

When recorded mail to:
Hearthstone Development, Inc.
3000 North University Ave., Suite 305
Provo, UT 84604

ENT 108863:2009 PG 1 of 5
Rodney D. Campbell
UTAH COUNTY RECORDER
2009 Oct 14 4:49 pm FEE 18.00 BY CS
RECORDED FOR BACKMAN OREM
ELECTRONICALLY RECORDED

**NOTICE AND ACCEPTANCE OF DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR WHISPERING SPRINGS AT SLEEPY RIDGE PLANNED
RESIDENTIAL DEVELOPMENT**

THIS NOTICE AND ACCEPTANCE OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and executed effective as of October 7, 2009 by EAT Titleholder 2009-227, LLC, a Nevada Limited Liability Company ("Purchaser").

This Notice and Acceptance applies to that certain real property located within the Whispering Springs at Sleepy Ridge Planned Residential Development, City of Orem, County of Utah, State of Utah (Property), as more particularly described as follows:

See Exhibit "A" attached.

Hearthstone Development, Inc., a Utah corporation, Declarant, executed as Declarant and recorded that certain Declaration of Covenants, Conditions and Restrictions For Whispering Springs at Sleepy Ridge Planned Residential Development, recorded April 21, 2009 as Entry No. 42794:2009 in the Utah County Recorder's Office ("CC&R's").

Purchaser desires to purchase the Property and acknowledges, agrees and accepts that Purchaser knows of the CC&R's existence, has had an opportunity to read and review the same, will abide by the CC&R's, and the CC&R's apply to the Property being purchased.

IN WITNESS WHEREOF, Purchaser has executed this as of the day and year first above written.

EAT Titleholder 2009-227, LLC, a Nevada Limited Liability Company

By: Lonnie Nelson, Managing Director

Approved by Exchanger:

G.O. Miller

When recorded mail to:
Hearthstone Development, Inc.
3000 North University Ave., Suite 305
Provo, UT 84604

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IN WITNESS WHEREOF, Purchaser has executed this as of the day and year first above written.

EAT Titleholder 2009-227, LLC, a Nevada Limited Liability Company

By: Lonnie Nielson, Managing Director

Approved by Exchange:

G.O. Miller



ACKNOWLEDGMENT

STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO)
) §
)

On 10/8, 2009, before me, Michele E. Cooper, Notary Public, personally appeared, Lorraine Nelson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signatures on this instrument the person(s), or entities upon behalf of which the person acted, executed the instrument.

I certified under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

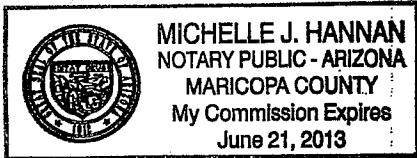
SEAL

Michele Cooper
Signature of Notary



STATE OF Arizona :ss.
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 8th day of October, 2009, by G.O. Miller, and affirmatively states that he has full authority to so sign.



Michelle J. Hannan
Notary Public

STATE OF California)
:ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of October, 2009, by Lonnie Nielson, Managing Director of EAT Titleholder 2009-227, LLC, a Nevada Limited Liability Company, and affirmatively states that he has full authority to so sign.

Notary Public

Order No.: 7-015450

EXHIBIT "A"

LEGAL DESCRIPTION

Lot 210, Phase 2, Whispering Springs at Sleepy Ridge Planned Residential Development, as the same is identified in the Recorded Survey Map in Utah County, Utah, as Entry No. 124667:2006 and Map Filing No. 11882 (as said record of survey map may have heretofore been amended or supplemented). Together with the appurtenant easement interest in said Project's Common Areas as established in the Declaration of Restrictive Covenants

Parcel No.: 55-679-0210