

WHEN RECORDED, RETURN TO:

VP Daybreak Operations LLC
11248 Kestrel Rise Road, Suite 201
South Jordan, UT 84009
Attention: Gary Langston

12705645
01/26/2018 02:26 PM \$62.00
Book - 10642 Pg - 829-832
ADAM GARDINER
RECODER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
BY: BAP, DEPUTY - WI 4 P.

**SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAYBREAK SOUTH STATION TOWNHOME PROJECT
(ADDING ADDITIONAL LAND – DAYBREAK SOUTH STATION MULTI FAMILY #2)**

**THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR DAYBREAK SOUTH STATION TOWNHOME PROJECT
(ADDING ADDITIONAL LAND – DAYBREAK SOUTH STATION MULTI FAMILY #2)**
(this “**Supplement**”) is made as of December 13, 2017, by **VP DAYBREAK
OPERATIONS LLC**, a Delaware limited liability company, as successor-in-interest to Kennecott Land Company, as declarant (“**Declarant**”) under that certain Declaration of Covenants, Conditions and Restrictions for Daybreak South Station Townhome Project, recorded on October 30, 2015, as Entry No. 12161465, in Book 10375, beginning at Page 2925, as amended and/or supplemented from time to time (collectively, the “**Declaration**”).

RECITALS:

- A. Pursuant to the Declaration, Declarant has established the *Daybreak South Station Townhome* project (the “**Project**”) initially consisting of various residential “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. Declarant owns certain parcels of real property (collectively, “**Additional Land**”) adjacent to the Project. The Additional Land is legally described in Exhibit A, attached hereto and incorporated herein by this reference.
- C. Declarant desires to add the Additional Land to the Project and to 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 used herein shall have the meanings ascribed to such terms in the Declaration.

2. **Submission of Additional Land (Lots) to Declaration.** Pursuant to Article 14 of the Declaration, Declarant hereby exercises its option to expand the Project and add the Additional Land to the Project, effective as of the recording of this Supplement; and Declarant submits and subjects the Additional Land to the Declaration, including, without limitation, all covenants, restrictions, easements, conditions, charges and liens set forth in the Declaration. Holmes hereby consents to the submission of the Additional Land to the Declaration. From and after the recordation of this Supplement, the Additional Land 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 Additional Land shall be subject to the governance of the Daybreak South Station Townhome Owners Association, Inc., a Utah nonprofit corporation, as more particularly described in the Declaration.
3. **Full Force and Effect.** The Declaration, as amended hereby, remains in full force and effect.
4. **Incorporation by Reference.** The Recitals and Exhibits to this Supplement are hereby incorporated into this Supplement by this reference.

[Signatures on Following Page]

IN WITNESS WHEREOF, Declarant has executed this Supplement as of the date first written above.

Declarant:

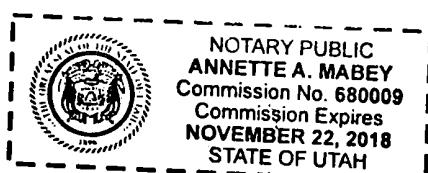
VP DAYBREAK OPERATIONS LLC,
a Delaware limited liability company

By: Daybreak Communities LLC,
a Delaware limited liability company
Its: Project Manager

By: Ty McCutcheon
Ty McCutcheon, President & CEO

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

On Dec. 13th, 2017, personally appeared before me, a Notary Public, Ty McCutcheon, President & CEO of Daybreak Communities LLC, the Project Manager of VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, 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 VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company.



WITNESS my hand and official Seal.

Annette Mabey
Notary Public in and for said State

My commission expires: 11/22/2018

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND ADDED TO PROJECT

All of the real property described on that certain plat entitled "DAYBREAK SOUTH STATION MULTI FAMILY #2 SUBDIVISION, AMENDING LOTS C-101, C-102, C-103, C-111, C-112, C-113, C-114, M-101 & M-102 OF THE DAYBREAK SOUTH STATION PLAT 1 SUBDIVISION", recorded on January 26, 2018, as Entry No. 12705641, Book 2018 P, at Page 42 of the Official Records of Salt Lake County, Utah.

[TO BE FILLED IN UPON PLAT RECORDATION]