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 Book - 9819 Pg - 7147-7153
 Gary W. Ott
 Recorder, Salt Lake County, UT
 FIRST AMERICAN TITLE
 BY: eCASH, DEPUTY - EF 7 P.

WHEN RECORDED, RETURN TO:

Kennecott Land Company
 4700 Daybreak Parkway
 South Jordan, UT 84095
 Attention: Senior Advisor, Contracts & Risk

**SUPPLEMENT TO DECLARATION OF
 COVENANTS, CONDITIONS AND RESTRICTIONS FOR
 NORTH SHORE TOWNHOME PROJECT**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTH SHORE TOWNHOME PROJECT (this "Supplement") is made this April 20 2010, by **KENNECOTT LAND COMPANY**, as declarant ("**Declarant**") under the Declaration of Covenants, Conditions and Restrictions for North Shore Townhome Project, recorded on June 27, 2008, as Entry No. 10466245, in Book 9621, beginning at Page 8621 (as amended from time to time, the "**Declaration**"), and is consented to by **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**, a Delaware corporation ("**KLRDC**"), **HOLMES HOMES, INC.**, a Utah Corporation ("**Holmes**"), and **M&T BANK CORPORATION**, a New York corporation ("**M&T**").

RECITALS:

- A.** Pursuant to the Declaration, Declarant has established the North Shore Townhome Project (the "**Project**") initially consisting of various "Lots" as more particularly defined and described therein, which Lots are to be improved with certain attached residential units called "Townhomes." The Project is located within the community commonly known as "Daybreak" located in South Jordan, Utah.
- B.** KLRDC and Holmes own certain parcels of real property ("**Additional Lots**") adjacent to the Project and M&T has a recorded security interest encumbering certain of such Additional Lots (i.e., lots 128, 129, 130, 131, 132, 133, 134, and 135 of KENNECOTT DAYBREAK PLAT 10A) owned by Holmes. The Additional Lots are also collectively referred to herein as the "**Property**", which Property is legally described in Exhibit A, attached hereto and incorporated herein by this reference.
- C.** Declarant desires to add the Property to the Project and submit and subject the same to the Declaration, as the terms, conditions, covenants and restrictions thereof now exist or may hereafter be amended.

NOW, THEREFORE, Declarant hereby declares the following:

1. **Definitions.** Unless otherwise defined herein, all capitalized terms shall have the meanings assigned to them in the Declaration.


2. **Submission to Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby adds the Additional Lots to the Project and submits and subjects the Property to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. KLRDC, Holmes, and M&T hereby consent to the submission of the Property to the Declaration. From and after the recordation of this Supplement, the Property shall be held, transferred, sold, conveyed and occupied subject to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges, and liens set forth in the Declaration. In addition, the Property shall be subject to the governance of North Shore Townhome Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.
3. **Full Force and Effect.** The Declaration, as supplemented hereby, shall remain in full force and effect.
4. **Incorporation by Reference.** The Recitals and Exhibit to this Supplement are hereby incorporated into this Supplement by this reference.

[Signatures on Next Page]

IN WITNESS WHEREOF, as of this April 20, 2010, Declarant has executed this Supplement, and KLRDC, Holmes, and M&T have consented to the same.


Declarant:

KENNECOTT LAND COMPANY,
a Delaware corporation

By 
Name Ty McCutcheon
Title Vice President Daybreak

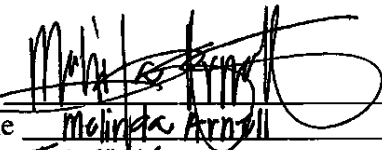
KLRDC:

**KENNECOTT LAND RESIDENTIAL
DEVELOPMENT COMPANY,**
a Delaware corporation

By 
Name Ty McCutcheon
Title Vice President Daybreak


Holmes:

HOLMES HOMES, INC.,
a Utah corporation

By 
Name Melinda Arnold
Title Treasurer

M&T:

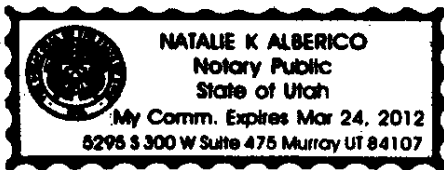
M&T BANK CORPORATION,
a New York Corporation

By 
Name Larry E. Hardman
Title Vice President

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On April 20, 2010, personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President Daybreak of **KENNECOTT LAND COMPANY**, a Delaware corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **KENNECOTT LAND COMPANY**, a Delaware corporation.

WITNESS my hand and official Seal.



Natalie K. Alberico
Notary Public in and for said State

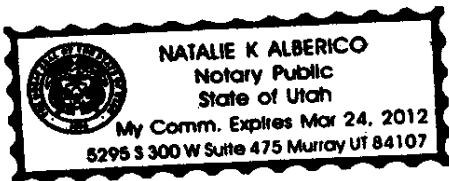
My commission expires: Mar. 24, 2012

[SEAL]

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On April 20, 2010, personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President Daybreak of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**, a Delaware corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **KENNECOTT LAND RESIDENTIAL DEVELOPMENT COMPANY**, a Delaware corporation.

WITNESS my hand and official Seal.



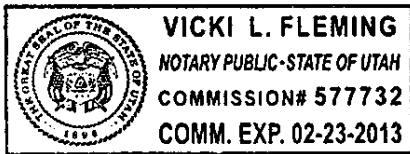
Natalie K. Alberico
Notary Public in and for said State

My commission expires: Mar. 24, 2012

[SEAL]

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On 4/21/10, personally appeared before me, a Notary Public, Melinda Hrael, the Treasurer of **HOLMES HOMES, INC.**, a Utah corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **HOLMES HOMES, INC.**, a Utah corporation.



WITNESS my hand and official Seal.

Helenus
Notary Public in and for said State

My commission expires: 2/23/13

[SEAL]

STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

On 21st of April 2010, personally appeared before me, a Notary Public, Larry L. Hardman, the Vice President of **M&T BANK CORPORATION**, a New York corporation personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of **M&T BANK CORPORATION**, a New York corporation.



WITNESS my hand and official Seal.

Carol A. Wright
Notary Public in and for said State

My commission expires: _____

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lots 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, inclusive, as depicted on that certain plat entitled "KENNECOTT DAYBREAK PLAT 10A SUBDIVISION AMENDING LOTS T1, V2 & V3 OF THE KENNECOTT MASTER SUBDIVISION #1 AMENDED" recorded on March 18, 2010, as Entry No. 10917151, Book 2010P, at Page 52 of the Official Records of Salt Lake County, Utah.

TAX PARCEL NUMBERS:

L	125	26-13-276-038-0000	L	137	26-13-276-019-0000
L	126	26-13-276-037-0000	L	138	26-13-276-021-0000
L	127	26-13-276-036-0000	L	139	26-13-276-022-0000
L	128	26-13-276-035-0000	L	140	26-13-276-023-0000
L	129	26-13-276-034-0000	L	141	26-13-276-024-0000
L	130	26-13-276-033-0000	L	142	26-13-276-017-0000
L	131	26-13-276-029-0000	L	143	26-13-276-016-0000
L	132	26-13-276-028-0000	L	144	26-13-276-015-0000
L	133	26-13-276-027-0000	L	145	26-13-276-014-0000
L	134	26-13-276-026-0000	L	146	26-13-276-010-0000
L	135	26-13-276-025-0000	L	147	26-13-276-011-0000
L	136	26-13-276-020-0000	L	148	26-13-276-012-0000
			L	149	26-13-276-013-0000
			L	150	26-13-276-008-0000
			L	151	26-13-276-007-0000
			L	152	26-13-276-006-0000
			L	153	26-13-276-005-0000
			L	154	26-13-276-032-0000
			L	155	26-13-276-031-0000
			L	156	26-13-276-030-0000