Association, a Utah nonprofit corporation (the "Association"), who is authorized to sign the foregoing instrument and that the foregoing instrument was signed on behalf of the Association.

Leanne Allen

NOTARY PUBLIC  
Residing at: 48 N 500 W Beautiful ut  
84010

My Commission Expires:

11.21.2013



EXHIBIT "A"  
TO  
SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR  
WHISPERING SPRINGS AT SLEEPY RIDGE P.R.D. PHASE 3

BASIS OF BEARING= N 89°34'05" E ALONG THE SECTION LINE BETWEEN THE NORTH 1/4 CORNER  
AND THE NORTHEAST CORNER OF SECTION 20, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SLB&M.

Beginning at a point on the southerly right-of-way line of Sleepy Ridge Drive (Entry No. 107809:2004); said point being North 89°34'05" East, along the section line, 480.52 feet and South 00°25'55" East, 2541.71 feet from the North Quarter Corner of Section 20, Township 6 South, Range 2 East, Salt Lake Base and Meridian; and running South, 13.31 feet; thence South 24°03'54" East, 5.72 feet; thence South 02°55'05" West, 33.77 feet; thence South 58°13'38" East, 21.12 feet; thence South 17°28'01" West, 25.76 feet; thence South 35°30'15" East, 23.88 feet; thence South 30°38'28" West, 13.34 feet; thence South 25°05'34" West, 21.83 feet; thence South 04°31'30" West, 3.97 feet; thence South 20°44'21" West, 63.41 feet; thence South 02°44'57" West, 45.63 feet; thence South 01°21'08" West, 29.28 feet; thence South 03°53'32" West, 78.84 feet; thence South 03°22'14" West, 36.64 feet; thence South 03°12'59" West, 42.47 feet; thence South 02°52'35" West, 38.37 feet; thence South 01°34'45" West, 44.61 feet; thence South 00°28'36" West, 14.69 feet; thence North 24°51'35" West, 632.27 feet to a point on southerly right-of-way of said Sleepy Ridge Drive; thence along said southerly right-of-way line the following three (3) courses: thence South 64°03'01" East, 10.75 feet to a point on a 367.00 foot radius curve to the left; thence 166.22 feet along said curve through a central angle of 25°56'59" (chord bears South 77°01'31" East, 164.80 feet); thence East, 125.72 feet to the point of beginning.

Contains: 1.77 Acres

*[Faint, illegible text, likely a list of bearings and distances for a survey or map.]*