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WHEN RECORDED, RETURN TO:

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

11871619
06/25/2014 11:37 AM \$70.00
Book - 10240 Pg - 8695-8699
GARY W. OTT
RECODER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
BY: EEA, DEPUTY - WI 5 P.

**SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
SODA ROW TOWNHOME PROJECT
(ADDING ADDITIONAL LAND - VC1 MULTI FAMILY #6)**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SODA ROW TOWNHOME PROJECT (ADDING ADDITIONAL LAND - VC1 MULTI FAMILY #6) (this "Supplement") is made this June 10, 2014, by **KENNECOTT LAND COMPANY**, a Delaware corporation, as declarant ("Declarant") under the Declaration of Covenants, Conditions and Restrictions for Soda Row Townhome Project, recorded on January 26, 2010, as Entry No. 10885373, in Book 9799, beginning at Page 3280, as amended and/or supplemented from time to time (collectively, the "Declaration"), and is consented to by **DAYBREAK DEVELOPMENT COMPANY**, a Delaware corporation (formerly known as Kennecott Land Residential Development Company, a Delaware corporation) ("DDC").

RECITALS:

- A. Pursuant to the Declaration, Declarant has established the Soda Row 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. DDC owns certain additional residential lots (collectively, the "Additional Lots") and certain other parcels of real property adjacent to the Project, which Additional Lots and other parcels are also collectively referred to herein as the "Property". The Property is more particularly and legally described in Exhibit A, attached hereto and incorporated herein by this reference.
- C. Declarant and DDC desire 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 Soda Row Townhomes Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby adds the Property 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. DDC hereby consents 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 the Soda Row Townhome Association, Inc., a Utah nonprofit corporation (the “Association”), as more particularly described in the Declaration. DDC hereby consents to the submission of the Property to the Declaration and to the governance of the Association as provided herein.
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 Following Page]

IN WITNESS WHEREOF, as of this June 10, 2014, Declarant has executed this Supplement and DDC has consented to the same.

Declarant:

KENNECOTT LAND COMPANY,
a Delaware corporation

By Ty
Name Ty McCutcheon
Title Vice President Kennecott

DDC:

**DAYBREAK DEVELOPMENT
COMPANY**, a Delaware corporation

(formerly known as Kennecott Land
Residential Development Company, a
Delaware corporation)

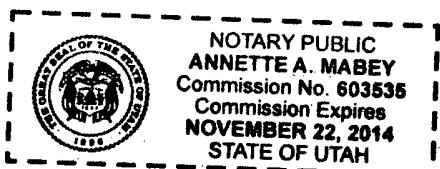
By: Ty
Name: Ty McCutcheon
Its: Vice President Daybreak

ACKNOWLEDGMENTS

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

On June 10, 2014 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.



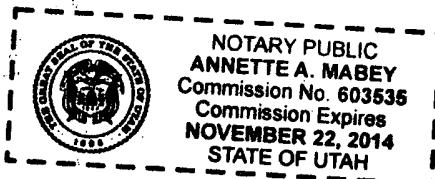
Annette A. Mabey
Notary Public in and for said State
My commission expires: 11/22/2014

[SEAL]

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

On June 10, 2014, personally appeared before me, a Notary Public, Ty McCutcheon, the Vice President Daybreak of **DAYBREAK DEVELOPMENT COMPANY**, a Delaware corporation (formerly known as 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 **DAYBREAK DEVELOPMENT COMPANY**, a Delaware corporation (formerly known as Kennecott Land Residential Development Company, a Delaware corporation).

WITNESS my hand and official Seal.



Annette A. Mabey
Notary Public in and for said State
My commission expires: 11/22/2014

[SEAL]

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

All of the real property described on that certain plat entitled "KENNECOTT DAYBREAK VC1 MULTI FAMILY #6 AMENDING PARCEL D OF AMENDED KENNECOTT DAYBREAK PHASE 1 SUBDIVISION AND LOTS 4-7 AND 126-134 OF KENNECOTT DAYBREAK COUPLETT LINER PRODUCT #1" recorded on June 25, 2014, as Entry No. 11871615, Book 2014P, at Page 163 of the Official Records of Salt Lake County, Utah.