

WHEN RECORDED RETURN TO:
IVORY DEVELOPMENT
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 747-7440

**FIRST SUPPLEMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS
FOR SUMMERFIELD PHASE 2**

This First Supplement to the Declaration of Protective Covenants for Summerfield Phase 2, is made and executed by IVORY DEVELOPMENT LLC., a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Declaration of Protective Covenants for SUMMERFIELD SUBDIVISION was recorded in the office of the County Recorder of Salt Lake County, Utah on the 25th of February, 2005 as Entry No. 9308161 in Book 9098 at Page 4347-4363 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Ammendment for SUUMMERFIELD SUBDIVISION was recorded in the office of the County Recorder of Salt Lake County, Utah on the 23rd of August, 2005 as Entry No. 9469342 in Book 9177 at Page 8440-8447 of the Official Records of the County Recorder of Salt Lake County, Utah.

Whereas, the related Plat Map(s) for Phase II of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Article III, Section 41 of the Declaration, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference (the "PHASE II Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

Whereas, Declarant desires to expand the subdivision by creating on the PHASE II Property additional Lots.

Whereas, Declarant now intends that the PHASE II Property shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this **FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR SUMMERFIELD SUBDIVISION**.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. **First Supplemental Declaration** shall mean and refer to this **FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR SUMMERFIELD SUBDIVISION**.

B. **PHASE II Map** shall mean and refer to the Plat Map of PHASE II of the Project, prepared and certified to by Evan J. Wood, a duly registered Utah Land Surveyor holding Certificate No. 183395, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplemental Declaration.

C. **Subdivision** shall mean and refer to **SUMMERFIELD SUBDIVISION PHASES 1 AND 2**.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the PHASE II Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Second Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the PHASE II Map, sixty (60) new Lots, Numbers 201-260, are or will be constructed and/or created in the Project on the PHASE II Property. Upon the recordation of the PHASE II Map and this First Supplemental Declaration, the total number of Lots in the Project will be one hundred and six (124). The additional Lots

(and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

5. **Effective Date.** The effective date of this First Supplemental Declaration and the PHASE II Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

Dated the 25th day of October, 2005.

DEVELOPER:
IVORY DEVELOPMENT, LLC.

By: Christopher P. Gamvroulas
Name: Christopher P. Gamvroulas
Title: Manager

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 25 day October, 2005 by Christopher P. Gamvroulas, the President of IVORY DEVELOPMENT, LLC., a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC. executed the same.

Joshua Debry
NOTARY PUBLIC
Residing at: 978 Woodoak Lane, Salt Lake City, UT 84117
My Commission Expires: 12/2/08

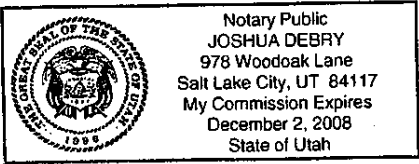


EXHIBIT "A"
LEGAL DESCRIPTION

The Property referred to in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

Beginning at a point which is S89°48'55"E 579.64 feet along the Section Line and S00°11'05"W 33.00 feet from the Northwest Corner of Section 4, Township 4 South, Range 1 West, Salt Lake Base and Meridian; and running thence S89°48'55"E 870.37 feet; thence S00°11'05"W 157.00 feet; thence S24°59'55"W 66.10 feet; thence S08°53'26"E 90.67 feet; thence S16°43'26"E 78.18 feet; thence S26°04'26"E 46.09 feet; thence S32°41'11"E 112.45 feet; thence S35°51'13"E 100.00 feet; thence S54°08'47"W 100.00 feet; thence S28°27'59"W 66.58 feet; thence S54°08'47"W 100.00 feet; thence S35°51'13"E 230.00 feet; thence S33°39'18"E 46.25 feet; thence S00°12'36"W 93.19 feet; thence S19°47'37"E 63.85 feet; thence S00°12'36"W 135.86 feet to the Northerly Boundary Line of Pleasant Green Estates No. 2 Subdivision, recorded as Entry No. 2403252, in Book JJ, at Page 73 in the Office of the Salt Lake County Recorder; thence N89°45'19"W 261.16 feet along the Boundary Line of said Pleasant Green Estates No. 2 Subdivision; thence S00°16'05"W 3.85 feet to the Northeast Corner of Chartwell West Plat "D" Subdivision, recorded as Entry No. 6683733, in Book 97-7P, at Page 195 in the Office of the Salt Lake County Recorder; thence N89°48'33"W 89.83 feet along the Northerly Boundary Line of said Chartwell West Plat "D" Subdivision; thence N00°12'36"E 139.58 feet; thence N25°16'10"E 66.23 feet; thence N00°12'37"E 67.99 feet; thence N35°51'13"W 190.00 feet; thence N59°35'28"W 53.29 feet; thence S79°02'19"W 121.38 feet; thence N89°44'34"W 108.45 feet; thence N00°53'00"E 100.01 feet; thence N09°04'01"W 60.80 feet; thence N00°15'26"E 100.00 feet; thence N89°44'34"W 320.00 feet; thence N00°15'26"E 100.00 feet; thence N09°26'12"E 60.78 feet; thence Northeasterly 23.50 feet along the arc of a 15.00 foot radius curve to the left through a central angle of 89°46'22" (chord bears N45°22'15"E 21.17 feet); thence N00°29'04"E 431.28 feet to the point of beginning.
Contains 19.276 Acres and 60 Lots

33-05-200-031