

WHEN RECORDED RETURN TO:  
IVORY HOMES  
970 E. Woodoak Lane  
Salt Lake City, Utah 84117

ENT 95851:2000 PG 1 of 4  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2000 Dec 04 3:52 pm FEE 163.00 BY SB  
RECORDED FOR GUARDIAN TITLE SALT LAKE

**FIRST SUPPLEMENT TO THE  
DECLARATION OF PROTECTIVE COVENANTS  
FOR  
UTAH HIGHLANDS**

This FIRST SUPPLEMENT to the DECLARATION OF PROTECTIVE COVENANTS for UTAH HIGHLANDS, is made and executed by IVORY HOMES, LTD., a Utah limited partnership, of 970 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

**RECITALS**

Whereas, the Original Declaration of Protective Covenants was recorded in the office of the County Recorder of Utah County, Utah on the 16th day of November, 2000 as Entry No. 91062 in Book 2000 at Page 1 of the Official Records (the "Declaration").

Whereas, Declarant is the fee simple owner of record of that certain real property located in Utah County, Utah and described with particularity on Exhibit "A-1" attached hereto and incorporated herein by this reference (the "Phase II Property").

Whereas, under the provisions of Section 3 of the Declaration, Declarant expressly reserved the absolute right to expand or add to the Project additional land at any time and in any order, without limitation.

Whereas, Declarant desires to expand the Project by creating on the Phase II Property a residential development.

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 Project and the Lot Owners thereof, Declarant hereby executes this FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR UTAH HIGHLANDS.

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 UTAH HIGHLANDS.

B. Phase II Map shall mean and refer to the Plat Map of Phase II of the Project, prepared and certified to by Roger Dudley, a duly registered Utah Land Surveyor holding Certificate No.14-7-089, and filed for record in the Office of the County Recorder of Utah County, Utah.

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-1 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 First Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-1 subject to the protective covenants in the Declaration.

4. Total Number of Units Revised. As shown on the Phase II Map, one hundred forty-seven (147) new Lots are or will be constructed and/or created in the Project on the Phase II Property. The additional Lots are located within a portion of the additional land. With the recordation of the Phase II Map and this First Supplemental Declaration, the total number of Lots in the Project will be one hundred eighty-seven (187). The additional Lots are or will be substantially similar in design and quality to the Lots 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.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first above written.

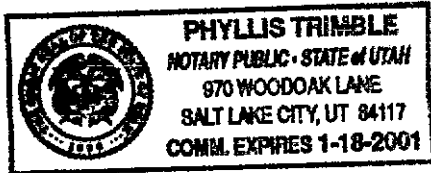
DECLARANT:  
IVORY HOMES, LTD.  
By: VALUE L.C., Its General Partner

By:   
Name: Clark Ivory  
Title: Manager

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STATE OF UTAH )  
 )ss:  
COUNTY OF SALT LAKE )

On the 1 day of December, 2000, personally appeared before me CLARK IVORY, who by me being duly sworn, did say that he is the Manager of VALUE, L.C., the General Partner of IVORY HOMES, I.TD., a Utah limited partnership, and that the within and foregoing instrument was signed in behalf of said partnership pursuant to its Partnership Agreement, and said CLARK IVORY further acknowledged to me that IVORY HOMES, LTD. executed the same.



*Phyllis Trimble*  
Notary Public  
Residing at:

**EXHIBIT "A-1"**  
**LEGAL DESCRIPTION**

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

LOTS 1-148, UTAH HIGHLANDS, according to the official plat thereof on file in the Office of the County Recorder of Utah County, Utah; and

EXCEPTING AND EXCLUDING LOT 44, an existing home.