

WHEN RECORDED RETURN TO:
Summerlane Development Inc.
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7/20/2012 2:35:00 PM \$39.00
Book - 10037 Pg - 7302-7305
Gary W. Ott
Recorder, Salt Lake County, UT
MERIDIAN TITLE
BY: eCASH, DEPUTY - EF 4 P.

**SECOND SUPPLEMENT TO DECLARATION OF PLANNED UNIT DEVELOPMENT
AND
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
SUMMERLANE AT THE DISTRICT
(An Expandable Utah planned unit development)**

THIS SECOND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUMMERLANE AT THE DISTRICT (AN EXPANDABLE UTAH PLANNED UNIT DEVELOPMENT) (the "Second Supplement") is made and executed by SUMMERLANE DEVELOPMENT, INC., a Utah Corporation, whose principal address is 273 N. East Capitol Street, Salt Lake City, Utah 84103 (hereinafter referred to as the "Declarant").

RECITALS

A. The original Declaration of Covenants, Conditions, and Restrictions for Summerlane at The District was recorded in the office of the County Recorder of Salt Lake County, Utah on January 24, 2008 as Entry No. 10329358 in Book 9561 at Pages 6442-6500 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

B. The First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Summerlane at The District was recorded in the office of the County Recorder of Salt Lake County, Utah on October 14, 2010 as Entry No. 11052756 in Book 9868 at Pages 5317-5320 of the Official Records of the County Recorder of Salt Lake County, Utah (the "First Supplement").

C. The Amended and Restated Declaration of Covenants, Conditions, and Restrictions and Reservations of Easements and Bylaws for Summerlane at The District was recorded in the office of the County Recorder of Salt Lake County, Utah on August 17, 2011 as Entry No. 11229196 in Book 9943 at Pages 7399-7457 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

D. The related Plat Maps for Summerlane at The District have also been recorded in the office of the County Recorder of Salt Lake County, Utah.

C. Under Article III, Section 49 of the Declaration, Declarant reserved the unilateral right to expand the Project.

D. Declarant intends to expand the Project and that the real property located in Salt Lake County, Utah and described with particularity on Exhibits "A" (**Summerlane at The District Phase 7**) attached hereto and incorporated herein by this reference (the "Property") be submitted to the Utah Community Association Act, Utah Code Ann., Sections 57-8a-1 et seq. (2004) as amended (the "Act") and subject to the Declaration.

E. Declarant is the owner of the Property.

A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners thereof, Declarant hereby executes this Second Supplement to the Declaration.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the definition of the "Second Supplement to the Declaration" which shall mean and refer to this Second Supplement to the Declaration of Covenants, Conditions, and Restrictions for Summerlane at The District recorded in the office of the County Recorder of Salt Lake County, Utah on January 24, 2008 as Entry No. 10329358 in Book 9561 at Pages 6442-6500 of the Official Records of the County Recorder of Salt Lake County, Utah. Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The Property (**Summerlane at The District Phase 7**) described in Exhibit "A" is hereby submitted to the provisions of the Act and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as amended and supplemented.

3. **Annexation.** Declarant hereby declares that the Property (**Summerlane at The District Phase 7**) is hereby annexed to and subject to the Declaration, which upon recordation of this Second Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibits "A" subject to the functions, powers, rights, duties and jurisdiction of the Association.

4. **Effective Date.** The effective date of this Second Supplement shall be the date on which said instrument is filed for record in the Office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, Declarant has executed this instrument the 19th day of July, 2012.

DECLARANT:

SUMMERLANE DEVELOPMENT, INC. a Utah Corporation


By: Bryson Garbett, President

STATE OF UTAH)
)ss:
COUNTY OF SALT LAKE)

On the 19th day of July, 2012 personally appeared before me Bryson Garbett, who by me being duly sworn, did say that he is the President of SUMMERLANE DEVELOPMENT, INC., a Utah corporation, and that the within and foregoing instrument was signed in behalf of said Company by authority of a resolution of its board of directors or its Articles of Incorporation, and said Bryson Garbett, duly acknowledged to me that said Company executed the same.

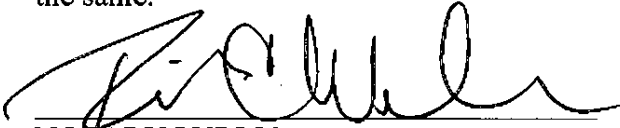

NOTARY PUBLIC



Exhibit "A"

Lot No. 23-1, 23-2, 23-3, 23-4, 23-5, 23-6, 23-7, 23-8, 23-9, 24-1, 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 25-1, 25-2, 25-3, 25-4, 25-6, 25-7, 25-8, 25-9 and the Common Areas contained within SUMMERLANE AT THE DISTRICT Phase No. 6, as the same is identified in the Plat Map recorded in Salt Lake County, Utah as Entry No. 11432768 in Book 2012P at Page 97 of the official records of the County Recorder of Salt Lake County,

TAX # 27-20-182-024