11800098 2/5/2014 8:05:00 AM \$23.00 Book - 10209 Pg - 4863-4869 Gary W. Ott Recorder, Salt Lake County, UT KIRTON & MCCONKIE BY: eCASH, DEPUTY - EF 7 P.

When Recorded Return to: Read R. Hellewell, Esq. KIRTON & McCONKIE 60 East South Temple, Suite 1800 Salt Lake City, UT 84111-1004

For information only: Tax Parcel Nos. 14-25-101-002, 14-25-101-003 and 14-25-101-007

SEVENTH SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK

THIS SEVENTH SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK (this "Seventh Supplement") is executed this 31th day of January, 2014 by SUBURBAN LAND RESERVE, INC., a Utah corporation ("Declarant") and AMSOURCE HIGHBURY, LLC, a Utah limited liability company ("Amsource"), in contemplation of the following facts and circumstances:

- A. The MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK dated September 26, 2006 was recorded October 6, 2006 as Entry No. 9868362 in Book 9362 beginning at Page 804 in the official records of the Salt Lake County Recorder, State of Utah (the "Declaration").
- B. The Declaration was amended and supplemented by the annexation of additional real property pursuant to that certain FIRST SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated September 21, 2007, which was recorded September 21, 2007 as Entry No. 10229748 in Book 9518 beginning at Page 149 in the official records of the Salt Lake County Recorder, State of Utah (the "First Supplement"); that certain SECOND SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated September 29, 2008, which was recorded September 30, 2008 as Entry No. 10530895 in Book 9646 beginning at Page 9423 in the official records of the Salt Lake County Recorder, State of Utah (the "Second Supplement"); that certain THIRD SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated July 2, 2009, which was recorded September 2, 2009, as Entry No. 10790212 in Book 9760 beginning at Page 2610 in the official records of the Salt Lake County Recorder, State of Utah (the "Third Supplement"), that certain FOURTH SUPPLEMENT TO MASTER DECLARATION OF

4837-0347-0867.





EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated July 2, 2009, which was recorded September 2, 2009, as Entry No. 10790237 in Book 9760 beginning at Page 2752 in the official records of the Salt Lake County Recorder, State of Utah (the "Fourth Supplement"), that certain FIFTH SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated January 12, 2011, which was recorded January 13, 2011, as Entry No. 11115952 in Book 9898 beginning at Page 2381 in the official records of the Salt Lake County Recorder, State of Utah (the "Fifth Supplement"), that certain FIRST AMENDMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated June 22, 2011, which was recorded June 27, 2011, as Entry No. 11204026 in Book 9933 beginning at Page 947 in the official records of the Salt Lake County Recorder, State of Utah, (the "First Amendment") and that certain SECOND AMENDMENT AND SIXTH SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK, dated January 3/2, 2014, which was recorded January 2/4, 2014, as Entry No. //80080 in Book/p209 beginning at Page 472/ in the official records of the Salt Lake County Recorder, State of Utah (the "Sixth Supplement", and together with the First Supplement, the Second Supplement, the Third Supplement, the Fourth Supplement and the Fifth Supplement, the "Supplements"). The term "Declaration," as used herein shall refer to the Declaration as amended and supplemented as described herein.

- C. The Declaration constitutes easements, covenants and restrictions which encumber certain real property described in the Declaration and in the Supplements (collectively, the "Property"), which is located in Salt Lake County, State of Utah.
- D. Declarant desires to have the real property described herein become subject to the easements, covenants and restrictions and to be owned and occupied subject to the provisions of the Declaration.
- E. As previously agreed with Declarant, Amsource, as the owner in fee simple of Lots 5a and 5f, Highbury Shoppes Subdivision, amending Lot 5 of Highbury Commons at Lake Park, which shall be subject to this Seventh Supplement, desires to have the real property described herein become subject to the easements, covenants and restrictions and to be owned and occupied subject to the provisions of the Declaration.
- F. The Declaration provides procedures for the adoption, execution and recordation of amendments and supplements to the Declaration, and this Seventh Supplement is being executed and recorded as authorized under the provisions of the Declaration.
- G. In compliance with the provisions of the Declaration, Declarant and Amsource do each hereby execute this Seventh Supplement and shall cause same to be recorded in the office records of Salt Lake County, State of Utah, for the purpose of supplementing the Declaration to add the additional real property described herein which shall be hereafter subject to the terms of the Declaration.

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NOW, THEREFORE, the Declaration is hereby supplemented, and to the extent required to implement the provisions hereof, amended, in accordance with the provisions of this Seventh Supplement, as follows:

- 1. <u>Defined Terms</u>. A term which appears initially in quotation marks and is not there defined denotes that it is a defined term which shall have the meaning set forth in the Declaration.
- 2. <u>Compliance with Procedures.</u> As provided in Article IX of the Declaration, Declarant (when joined by the owner of the real property to be annexed if Declarant is not such owner) has the right to annex additional real property which shall become subject to the Declaration by the recordation of a supplemental declaration in the office of the County Recorder of Salt Lake County, State of Utah. Declarant and the Owner of the real property to be annexed, may exercise such right of annexation without the consent or signature of any other party. All of the real property described herein is owned by either Declarant or Amsource. The real property described herein is contiguous with real property which is subject to the Declaration. By this Seventh Supplement, Declarant and Amsource, for the real property owned by it, intend to annex the additional real property described herein to the Declaration and cause said real property to be subject to the Declaration.
- 3. <u>Description of Property</u>. The property to be annexed under this Seventh Supplement constitutes approximately 2.31 acres of land located in Salt Lake County, State of Utah (the "Supplemental Property"), and is more particularly described on <u>Exhibit "A"</u> attached hereto and incorporated herein by this reference.
- 4. <u>Declaration</u>. Declarant and Amsource do each hereby declare that the Supplemental Property and any and all Improvements that shall at any time be located upon any portion of the Supplemental Property, shall be held, sold, conveyed, transferred, designed, constructed, operated, maintained, leased, subleased and occupied subject to the easements, covenants, conditions and restrictions set forth in the Declaration.
- 5. <u>Effective Date</u>. This Seventh Supplement shall be effective as of the date of the recordation hereof in the official records of the Salt Lake County Recorder, State of Utah.

[Signature Pages to Follow Immediately]





Signature Page

To

Supplement to Master Declaration

Of

Easements, Covenants and Restrictions

For

Highbury Commons at Lake Park

EXECUTED to be effective as of the date of the recordation hereof.

Declarant:

SUBURBAN LAND RESERVE, INC.

a Utah corporation

Matthew A. Bale

Its: President and Chief Executive Officer

want.

STATE OF UTAH

: ss.

COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 344 day of January, 2014 by Matthew A. Baldwin, as President and Chief Executive Officer of SUBURBAN LAND RESERVE, INC., a Utah corporation.



Notary Public

Signature Page
To
Supplement to Master Declaration
Of
Easements, Covenants and Restrictions
For
Highbury Commons at Lake Park

Amsource:

AMSOURCE HIGHBURY, LLC, a Utah limited Liability Company By Its Manager

AMSOURCE DEVELOPMENT, INC., a Utah corporation

By: Warn R Gashin

Name: DAVID R GASKING

Title: PRESIDENT

By:

Name: BMAN B. DW

Title: VICE TEBILDUI

STATE OF UTAH)
	: SS.
COUNTY OF SALT LAKE)
	2.19
	was acknowledged before me this 314 day of January, 2014
by DAVID R. GAGUL	L, as PLESIDEUT of AMSOURCE
DEVELOPMENT, INC., a Utah	corporation, acting it its capacity as manager of AMSOURCE
HIGHBURY, LLC, a Utah limited	d liability company.

Notary Public



4837-0347-0867.

BK 10209 PG 4867

Signature Page To

Supplement to Master Declaration

Of

Easements, Covenants and Restrictions

For

Highbury Commons at Lake Park

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

The foregoing instrument was acknowledged before me this 31st day of January, 2014 by BOYAN BOYAN as VICE THE DEVI of AMSOURCE DEVELOPMENT, INC., a Utah corporation, acting it its capacity as manager of AMSOURCE HIGHBURY, LLC, a Utah limited liability company.

Melanie Chela Notary Public

Notary Public
MELANIE CHILD
Commission #581495
My Commission Expires
February 1, 2014
State of Utah

4837-0347-0867.

BK 10209 PG 4868

EXHIBIT "A" TO SEVENTH SUPPLEMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR HIGHBURY COMMONS AT LAKE PARK

[Legal Description of Supplemental Property]

Real property located in Salt Lake County, State of Utah, and more particularly described as follows:

Lots 5a and 5f, Highbury Shoppes Subdivision, amending Lot 5 of Highbury Commons at Lake Park, to create Lots 5a, 5b, 5c, 5d, 5e and 5f, according to the Official Plat thereof, recorded October 16, 2006 as Entry No. 9876677 in Book 9365 at Page 7006 in the Office of the Salt Lake County Recorder.

Tax Parcel Nos. 14-25-101-003 and 14-25-101-007

4837-0347-0867.

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