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Rhonda Francis Summit County Recorder

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By COTTONWOOD TITLE INSURANCE AGENCY, INC.

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When Recorded Return To:

Ivory Development, LLC

978 E. Woodoak Lane

Salt Lake City, Utah 84117

**SUPPLEMENT TO AMENDED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
FRANCIS COMMONS PHASES 2 AND 3
IN
FRANCIS CITY, UTAH**

This Supplement to Amended Declaration of Covenants, Conditions, and Restrictions for Francis Commons Phase 1, located in Francis City, Summit County, Utah, is made and executed by Ivory Development, LLC, a Utah limited liability company (“Declarant”) with a registered address of 978 E. Woodoak Lane, Salt Lake City, Utah 84117.

RECITALS

WHEREAS, that certain Amended Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Francis Commons Phase 1 was recorded with the County Recorder for Summit County, Utah on April 16th, 2024, as Entry No. 01218259 (the “Amended Declaration”) for the Francis Commons development project (the “Project”);

WHEREAS, the Amended Declaration provides that the Project may be developed in phases and additional land may be annexed into and made part of the Project and made subject to the Amended Declaration;

WHEREAS, the Amended Declaration further provides that said phases and/or additional land may be made subject to additional restrictions, conditions or covenants imposed on a Unit or Owner as part of a discrete phase or neighborhood developed within the Project (collectively, “Additional Covenants”) by Declarant’s recording of a Supplement to Declaration;

WHEREAS, Declarant is the record fee owner of certain real property located in Summit County, Utah more specifically described in Exhibit “A” hereto and incorporated herein by this reference (the “Francis Commons Phases 2 and 3 Property”);

WHEREAS, Declarant desires to develop the Francis Commons Phases 2 and 3 Property to include additional Units and other improvements of a less significant nature;

WHEREAS, final plats for the Francis Commons Phases 2 and 3 Property have been or will be recorded with the County Recorder for Summit County, Utah.

WHEREAS, Declarant now intends that this Francis Commons Phases 2 and 3 Property shall be subject to and burdened and benefitted by the Amended Declaration.

SUPPLEMENT TO DECLARATION

NOW, THEREFORE, for the reason recited above, and for the benefit of the Project and the Owners therein, Declarant hereby executes this Supplement to the Amended Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Francis Commons (this "Supplement to Amended Declaration").

1. Legal Description. The real property defined herein as the Francis Commons Phases 2 and 3 Property is more fully described in Exhibit "A" hereto. The Francis Commons Phases 2 and 3 Property shall be and hereby is submitted to the provisions of the Amended Declaration. Said land and the Units thereon shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Amended Declaration, as it may be further supplemented or amended from time to time.
2. Annexation. Consistent with the rights and authority reserved to Declarant in the Amended Declaration, the Francis Commons Phases 2 and 3 Property shall be and hereby is annexed into the Project and made subject to the Amended Declaration, which, upon recordation of this instrument shall constitute and effectuate the expansion of the Project making the Francis Commons Phases 2 and 3 Property subject to the powers, rights, duties, functions, and jurisdiction of the Francis Commons Association (the "Association") and Association Design Guidelines.
3. Description of the Property, as Supplemented by the Supplement to Amended Declaration. As shown on the Francis Commons Phases 2 and 3 plats, there are or will be created an additional eighteen (18) Townhome Units.
4. Benefitted Area. Consistent with the Amended Declaration, the Francis Commons Phases 2 and 3 Property include certain Benefitted Area that is or will be administered and maintained by the Master Association, specifically, the private alley easements as shown on the Francis Commons Phases 2 and 3 Plats. Consistent with the rights and authority reserved to the Declarant in the Amended Declaration, said Area is hereby designated as Benefitted Area primarily for the use and benefit of the Owners of the Lots established by the Francis Commons Phases 2 and 3 Plats. Benefitted Area Expenses, as defined in the Amended Declaration, may be assessed to the Unit Owners in Francis Commons Phase 2 and 3.
5. Service Area. Further consistent with the Amended Declaration, a distinct Service Area for the Francis Commons Townhomes Property, Lots 201 through 209, and Lots 302 through 310, inclusive shall be and hereby is established.
6. Dedication of Access and Utility Easements (Private Roads). Consistent with the Amended Declaration, the Private Access and Utility Easements identified on the

Francis Commons Phases 2 and 3 Plats shall be and hereby offer access to the Association as part of the Benefitted Area within the Francis Commons Townhome Property. Upon recording of this instrument, the Association shall have authority over and responsibility for the operation, maintenance, repair, and replacement of the portions of the private easements within the Lot Lines of the associated Lots.

7. Covenants, Conditions and Restrictions Run with the Land. This Supplement to Declaration and the Terms and Conditions established herein are binding on each Owner and his/her/their assigns and successors in interest and are intended to and shall run with the land.

[Signature page to follow]

**EXHIBIT A
LEGAL DESCRIPTION**

Lots 201 through 208, inclusive, FRANCIS COMMONS SUBDIVISION PHASE 2, according to the official plat thereof recorded November 28, 2023 as Entry No. 1212840 in the Summit County Recorder's Office, State of Utah.

Parcel Nos. FC-2-201 through FC-2-208 (for reference purposes only)

Lot 209, FRANCIS COMMONS SUBDIVISION PHASE 2 LOTS 209 & 210 AMENDED, according to the official plat thereof recorded March 8, 2024 as Entry No. 1216619 in the Summit County Recorder's Office, State of Utah

Parcel No. FC-2-209-AM (for reference purposes only)

Lots 307 through 310, inclusive, FRANCIS COMMONS SUBDIVISION PHASE 3, according to the official plat thereof recorded November 28, 2023 as Entry No. 1212841 in the Summit County Recorder's Office, State of Utah.

Parcel Nos. FC-3-307 through FC-3-310 (for reference purposes only)

Lots 301 through 306, inclusive, and Lots 311 through 314, inclusive, FRANCIS COMMONS SUBDIVISION PHASE 3 LOTS 301-306 & 311-314 AMENDED, according to the official plat thereof recorded March 8, 2024 as Entry No. 1216620 in the Summit County Recorder's Office, State of Utah.

Parcel Nos. FC-3-301-AM through FC-3-306-AM and FC-3-311-AM through FC-3-314-AM (for reference purposes only)