When Recorded Mail To:

Spring View Capital, LLC 9071 South 1300 West Ste. 200 West Jordan, UT 84088

Tax ID No's (for reference purposes):

33-10-226-010 33-10-226-012 11752879 11/1/2013 2:47:00 PM \$19.00 Book - 10189 Pg - 7453-7457 Gary W. Ott Recorder, Salt Lake County, UT COTTONWOOD TITLE BY: eCASH, DEPUTY - EF 5 P.

Cover Page to Supplement to Declaration of Covenants, Conditions, and Restrictions of Springview Farms Subdivision

### SUPPLEMENT TO

THE

# DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPRINGVIEW FARMS SUBDIVISION

Annexation of Sage Estates Phase 2D and 2E

WHEREAS, a Declaration of Covenants, Conditions, and Restrictions for Springview Farms Subdivision (the "Declaration") was made as of the 8<sup>th</sup> day of October, 2004 and Recorded the 12<sup>th</sup> day of October, 2004 as Entry 9195349 in Book 9047 at Page 5731, and

Pursuant to the provision of Section 15.2 of the Declaration, and applicable law, Spring View Capital, LLC, a Utah limited liability company by and through its Manager, C.W. Management Corporation, a Utah corporation ("Declarant"), does hereby supplement and amend the Declaration.

WHEREAS, Declarant is the Declarant under the original Declaration; and

WHEREAS, the Declaration anticipated expansion of the Springview Farms Subdivision (the "Subdivision") according to the projections in the approved Master Plan, which is of record; and

WHEREAS, Section 7.1 of the Declaration provides that the Declarant may from time to time unilaterally subject additional property, from that which is described on Exhibit "B" to the Declaration, to the provisions of the Declaration by filing with the Salt Lake County Recorder a Supplemental Declaration describing the property being annexed.

NOW, THEREFORE, the Declaration is and shall be supplemented and amended as follows:

1. The Declarant does hereby submit the following described real property to, and annex into the Springview Farms Subdivision, and amend and supplement the Declaration to provide that, in addition to the real property which is the subject of the initial Declaration, the following described real property, situated in Salt Lake County, State of Utah:

See Exhibit "A", attached hereto and incorporated herein by this reference.

The above-described property is hereby subjected to the Declaration and any amendments thereto pursuant to this Supplemental Declaration. The annexed property is, for reference purposes, identified on the Master Plan as Sage Estates Phases 2D and 2E. Such property shall accordingly be divided in to Units, Common Area, etc., as applicable, pursuant to the Master Plan, and shall be held, sold, used and conveyed subject to the easements, restrictions, covenants, and conditions, which run with the title to the real property subjected to the Declaration, which is accordingly incorporated herein by this reference. The Declaration as supplemented shall be binding upon all parties having any right, title or interest in the above-referenced property, and their heirs, successors, successors in title, and assigns,

and shall inure to the benefit of each Owner of such property as a portion of the Properties governed by the Declaration.

- 2. As contemplated by the Declaration, the property described in Exhibit "A" to this Supplement shall be joined with the Properties governed by the Declaration, and the numbers of Units, Owners, Members, etc., shall be adjusted accordingly as the Units are created and conveyed by Declarant.
- 3. Except as amended and supplemented hereby, the Declaration shall remain in full force and effect. The terms of this Supplemental Declaration shall control and supersede any conflicting provisions of the Declaration.

The foregoing Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions of Springview Farms Subdivision was adopted by the Declarant pursuant to the provisions of the said Declaration in its capacity as the Declarant pursuant to rights reserved in the Declaration and in its capacity as the owner of the property annexed hereby. This Supplemental Declaration shall be effective upon recordation with the Salt Lake County Recorder.

Dated this  $\widehat{z} \underline{O}$  day of October, 2013.

**DECLARANT:** 

Spring View Capital, LLC, by its Manager:

**CW Management Corporation** 

By: Christopher K. McCandless

Its: President

STATE OF UTAH
COUNTY OF SALT LAKE

On this <u>30</u> day of October, 2013, Christopher K. McCandless appeared or identified to me to be the President of the corporation that executed the above instrument on behalf of said corporation and acknowledged that such corporation executed the same.

**Notary Public** 

CORTLUND G. ASHTOM
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 611941
COMM. EXP. 07-25-2015

#### **EXHIBIT A**

## Proposed SAGE ESTATES PHASE 2D SUBDIVISION, being more particularly described as follows:

Beginning at the Northeast corner of Lot 56, of Sage Estates Phase 2C Subdivision, said point also being North 89°59'27" East 2,038.50 feet along the section line and South 386.24 feet from the South quarter corner of Section 3, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 80°06'00" East 219.66 feet; thence South 13°57'15" West 138.67 feet; thence South 53°15'06" East 149.00 feet; thence South 36°44'54" West 50.21 feet; thence South 53°15'06" East 169.91 feet; thence Southwesterly 69.17 feet along the arc of a 425.00 foot radius curve to the right (center bears North 52°03'09" West and the chord bears South 42°36'35" West 69.09 feet with a central angle of 09°19'28"); thence South 47°16'19" West 85.84 feet; thence South 24°37'10" West 38.73 feet; thence South 65°52'22" West 165.73 feet; thence South 47°03'14" West 81.99 feet; thence South 40°23'34" West 282.00 feet; thence North 86°31'14" West 57.32 feet; thence North 48°22'46" West 375.67 feet to the Easterly right-ofway line of Cicada Drive; thence North 36°44'54" East 20.07 feet along the Easterly right-of-way line of Cicada Drive to the Southwest corner of Lot 24 of said Sage Estates Phase 2C Subdivision; thence South 48°22'46" East 111.74 feet along the Southerly boundary line of said Lot 24 of Sage Estates Phase 2C Subdivision to the Southeast corner of said Lot 24 of Sage Estates Phase 2C Subdivision; thence North 26°58'12" East 156.63 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 41°08'09" East 49.78 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 29°50'43" East 192.74 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 48°22'46" West 85.84 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 41°37'14" East 200.00 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 31°23'12" East 164.49 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision to the point of beginning.

## Proposed SAGE ESTATES PHASE 2E SUBDIVISION, being more particularly described as follows:

Beginning at the Northeast corner of Lot 7 of Sage Estates Phase 2A Subdivision, said point also being North 89°59'27" East 2,043.47 feet along the section line and South 8.76 feet from the South quarter corner of Section 3, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 80°06'00" East 853.02 feet; thence South 46°53'39" West 89.48 feet; thence South 77°45'00" West 192.29 feet; thence South 65°03'00" West 66.59 feet; thence South 10°53'00" West 127.36 feet; thence South 77°52'23" West 72.02 feet; thence South 09°00'00" East 52.39 feet; thence South 78°55'00" East 83.74 feet; thence South 16°45'00" West 164.24 feet; thence Southwesterly 66.73 feet along the arc of a 425.00 foot radius curve to the right (center bears North 73°15'00" West and the chord bears South 21°14'54" West 66.67 feet with a central angle of 08°59'48"); thence South 31°50'50" West 90.33 feet to the Northeast corner of Lot 16 of Sage Estates Phase 2D Subdivision; thence North 53°15'06" West 169.91 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision; thence North 36°44'54" East 50.21 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision; thence North 53°15'06" West 149.00 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision; thence North 13°57'15" East 138.67 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision; thence North 80°06'00" West 219.66 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision; thence North 80°06'00" West 219.66 feet along the Northerly boundary line of said Sage Estates Phase 2D Subdivision;

Subdivision to the Northeast corner of Lot 56 of Sage Estates Phase 2C Subdivision; thence North 58°36'48" West 62.01 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 09°54'00" East 150.00 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 07°15'40" East 50.05 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision; thence North 09°54'00" East 150.00 feet along the Easterly boundary line of said Sage Estates Phase 2C Subdivision to the point of beginning.