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GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
IVORY DEVELOPMENT LLC  
978 E WOODOAK LN  
SLC UT 84117  
BY: KJE, DEPUTY - WI 4 P.

WHEN RECORDED RETURN TO:  
IVORY DEVELOPMENT, LLC.  
James Dean  
978 E. Woodoak Lane  
Salt Lake City, Utah 84117  
(801) 268-0700

**FIRST SUPPLEMENT TO THE  
DECLARATION OF PROTECTIVE COVENANTS  
FOR SUMMERWOOD ESTATES PHASE 2, a Utah subdivision**

This First Supplement to the Declaration of Protective Covenants for Summerwood Estates 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 Summerwood Estates Phase 1 Subdivision was recorded in the Office of the County Recorder of Salt Lake County, Utah on April 12<sup>th</sup>, 2007 as Entry No. 10065221 in Book 9449 at Pages 2990-3010 of the Official Records (the "Declaration").

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

Whereas, under Section 4 of the Declaration, Declarant reserved the unilateral right to expand the subdivision by annexing additional land and expanding 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-2" attached hereto and incorporated herein by this reference (the "Phase 2 Property").

Whereas, Declarant desires to expand the subdivision by creating on the Phase 2 Property additional Lots and correct a clerical error in the Declaration.

Whereas, Declarant now intends that the Phase 2 Property shall become subject to the Declaration, as amended.

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 Summerwood Estates Phase 2.

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 Summerwood Estates Phase 2.

B. **Phase 2 Map** shall mean and refer to the Plat Map of Phase 2 of the Project, prepared and certified to by Kenneth W. Watson, a duly registered Utah Land Surveyor holding Certificate No. 158397, 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 Summerwood Estates Phase 1 and Phase 2, as it may be amended or expanded from time to time.

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 2 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-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the ARC.

4. **Total Number of Units Revised.** As shown on the Phase 2 Map, Twenty nine (29) new Lots, Numbers 201-229, are or will be constructed and/or created in the Project on the Phase 2 Property. Upon the recordation of the Phase 2 Map and this First Supplemental Declaration, the total number of Lots in the Project will be Forty seven (47). 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 Phases.



**EXHIBIT "A-2"**  
**LEGAL DESCRIPTION**

The Property referred to in the foregoing document as the Summerwood Estates Phase 2 Property is located in Salt Lake County, Utah and is described more particularly as follows:

**SURVEYOR'S CERTIFICATE**

I, Kenneth W. Watson, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 158397 as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

**SUMMERWOOD ESTATES PHASE 2 SUBDIVISION**

AMENDING A PORTION OF LOT 2 OF THE INTEL RIVERTON  
CAMPUS SUBDIVISION AMENDED

and that same has been surveyed and staked on the ground as shown on this plat.

**BOUNDARY DESCRIPTION**

Beginning at a point  $S00^{\circ}12'13''W$  344.69 feet along the Section Line and West 411.97 feet from the Center of Section 32, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being the Southwest corner of lot 104 of Summerwood Phase 1 Subdivision; and running thence  $S89^{\circ}36'21''W$  866.85 feet; thence North 122.93 feet; thence  $N32^{\circ}37'46''E$  98.00 feet; thence  $N44^{\circ}26'20''E$  152.08 feet; thence  $N46^{\circ}20'51''E$  60.03 feet; thence  $N44^{\circ}26'22''E$  357.92 feet; thence  $N54^{\circ}42'26''E$  123.56 feet; thence  $N70^{\circ}38'49''E$  124.26 feet; thence  $N89^{\circ}59'20''E$  276.61 feet to the Northwest corner of lot 109 of said Summerwood Phase 1 Subdivision; thence along the westerly boundary of said Summerwood Phase 1 Subdivision the following six (6) courses: thence  $S00^{\circ}00'40''E$  117.99 feet; thence  $S89^{\circ}59'20''W$  17.38 feet; thence  $S00^{\circ}00'40''E$  60.00 feet; thence  $S00^{\circ}12'12''W$  364.27 feet; thence  $S89^{\circ}36'21''W$  63.79 feet; thence and  $S00^{\circ}23'39''E$  175.00 feet to the point of beginning.  
Contains 11.359 acres and 29 Lots

4-17-07  
Date

*Kenneth W. Watson*  
KENNETH W. WATSON  
P.L.S. No. 158397

