



WHEN RECORDED RETURN TO:
Ivory Development, LLC
Christopher P. Gamyroulas
978 East Woodoak Lane
Salt Lake City, UT 84117
(801) 747-7440

NOTE TO RECORDER:
RECORD ONLY AGAINST THE PROPERTY
DESCRIBED IN EXHIBIT "A"

**FIRST SUPPLEMENT
TO
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS,
AND BYLAWS
FOR
ESCONDIDO AT SIENNA HILLS,
(a part of the Expandable Sienna Hills Planned Mixed Use Development)**

This First Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements and Bylaws for Escondido at Sienna Hills is made and executed by Ivory Southern, LLC, a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

RECITALS

A. **WHEREAS**, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements and Bylaws for Escondido at Sienna Hills was recorded in the office of the County Recorder of Washington County, Utah on August 6, 2019 as Document No. 20190022118 (the "District Declaration") together with the related plat map for the District Property (defined below) in conjunction with Declarant's development of the Escondido at Sienna Hills subdivision (the "Project").

D. **WHEREAS**, Declarant is the owner and developer of certain real property located in Washington County, Utah and described with particularity on Exhibit "A" attached hereto and incorporated herein by reference (the "District Property").

E. **WHEREAS**, Declarant now intends that the District Property and the lots thereon shall become subject to this First Supplement (defined below) and subject to the District Declaration, as it may be further amended and/or supplemented from time to time.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project, the Declarant and the Owners, Declarant hereby executes this First Supplement

to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements and Bylaws for Escondido at Sienna Hills.

SUPPLEMENT TO DECLARATION

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

"First Supplement to Declaration" shall mean and refer to this First Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements and Bylaws for Escondido at Sienna Hills.

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

2. Legal Description. The legal description for the District Property is set forth in Exhibit A.

3. Additional Covenants. The District Property and the District Lots thereon are subject to the subject to the non-exclusive easement described below:

Common Maintenance Easement. There shall continue to be reserved to each owner of a District Lot, a reciprocal, non-exclusive easement over adjoining District Lots for the control, maintenance and repair of the utilities serving such owner's District Lot. Further, there shall continue to be reserved to each owner of a District Lot an easement in, over, and access any common wall or attic space for the purpose of maintenance, repair, and replacement of any portion of the common wall, electrical, plumbing, heating, and other utility fixture within, above, or under the common wall or located inside of the attic space.

6. Covenants, Conditions and Restrictions to Run with the Land. The Covenants, Conditions and Restrictions, and Reservation of Easements and Bylaws for the District Property established by this First Supplement to Declaration are binding on each Owner and assigns and successors in interest to the Unit and are intended to and shall run with the land.

7. Severability. If any provision, paragraph, sentence, clause, phrase, or word of this instrument should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of this instrument, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

8. Topical Headings and Conflict. The headings appearing in this First Supplement to Declaration are only for convenience of reference and are not intended to define, restrict, or otherwise affect the content, meaning or intent of this instrument or

any paragraph or provision hereof. In case any provisions hereof shall conflict with Utah law, Utah law shall be deemed to control.

9. Effective Date. The easement and restriction contained herein shall be effective upon recording of this instrument with the Office of Recorder of Washington County, Utah.

[Signature Page to Follow]

**EXHIBIT A
LEGAL DESCRIPTION
DISTRICT PROPERTY**

EXHIBIT A
Legal Description

BEGINNING AT THE SOUTHEAST CORNER OF A CASITAS AT SIENNA HILLS PHASE 1 SUBDIVISION, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; SAID POINT ALSO BEING NORTH 1°02'42" EAST 1464.98 FEET ALONG THE EAST SECTION LINE OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE NORTH 1°02'42" EAST 1.05 FEET ALONG THE BOUNDARY OF SAID SUBDIVISION; THENCE NORTH 61°15'27" EAST 906.95 FEET, TO THE POINT OF A 87.50 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 119.97 FEET THROUGH A CENTRAL ANGLE OF 78°33'38"; THENCE NORTH 72°41'49" EAST 20.00 FEET, TO THE POINT OF A 107.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS SOUTH 72°41'49" WEST; THENCE ALONG THE ARC OF SAID CURVE 43.97 FEET THROUGH A CENTRAL ANGLE OF 23°26'01", TO THE POINT OF A 217.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 19.86 FEET THROUGH A CENTRAL ANGLE OF 5°14'34"; THENCE NORTH 54°30'22" EAST 34.00 FEET, TO THE POINT OF A 107.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS NORTH 54°30'22" EAST; THENCE ALONG THE ARC OF SAID CURVE 56.25 FEET THROUGH A CENTRAL ANGLE OF 29°58'48"; THENCE NORTH 24°31'34" EAST 20.00 FEET, TO THE POINT OF A 87.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS NORTH 24°31'34" EAST; THENCE ALONG THE ARC OF SAID CURVE 125.29 FEET THROUGH A CENTRAL ANGLE OF 82°02'18"; THENCE NORTH 32°29'18" EAST 628.62 FEET; THENCE SOUTH 57°30'42" EAST 151.27 FEET; THENCE NORTH 67°27'41" EAST 182.04 FEET; THENCE SOUTH 22°32'19" EAST 144.00 FEET; THENCE SOUTH 67°27'41" WEST 45.01 FEET; THENCE SOUTH 30°43'37" EAST 218.42 FEET; THENCE NORTH 59°41'30" EAST 41.26 FEET; THENCE SOUTH 30°18'30" EAST 124.00 FEET; THENCE SOUTH 59°41'30" WEST 352.36 FEET; THENCE SOUTH 51°58'35" WEST 280.75 FEET; THENCE SOUTH 47°50'06" WEST 164.29 FEET; THENCE SOUTH 83°31'35" WEST 146.09 FEET TO THE POINT OF A 233.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS SOUTH 83°31'35" WEST; THENCE ALONG THE ARC OF SAID CURVE 12.00 FEET THROUGH A CENTRAL ANGLE OF 2°57'04", TO THE POINT OF A 170.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 131.15 FEET THROUGH A CENTRAL ANGLE OF 44°12'12"; THENCE SOUTH 47°54'36" WEST 20.47 FEET TO THE POINT OF A 150.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS SOUTH 34°48'28" WEST; THENCE ALONG THE ARC OF SAID CURVE 166.37 FEET THROUGH A CENTRAL ANGLE OF 63°33'01"; THENCE SOUTH 61°15'27" WEST 524.94 FEET; THENCE SOUTH 46°01'01" WEST 52.39 FEET; THENCE SOUTH 61°15'27" WEST 136.83 FEET; THENCE SOUTH 68°51'08" WEST 90.80 FEET; THENCE SOUTH 61°15'27" WEST 118.53 FEET TO THE POINT OF A 570.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 23.63 FEET THROUGH A CENTRAL ANGLE OF 2°22'32", TO A POINT ON THE EASTERLY BOUNDARY OF SIENNA HILLS ELEMENTARY MINOR SUBDIVISION, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; THENCE NORTH 25°52'01" WEST 80.00 FEET ALONG SAID BOUNDARY TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID CASITAS AT SIENNA HILLS PHASE 1 SUBDIVISION; THENCE NORTH 63°32'54" EAST 32.70 FEET ALONG SAID SOUTHERLY BOUNDARY TO THE POINT OF BEGINNING.
