

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

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 6/20/2007 3:26:00 PM \$18.00  
 Book - 9480 Pg - 7946-7950  
 Gary W. Ott  
 Recorder, Salt Lake County, UT  
 COTTONWOOD TITLE INS AGENCY  
 BY: eCASH, DEPUTY - EF 5 P.

20-31-477-004

**FOURTH SUPPLEMENT TO THE  
 DECLARATION OF PROTECTIVE COVENANTS  
 FOR BELLEVUE PHASE 5**

This Fourth Supplement to the Declaration of Protective Covenants for Bellevue Phase 5, 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 Bellevue Phase 1, a planned residential development, was recorded in the office of the County Recorder of Salt Lake County, Utah on August 6, 2004 as Entry No. 9140466 in Book 9023 at Pages 4303-4319 of the Official Records (the "Declaration").

Whereas, the related Plat Map for Phases 1 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Supplement to the Declaration of Protective Covenants for Bellevue Phase 2, a planned residential development, was recorded in the office of the County Recorder of Salt Lake County, Utah on April 4, 2005 as Entry No. 9339482 in Book 9113 at Pages 8295-8304 of the Official Records (the "First Supplement").

Whereas, the related Plat Map for Phase 2 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Second Supplement to the Declaration of Protective Covenants for Bellevue Phase 3, a planned residential development, was recorded in the office of the County Recorder of Salt Lake County, Utah on January 30, 2006 as Entry No. 9623178 in Book 9248 at Pages 9418-9425 of the Official Records (the "Second Supplement").

Whereas, the related Plat Map for Phase 3 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the Third Supplement to the Declaration of Protective Covenants for Bellevue Phase 4, a planned residential development, was recorded in the office of the County Recorder of Salt Lake County, Utah on August 24, 2006 as Entry No. 9822954 in Book 9340 at Pages 6412-6428 of the Official Records (the "Third Supplement").

Whereas, the related Plat Map for Phase 4 of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 3 of the Declaration, Declarant reserved the unilateral right to expand the planned residential development to annex additional land and expand the application of 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-5" attached hereto and incorporated herein by this reference (the "Phase 5 Property").

Whereas, Declarant desires to expand the planned residential development by creating on the Phase 5 Property additional Lots and other improvements of a less significant nature.

Whereas, Declarant now intends that the Phase 5 Property shall become subject to the Declaration.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the planned residential development and the Lot Owners thereof, Declarant hereby executes this Fourth Supplement to the Declaration of Protective Covenants for Bellevue Phase 5.

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

A. **Fourth Supplemental Declaration** shall mean and refer to this FOURTH SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR BELLVUE PHASE V.

B. **Phase 5 Map** shall mean and refer to the Plat Map of Phase 5 of the Project, prepared and certified to by Bruce A. Williams, a duly registered Utah Land Surveyor holding Certificate No. 368351, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Fourth Supplemental Declaration..

C. **Subdivision** shall mean and refer to BELLVUE PHASES I ,II,III,IV and V.

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-2 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.

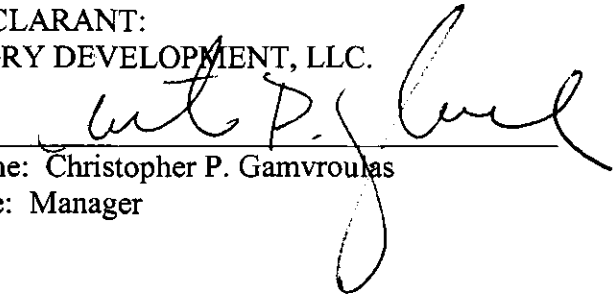
3. **Annexation.** Declarant hereby declares that the PHASE V Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Fourth Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 5 Map, 36 new Lots, Numbers 501-536, and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 5 Property. Upon the recordation of the Phase 5 Map and this Fourth Supplemental Declaration, the total number of Lots in the Project will be 228. 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 15 day of June, 2007.

DECLARANT:  
IVORY DEVELOPMENT, LLC.

By:   
Name: Christopher P. Gamvroulas  
Title: Manager



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The Property referred to in the foregoing document as the Bellevue Phase 5 Property is located in Salt Lake County, Utah and is described more particularly as follows:

A parcel of land located in the Southeast Quarter of Section 31, Township 3 South, Range 1 East, Salt Lake Base & Meridian (Basis of Bearing being North 00°05'37" East 5309.16 feet between the South Quarter Corner and the North Quarter Corner of said Section 31):

Beginning at the Southeast Corner of Bellevue Phase 3 Subdivision as recorded in Book 2005P, at Page 375 in the Salt Lake County Recorder's Office, said point lies North 00°05'37" East 206.56 feet along the West line of the Southeast Quarter of said Section 31, and East 1488.41 feet from the South Quarter Corner of said Section 31; and running thence North 05°06'20" East 63.97 feet along the East boundary line of said Bellevue Phase 3 Subdivision to the point of curvature of a 556.50-foot radius curve to the right; thence Northeasterly 540.54 feet along said Phase 3 boundary and along the arc of said curve through a central angle of 55°39'08" (Chord Bearing and Distance being North 32°55'54" East 519.54 feet); thence North 60°45'28" East 501.12 feet along the boundary of said phase 3 and along the boundary of Bellevue Phase 4 Subdivision recorded in Book 0000, at Page 0000 in the Salt Lake County Recorder's Office; thence South 29°14'32" East 166.00 feet; thence North 60°45'28" East 12.00 feet; thence South 29°14'32" East 93.52 feet; thence South 19°12'01" East 120.06 feet; thence South 10°57'37" East 110.07 feet; thence South 02°09'19" East 110.07 feet; thence South 04°32'16" West 157.62 feet; thence North 85°00'00" West 52.45 feet; thence South 05°12'51" West 115.00 feet; thence North 85°00'00" West 855.28 feet to the Southeast corner of said Bellevue Phase 3 Subdivision, said point being thence Point of Beginning.

Contains 516,469.23 sq. ft., 11.86 acres