

WHEN RECORDED MAIL TO:

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

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ADAM GARDINER
Recorder, Salt Lake County, UT
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**FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION AND
AMENDMENT OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR MURRAY COVE IN MURRAY, UTAH**

In Reference to Tax ID Number(s):

21-14-304-009 thru 013, 21-14-303-023, 21-14-303-024, 21-14-301-014 thru 019, 21-14-327-004 thru
013, 21-14-332-001 thru 005, 21-14-307-002, 21-14-307-001, 21-14-304-014, 21-14-304-015,
21-14-306-003, 21-14-306-004, 21-14-331-006, 21-14-331-007, 21-14-331-008, 21-14-331-009,
21-14-331-010, 21-14-331-005, 21-14-331-004, 21-14-331-003, 21-14-331-002, 21-14-331-001,
21-14-306-002, 21-14-306-001, 21-14-305-001

**FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
MURRAY COVE
IN
MURRAY, UTAH**

This First Supplement and Amendment to the Declaration of Covenants, Conditions, and Restrictions for Murray Cove, in Murray, 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 Murray Cove was recorded with the County Recorder for Salt Lake County, Utah on January 12, 2018 as Entry No. 12697460 (the “Declaration”) for the Murray Cove development project (the “Project”);

Whereas, the related plat map for the initial phase of the Project (known as Murray Cove Phase 2) also has been recorded with the County Recorder for Salt Lake County, Utah on October 30, 2017 as Entry No. 12648017;

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 an additional phase within the Project and to establish Murray Cove Phase 3 as part of the Project, with additional Units, common area and common elements, and other improvements of a less significant nature;

Whereas, the plat map for Murray Cove Phase 3 to be developed on the Adjacent Property has been recorded by the Declarant with the County Recorder for Salt Lake County, Utah on March 20, 2018, as Entry No. 12737168 (“Murray Cove Phase 3 Plat”),

Whereas, the Declarant now intends that the Lots, Units and other real property located on Murray Cove Phase 3 Plat shall subject to the Declaration.

Whereas, the Declaration reserves to the Declarant the right to unilaterally amend the Declaration.

Where as the Declarant desires to amend the Declaration to clarify the respective rights and obligations of the Owners regarding landscaping, irrigation, and 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 Supplement to the Declaration of Covenants, Conditions, and Restrictions for Murray Cove.

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 Murray Cove.
- B. “Murray Cove Plat Phase 3” shall mean and refer to the above-described plat map for Murray Cove Phase 3 on file and of record with the County Recorder for Salt Lake County, Utah.
- C. The term “Plat” as defined in the Declaration shall be expanded to include the Murray Cove Phase 3 Plat 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 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. Annexation. Consistent with the rights and authority reserved to the Declarant in the Declaration, Murray Cove Phase 3 shall be and hereby is annexed into the Project and made subject to the Declaration, which, upon recordation of this First Supplement to Declaration, shall constitute and effectuate the expansion of the Project making the Murray Cove Property subject to the powers, rights, duties, functions and jurisdiction of the Association and Design Guidelines. Owners of the Units in Murray Cove Phase 3 shall be members of the Association.

4. Description of the Project, As Hereby Amended. Murray Cove Phase 2 Plat consists of 7 new Units. Murray Cove Plat 3 consists of 38 new Units. Upon the recordation of the Murray Cove Phase 3 Plat and this First Supplement to Declaration, the total number of Units in the Project will be 45. The additional Units and the

dwelling and other 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.

5. Amendment to Declaration. Upon the Effective Date, the Declaration shall be and hereby is amended as follows:

A. The Street Tree Plan attached as Exhibit D to the Declaration is hereby deleted in its entirety and is replaced by the Amended Street Tree Planting Plan attached hereto as Exhibit B. The Amended Street Tree Planting Plan in Exhibit B supersedes the prior Street Tree Plan in all respects and shall be binding upon the Lots/Units in Murray Cove Phase 2, Murray Cove Phase 3 and all future phases.

B. Declaration § 8.6 governing landscape installation is deleted in its entirety and is hereby replaced with the following:

8.6 Landscape Installation. The Owner shall be responsible to landscape the Lot and adjacent park strip, pursuant to an approved Lot landscape plan, which shall include, among other things, an irrigation system and sod consistent with the Landscape requirements set forth in Exhibit C. To protect and preserve the integrity of the foundations for the dwellings and other structures constructed within the Project, no sod or lawn shall directly abut any foundation. Every Lot landscape plan shall provide for and each Owner shall be responsible to maintain a minimum of four (4) feet between the exterior of the foundation and any sod or lawn. 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. The Owner shall be responsible to ensure that water spray from an irrigation/sprinkler head does not hit the foundation or dwelling exterior. Subject to the irrigation restrictions herein and subject to further restrictions in the Declaration regarding slope, grading, and drainage, the four (4) foot space between the foundation exterior and sod or lawn may be used as a planting bed if approved as part of the Owner's Lot landscape plan.

C. The following provision governing solar energy systems is hereby added to the Declaration.

8.13. Solar Energy System. Consistent with Part 7 of the Act, Utah Code § 57-8a-701 et seq., an Owner of a Home may install a solar energy system with the prior written approval of the

Management Committee, provided that during the Declarant Control Period (defined in the Declaration), the Management Committee, at 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.

6. Effective Date. The effective date of this First Supplement to Declaration and the Murray Cove Plat shall be the date on which said instruments are filed for record with the County Recorder for Salt Lake County, Utah

Dated this 9th day of May, 2018.

IVORY DEVELOPMENT, LLC

By: *Chris P. Gamvroulas*
Signature

CHRISTOPHER P. GAMVROULAS
Printed

Its: PRESIDENT

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

On this 9th 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.

(Title or Office) *Bryon Franklin Prince* (Name of Entity)
Notary Public

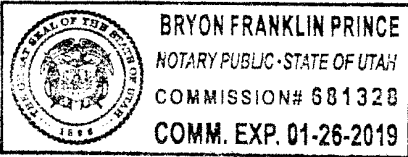


EXHIBIT A

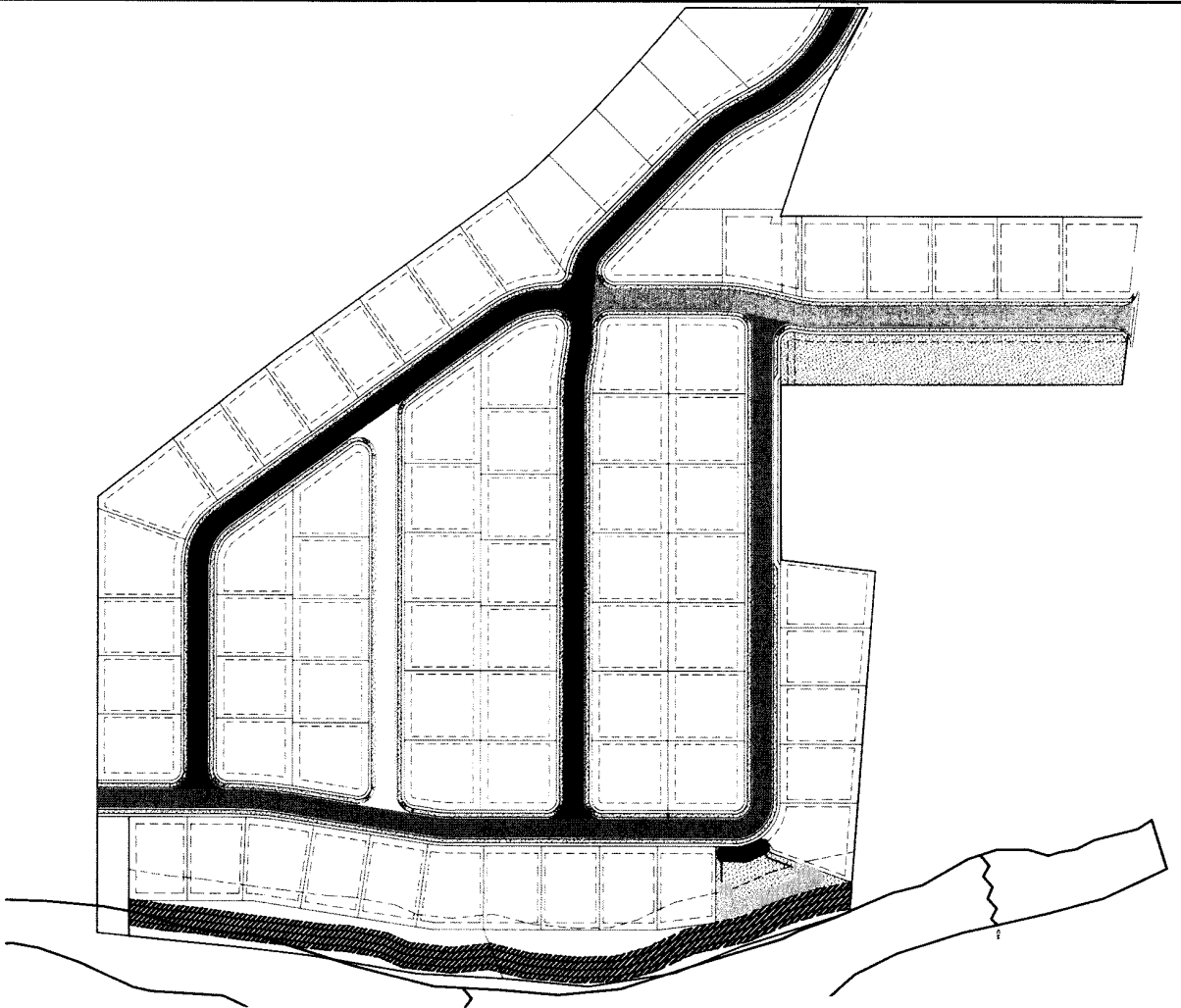
LEGAL DESCRIPTION

The Lots, Units, and real property referred to in the foregoing First Supplement to Declaration of Covenants, Conditions, and Restrictions for Murray Cove are located in Salt Lake County, Utah and are described more particularly as follows:

Murray Cove Phase 2, Lots 201 through 207 inclusive, as shown on the official plat thereof on file and record in the office of recorder for Salt Lake County, Utah as Entry No. 12648017 and appurtenant Common Area and Facilities shown thereon.

Murray Cove Phase 3, Lots 301 through 338 inclusive, as shown on the official plat thereof on file and record in the office of recorder for Salt Lake County, Utah as Entry No. 12737268 and appurtenant Common Area and Facilities shown thereon, including Parcel A.

EXHIBIT B
AMENDED STREET TREE PLANTING PLAN



TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME	QTY	SIZE
[Solid Black Box]	ACER TRUNCATUM X A. P. KEITHSFORD NORWEGIAN SUNSET MAPLE	87	2" CAL.
[Stippled Box]	FRAXINUS PENNSYLVANICA CUMMARBON CUMMARBON ASH	41	2" CAL.
[Dark Grey Box]	GLEDITSIA T. STREETKEEPER STREETKEEPER HONEYLOCUST	90	2" CAL.
[Solid Black Box]	MALUS X 'SPRING SNOW' SPRING SNOW CRABAPPLE	3	1-1/2" CAL.
[Stippled Box]	PRUNUS VIRG. CANADA RED CANADA RED CHOKECHERRY	6	1-1/2" CAL.
[Solid Black Box]	PYRUS CALLERYANA 'REDSPIRE' REDSPIRE FLOWERING PEAR	42	2" CAL.
[Stippled Box]	ZELKOVA SERRATA 'GREEN VASE' GREEN VASE ZELKOVA	32	2" CAL.
[White Box]	KENTUCKY BLUE GRASS 3 VARIETIES MINIATURE	11,100 S.F.	SOD

PRELIMINARY PLAN - NOT FOR CONSTRUCTION

STREET TREE
PLANTING PLAN

MURRAY COVE
MURRAY, UT

