

WHEN RECORDED RETURN TO:
IVORY HOMES DEVELOPMENT, LLC.
Christopher P. Gamvroulas
978 E. Woodoak Lane
Salt Lake City, Utah 84117
(801) 268-0700

4.3A.35A.011

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6/23/2016 4:52:00 PM \$16.00
Book - 10445 Pg - 2895-2898
Gary W. Ott
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 4 P.

**FIRST SUPPLEMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PARK VISTA SUBDIVISION PHASE 2**

This First Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Vista Subdivision Phase 2 is made and executed by IVORY DEVELOPMENT, LLC., a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (hereinafter referred to as "Declarant").

RECITALS

Whereas, the Declaration of Covenants, Conditions and Restrictions for Park Vista Subdivision Phase 1 Subdivision was recorded in the Office of the County Recorder of Salt Lake County, Utah on March 3, 2015 as Entry No. 12007072 in Book 10303 at Pages 2267-2283 of the Official Records (the "Declaration").

Whereas, the related Plat Map for Phase 1 of the Project has also been recorded in the Office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 4 of the Declaration, Declarant reserved the unilateral right to expand the subdivision by annexing additional land and expanding the application of the Declaration.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibits "A-2" (the "Phase 2 Property") attached hereto and incorporated herein by this reference.

Whereas, Declarant desires to expand the subdivision by creating on the Phase 2 Property thirty-three (33) additional Lots.

Whereas, Declarant now intends that the Phase 2 Property shall become subject to the Declaration, as amended.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this First Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Vista Subdivision Phase 2.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. **First Supplemental Declaration** shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions and Restrictions for Park Vista Subdivision Phase 2.

B. **Phase 2 Map** shall mean and refer to the Final Plat Map of Park Vista Subdivision Phase 2 prepared and certified to by Dennis P. Carlisle, a duly registered Utah Land Surveyor holding Certificate No. 172675, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this First Supplemental Declaration.

C. **Subdivision** shall mean and refer to Park Vista Subdivision Phases 1 and 2, as it may be supplemented or expanded from time to time.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A-2 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Phase 2 Property shall be annexed to and become subject to the Declaration and the Utah Community Association Act, Utah Code Ann., Sections 57-8a-101 et seq. (2004) as amended or supplemented (the "Act"). The recordation of this First Supplemental Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-2 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association/Board of Directors.

4. **Total Number of Units Revised.** As shown on the Phase 2 Map, thirty-three (33) new Lots, Numbers 201- 233, inclusive, are or will be constructed and/or created in the Project on the Phase 2 Property. Upon the recordation of the Phase 2 Map and this First Supplemental Declaration, the total number of Lots in the Project will be seventy-five (75). The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the prior Phase.

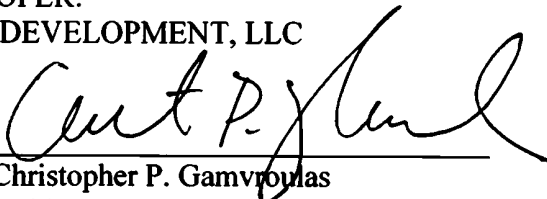
5. **Incorporation of Original Declaration as Supplemented and Amended.** It is expressly agreed by the parties that this document is supplemental to the Declaration which is by reference made a part hereof, and all of the terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to the Phase 2 Property and are made a part of this document as though they were expressly rewritten, incorporated and included herein.

6. **Conflict.** In the event of any conflict, inconsistency or incongruity between the provisions of the Declaration and this First Supplemental Declaration, the latter shall in all respects govern and control. If there is a conflict between a provision in the Declaration, as supplemented, and a provision in the Act, the Act shall in all respects govern and control.

7. **Effective Date.** The effective date of this First Supplemental Declaration and the Phase 2 Map shall be the date or dates on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.

Dated the 5th day of February, 2016.

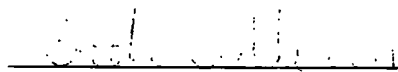
DEVELOPER:
IVORY DEVELOPMENT, LLC

By: 
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

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

The foregoing instrument was acknowledged before me this 5th day of February, 2016 by Christopher P. Gamvroulas, the President of IVORY DEVELOPMENT, LLC., a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC. executed the same.


NOTARY PUBLIC

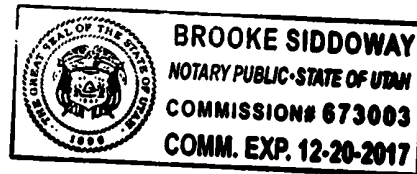


EXHIBIT "A-2"
LEGAL DESCRIPTION

The real property referred to in the foregoing document as the Park Vista Subdivision Phase 2 Property is located in Salt Lake County, Utah and is described more particularly as follows:

A portion of the SW1/4 of Section 34, Township 1 South, Range 2 West, Salt Lake Base & Meridian, located in West Valley City, Utah, more particularly described as follows:

Beginning at the southwest corner of FALCONCREST Subdivision, Phase 1, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, said corner being located S89°56'03"W along the Section line 883.00 feet from the South ¼ Corner of Section 34, T1S, R2W, S.L.B. & M.; thence S89°56'03"W along the Section line 949.62 feet to the northeasterly right-of-way line of the Denver & Rio Grande Western Railroad; thence N74°50'22"W along said railroad 284.88 feet; thence N0°04'26"W 690.03 feet along lands of West Valley City, lands of Dotson, and along the easterly line of BRANDON PLACE Subdivision to the southwest corner of Lot 142, PARK VISTA Subdivision Phase 1, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence along said plat the following 9 (nine) courses and distances: N89°55'34"E 97.99 feet; thence N88°43'13"E 54.01 feet; thence N89°56'03"E 97.01 feet; thence S1°55'54"E 108.82 feet; thence S0°04'26"E 340.25 feet; thence N89°56'03"E 323.80 feet; thence N0°03'57"W 42.84 feet; thence along the arc of a 249.00 foot radius curve to the left 17.94 feet through a central angle of 4°07'44" (chord: N2°07'49"W 17.94 feet); thence N64°28'00"E 118.07 feet to the westerly side of said FALCONCREST Subdivision, Phase 1; thence along said plat the following 5 (five) courses and distances: S25°32'00"E 140.16 feet; thence N89°56'03"E 466.58 feet; thence S0°03'57"E 95.00 feet; thence S17°11'06"E 52.32 feet; thence S0°03'57"E 157.00 feet to the point of beginning.

Contains: 11.34+/- acres
33 lots