

WHEN RECORDED MAIL TO:

Ivory Development, LLC  
978 E. Woodoak Lane  
Salt Lake City, UT 84117

12772852  
5/15/2018 3:11:00 PM \$47.00  
Book - 10674 Pg - 7764-7770  
ADAM GARDINER  
Recorder, Salt Lake County, UT  
COTTONWOOD TITLE  
BY: eCASH, DEPUTY - EF 7 P.

**FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION AND  
AMENDMENT OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR JUNIPER ESTATES IN HERRIMAN, UTAH**

In Reference to Tax ID Number(s):

32-03-229-004, 32-03-228-009, 32-03-279-006, 32-03-279-002, 32-03-280-010, ~~32-03-228-010~~,  
32-03-278-012, 32-03-228-012, 32-03-229-002, 32-03-279-003, 32-03-278-011, 32-03-279-001,  
32-03-228-008, 32-03-278-014, 32-03-228-011, 32-03-228-007, 32-03-278-009, 32-03-279-004,  
32-03-279-005, 32-03-278-010, 32-03-278-017, 32-03-228-013, 32-03-278-015, 32-03-229-003,  
32-03-278-013, 32-03-278-016 , 32-03-228-005

**FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION AND  
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OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
JUNIPER ESTATES  
IN  
HERRIMAN, UTAH**

This First Supplement and Amendment to the Declaration of Covenants, Conditions, and Restrictions for Juniper Estates, in Herriman, Utah, is made and executed by IVORY DEVELOPMENT, LLC., a Utah limited liability company, with offices located at 978 E. Woodoak Lane, Salt Lake City, Utah 84117 (the “Declarant”).

**RECITALS**

Whereas, that certain Declaration of Covenants, Conditions, and Restrictions for Herriman was recorded with the County Recorder for Salt Lake County, Utah on April 5, 2017 as Entry No. 12509079 (the “Declaration”) for the Juniper Estates development project (the “Project”);

Whereas, the related plat map for the initial phase of the Project also has been recorded with the County Recorder for Salt Lake County, Utah as Entry No. 12506305;

Whereas the 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 Declaration;

Whereas, the Declarant is the fee owner of record of certain real property located in Salt Lake County, Utah more specifically described in Exhibit “A” hereinto and incorporated herein by this reference (the “Adjacent Property”);

Whereas, the Declarant desires to develop on the Adjacent Property as additional phases within the Project and to establish Juniper Estates Phases 2 and 3 as part of the Project, with additional Units and other improvements of a less significant nature;

Whereas, the plat maps for Juniper Estates Phases 2 and 3 to be developed on the Adjacent Property have been or will be recorded by the Declarant with the County Recorder for Salt Lake County, Utah (respectively, the “Juniper Estates Phase 2 Plat” and the “Juniper Estates Phase 3 Plat,” respectively and collectively, the “Juniper Estates Phases 2 and 3 Plats”).

Whereas, the Declarant now intends that the Lots, Units and other real property located on Juniper Estates Phases 2 and 3 Plats shall subject to the Declaration.

Whereas, pursuant to the rights and authority reserved to the Declarant, the Declarant desires to amend the Declaration to clarify the respective rights and obligations of the Declarant and each Owner regarding landscaping and the addition of solar energy systems, if any.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the Project and the Owners therein, Declarant hereby executes this First Supplement and Amendment to the Declaration of Covenants, Conditions, and Restrictions for Juniper Estates.

1. Supplement to Definitions. Article 1 of the Declaration, entitled “Definitions,” is hereby modified to include the following supplemental definitions:

A. “First Supplement to Declaration” shall mean and refer to this First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Juniper Estates.

B. The term “Plat” as defined in the Declaration shall be and hereby is expanded to include the Juniper Estates Phase 2 Plat and the Juniper Estates Phase 3 Plat, which have been or will be filed for record with the County Recorder for Salt Lake County, Utah.

Unless otherwise defined herein, defined terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property defined herein as the Adjacent Property and more fully described in Exhibit “A” hereto shall be and hereby is submitted to the provisions of the Declaration. Said land and the Lots and Units thereon shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as it may be further supplemented or amended from time to time.

3. Description of the Project, As Hereby Amended. The initial phase of Juniper Estates consists of 10 Units. It is anticipated that the Juniper Estates Phase 2 Plat will consist of 24 new Units. It is further anticipated that the Juniper Estates Phase 3 Plat will consist of 50 new Units. Effective upon the recordation of this First Supplement to Declaration and the Juniper Estates Phases 2 and 3 Plats, the total number of Units in the Project will be 84. The additional Units and the improvements to be constructed thereon are or will be substantially similar in construction, design and quality to the Units in the initial phase and the Community-Wide Standard established by the Declarant.

4. Amendment to Declaration. The Declaration shall be and hereby is amended as follows:

A. Declaration § 6.6 governing landscaping shall be and hereby is hereby deleted and replaced with the following:

6.6 Landscaping. The Declarant shall be responsible to install front and side yard (to the rear plane of the Home)

landscaping for each Unit, including, specifically, irrigation and sod, consistent with City ordinance. The Declarant shall install a tree every thirty (30) feet, within the park strips as required by City ordinance. Each Owner shall be responsible for backyard landscaping. To protect and preserve the integrity of the foundations for the dwellings and other structures constructed within the Project, Owners shall be responsible to maintain a minimum of four (4) feet between the exterior of the foundation and any sod or lawn. Such space between the foundation exterior and sod or lawn may be used as a planting bed, subject to restrictions in the Declaration regarding slope, grading, and drainage and subject to the restrictions below regarding irrigation systems.

- (a) Irrigation/sprinkler system spray heads, lines, and valves are to be placed a minimum of five (5) feet from the foundations of the home. Only hand watering or drip irrigation is allowed within five (5) feet of the foundations. Additionally, each Owner shall be responsible to ensure that water spray from an irrigation/sprinkler head does not hit the foundation or dwelling exterior.

B. An additional provision governing solar energy systems is hereby added to the Declaration.

6.12 Solar Energy System. An Owner of a Home may install a solar energy system with the prior written approval of the Declarant or the ARC. Declarant or ARC, in its discretion, may restrict the size, location and manner of placement of the solar energy system to protect and preserve the visual esthetics of the Project, minimize glare, and maintain the Community-Wide Standards.

5. Effective Date. The effective date of this First Supplement and Amendment to Declaration and the Juniper Estates Phases 2 and 3 Plats shall be the date on which said instruments are filed for record with the County Recorder for Salt Lake County, Utah.

Dated this 9<sup>th</sup> day of May, 2018.

IVORY DEVELOPMENT, LLC

By: *Chris P. Gamvroulas*  
Signature

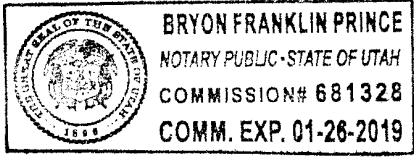
CHRISTOPHER P. GAMVROULAS  
Printed

Its: PRESIDENT

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss.

On this 9<sup>th</sup> day of May, 2018, personally appeared before me Chris P. Gamvroulas, whose identity is personally known to me, (proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the PRESIDENT, of IVORY DEVELOPMENT, LLC and that said document was signed by him/her in behalf of said Corporation with all necessary authority, and acknowledged to me that said Corporation executed the same.

*Bryon Franklin Prince*  
Notary Public (Name of Entity)



## EXHIBIT A

### LEGAL DESCRIPTION

The real property referred to in the foregoing First Supplement and Amendment to Declaration of Covenants, Conditions, and Restrictions for Juniper Estates is located in Salt Lake County, Utah and are described more particularly as follows:

#### Juniper Estates Phase 2:

A portion of the NE1/4 of Section 3, Township 4 South, Range 2 West, Salt Lake Base & Meridian, Herriman, Utah, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of 6400 West located S0°06'23"W along the Section line 706.74 feet and West 33.00 feet from the Northeast Corner of Section 3, T4S, R2W, S.L.B.& M.; thence S0°06'23"W along the west line of 6400 West 1,117.70 feet; thence N89°58'44"W 774.23 feet; thence N0°08'49"E 103.46 feet; thence N8°29'09"W 53.59 feet; thence North 105.00 feet; thence S89°57'34"E 488.66 feet; thence North 396.21 feet; thence East 17.85 feet; thence North 180.00 feet; thence East 42.01 feet; thence North 105.77 feet; thence West 232.54 feet; thence North 174.29 feet; thence East 467.96 feet to the point of beginning.

Contains: 10.93+/- acres

#### Juniper Estates Phase 3:

A portion of the NE1/4 of Section 3, Township 4 South, Range 2 West, Salt Lake Base & Meridian, Herriman, Utah, more particularly described as follows:

Beginning at a point located S0°06'23"W along the Section line 1,166.82 feet and West 327.43 feet from the Northeast Corner of Section 3, T4S, R2W, S.L.B.& M.; thence South 396.21 feet; thence N89°57'34"W 488.66 feet; thence South 105.00 feet; thence S08°29'09"E 53.59 feet; thence S00°08'49"W 103.46 feet to the Northerly line of Phase 1, JUNIPER ESTATES Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence along said plat the following 5 (five) courses and distances: N89°58'44"W 111.12 feet; thence N89°57'34"W 135.83 feet; thence S80°13'47"W 52.75 feet; thence S61°58'00"W 45.64 feet; thence S46°49'13"W 115.95 feet to the Northerly line of HOLLISTER PLACE Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence along said plat the following 2 (two) courses and distances: N89°51'11"W 2.21 feet; thence S00°06'23"W 0.26 feet to the Northeast Corner of Lot 206, Phase 2, HAMILTON FARMS P.U.D., according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder; thence N89°51'11"W along said plat 438.29 feet to the common Easterly (rear) corner of Lots 402 and 402 of Phase 3, HAMILTON FARMS P.U.D., according to the Official Plat

thereof on file in the Office of the Salt Lake County Recorder; thence N44°18'22"W along said plat 271.94 feet; thence N44°53'37"W along said plat 115.39 feet; thence N46°15'28"E along said plat 127.82 feet; thence N50°43'14"E 336.42 feet; thence N60°52'35"E 135.38 feet; thence N73°51'09"E 255.72 feet; thence N81°39'41"E 257.61 feet; thence North 14.00 feet; thence East 645.14 feet to the point of beginning.

Contains: 18.75 acres+/-