

10-33

WHEN RECORDED, RETURN TO:

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

12922023
01/22/2019 02:12 PM \$61.00
Book - 10747 Pg - 2079-2088
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
OLD REPUBLIC TITLE DRAPER/OREM
898 NORTH 1200 WEST
OREM UT 84057
BY: SAA, DEPUTY - WI 10 P.

**SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAYBREAK HIGHLAND PARK VILLAGE TOWNHOME PROJECT
(ADDING ADDITIONAL LAND – DAYBREAK SOUTH MIXED USE MULTI FAMILY #1)**

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DAYBREAK HIGHLAND PARK VILLAGE TOWNHOME PROJECT (ADDING ADDITIONAL LAND – DAYBREAK SOUTH MIXED USE MULTI FAMILY #1) (this “Supplement”) is made as of October 18, 2018, by VP DAYBREAK OPERATIONS LLC, a Delaware limited liability company, as declarant (“Declarant”) under that certain Declaration of Covenants, Conditions and Restrictions for Daybreak Highland Park Village Townhome Project, recorded on January 1, 2017, as Entry No. 12458283, in Book 10522, beginning at Page 3229 (the “Declaration”).

RECITALS:

- A. Pursuant to the Declaration, Declarant has established the *Daybreak Highland Park Village 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 and/or supplemented.

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. 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 Highland Park Village Townhome 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, President & CEO


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

On October 18, 2018, 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.



[SEAL]


Notary Public in and for said State

My commission expires: June 13, 2021

EXHIBIT A

LEGAL DESCRIPTION OF ADDITIONAL LAND ADDED TO PROJECT

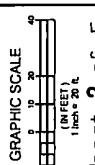
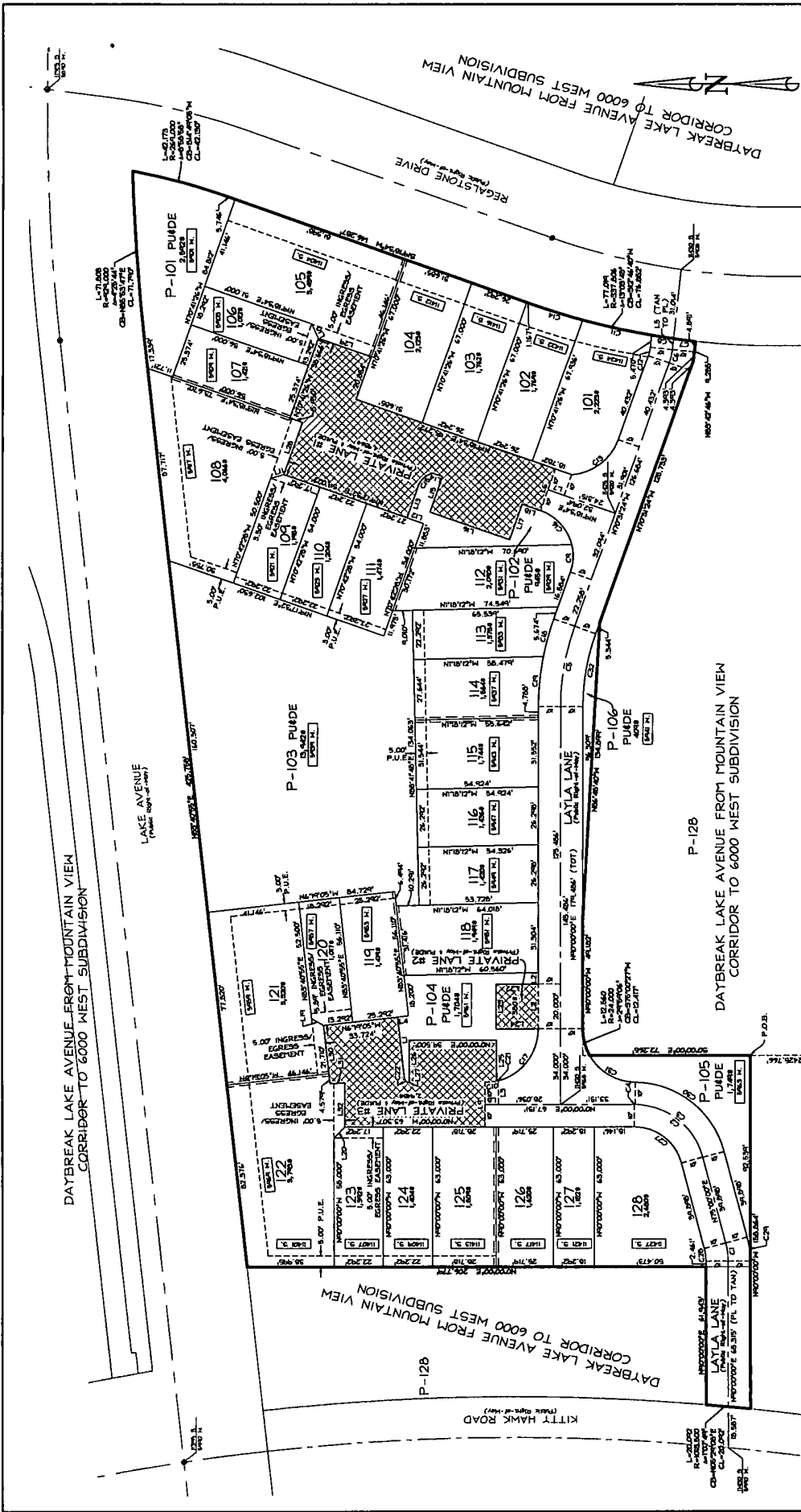
DAYBREAK SOUTH MIXED USE MULTI FAMILY #1 LOTS:

LOTS 101-128 INCLUSIVE OF "DAYBREAK SOUTH MIXED USE MULTI FAMILY #1 AMENDING LOT M-101 & P-128 OF THE DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION", recorded on January 22, 2019, as Entry No. 12922019, Book 2019 P, at Page 28 of the Official Records of Salt Lake County, Utah.

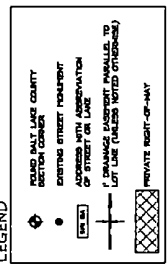
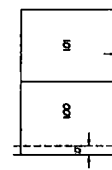
[TO BE FILLED IN UPON RECORDATION OF PLAT]

EXHIBIT B

ATTACH COPY OF SMUMF #1 PLAT



Sheet 2 of 5
 DAYBREAK SOUTH TRID USE MULTI FAMILY 81
 ATTENDING LOT P-101 & P-102 OF THE DAYBREAK LAKE AVENUE FROM
 MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION
 LOCATED IN THE EAST 1/2 OF SECTION 28, T13S, R28W,
 SHELBY COUNTY, MISSOURI



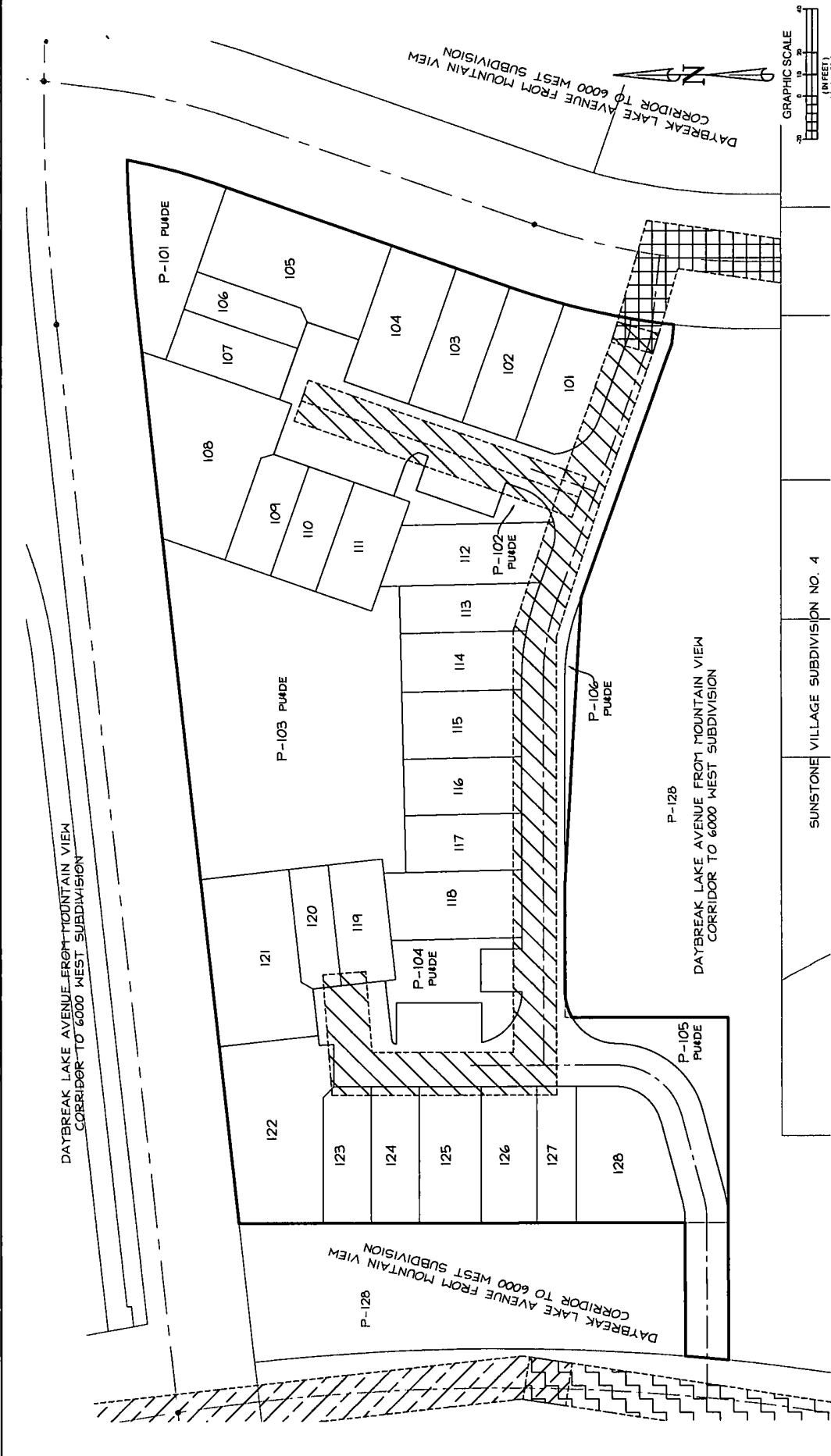
SUNSTONE VILLAGE SUBDIVISION NO. 4



PROPERTY CORNERS
 PROPERTY CORNERS TO BE SET WILL BE
 REBAR & CAP OR MAILS SET IN THE TOP
 OF THE CORNER ON THE EXTENSION OF
 SURVEY LINES.



STATE OF MISSOURI, COUNTY OF SHELBY, MISSOURI
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 REC. 5
 SHELBY COUNTY RECORDS



Sheet 3 of 5

DAYBREAK SOUTH TIED TO MULTI FAMILY 81
 ATTENDING LOT P-101 & P-102 OF THE DAYBREAK LAKE AVENUE FROM
 MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION
 Located in the East Half of Section 28, T15S, R6E,
 Salt Lake Base and Twp. 15N.

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
 REQUEST OF _____ TYPE _____ BOOK _____ PAGE _____
 DATE _____
 SEE 3

LEGEND

	EXISTING OR NEW HIGHWAY RECORDED IN BOOK _____ PAGE _____
	EXISTING OR NEW HIGHWAY RECORDED IN BOOK _____ PAGE _____
	EXISTING OR NEW HIGHWAY RECORDED IN BOOK _____ PAGE _____
	EXISTING OR NEW HIGHWAY RECORDED IN BOOK _____ PAGE _____

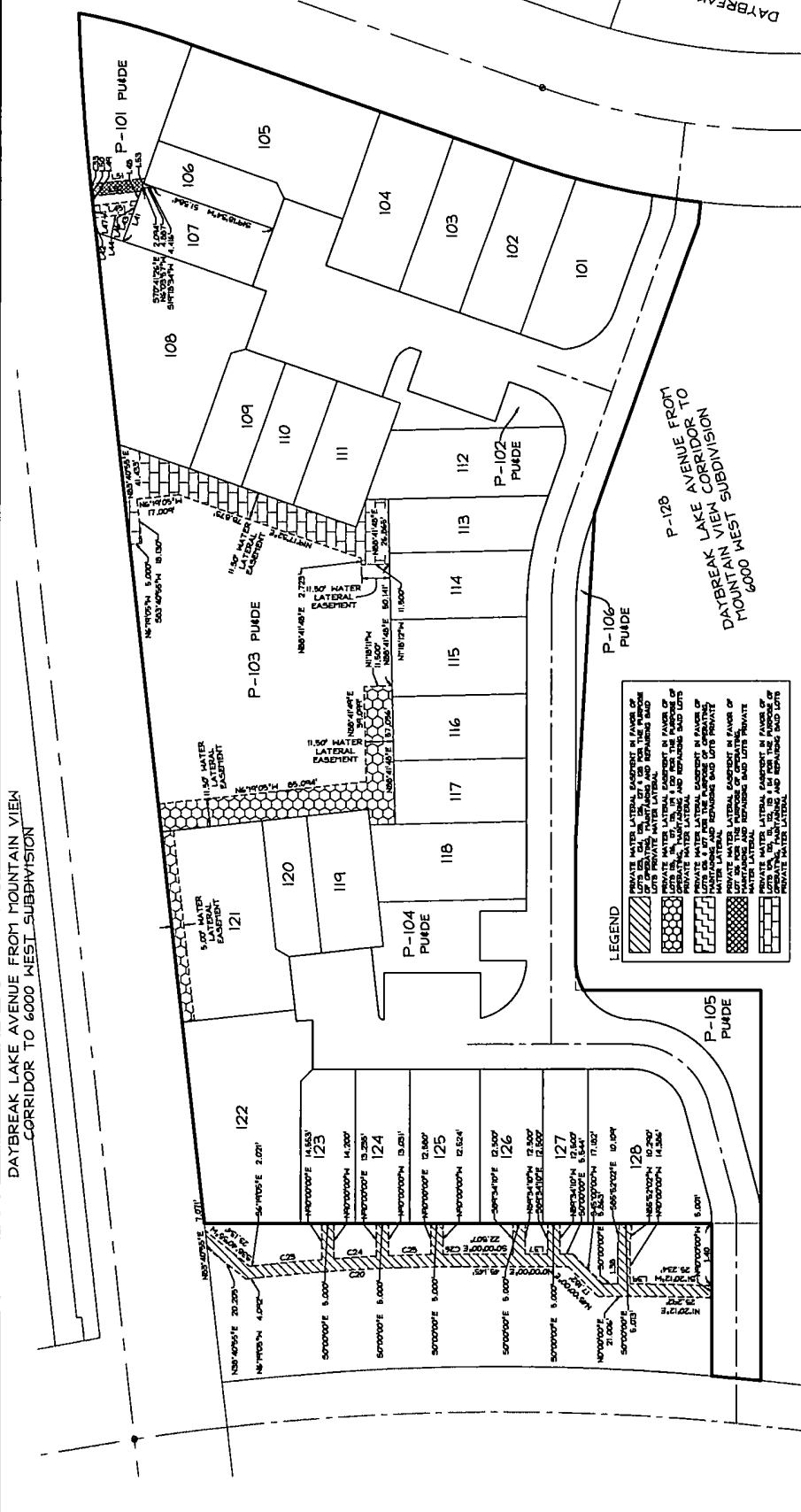
SUNSTONE VILLAGE SUBDIVISION NO. 4

PROPERTY COULD BE AFFECTED BY THE
 REPAIR & CAP OR MAINT SET IN THE TOP
 OF CURB OR ALLEY ON THE EXTENSION OF
 SIDE CURB LINES.

PERIGEE
 CONSULTING
 CIVIL • SURVEILLING • DESIGN
 1000 WEST 1200 SOUTH, SUITE 100
 SALT LAKE CITY, UTAH 84115
 TEL: 313.222.1111 FAX: 313.222.1112

DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW
CORRIDOR TO 6000 WEST SUBDIVISION

DAYBREAK LAKE AVENUE FROM MOUNTAIN VIEW
CORRIDOR TO 6000 WEST SUBDIVISION



LEGEND

- 1/4" WATER LATERAL EASEMENT
- 1/4" PRIVATE LATERAL EASEMENT
- 1/4" UTILITY EASEMENT
- 1/4" PRIVATE UTILITY EASEMENT
- 1/4" WATER LATERAL EASEMENT
- 1/4" PRIVATE LATERAL EASEMENT
- 1/4" UTILITY EASEMENT
- 1/4" PRIVATE UTILITY EASEMENT

PROPERTY CORRIDORS
PROPERTY CORRIDORS TO BE SET WILL BE
REBAR & CAP OR NAILS SET IN THE TOP
OF CURB OR ALLEY ON THE EXTENSION OF
SURF LOT LINES.



Sheet 4 of 5

DAYBREAK SOUTH RIVER USE MULTI-FAMILY IN
ATTENDING LOT P-101 & P-106 OF THE DAYBREAK LAKE AVENUE FROM
MOUNTAIN VIEW CORRIDOR TO 6000 WEST SUBDIVISION

Located in the City and County of Denver, CO, DISTRICT 7, ZONE
RECORDABLE
STATE OF COLORADO COUNTY OF DENVER
DATE: 11/19/2018 BOOK: 4463 PAGE: 1

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C16	17.797	100.000	17.7970000	N74.6280°W	17.797
C17	20.095	100.000	19.97999	N67.2974°W	20.020
C18	15.427	174.000	15.42700	S00.0000°E	15.426
C19	0.628	2.000	0.62800	N07.1389°E	0.628
C20	2.001	2.000	0.0349999	N41.6789°E	2.000
C21	17.797	100.000	17.79700	S07.1931°E	17.798
C22	17.797	100.000	17.79700	S07.1931°E	17.798
C23	27.376	762.500	27.37600	S09.1133°E	27.374
C24	17.797	100.000	17.79700	S07.1931°E	17.798
C25	5.944	762.500	5.94400	S07.1931°E	5.944
C26	20.790	21.000	19.97999	S37.2000°E	20.788
C27	5.944	42.000	5.94400	S07.2000°E	5.943
C28	10.946	42.000	10.94600	S07.2000°E	10.944
C29	10.946	42.000	10.94600	S07.2000°E	10.944
C30	84.437	42.000	84.43700	S07.1931°E	84.788
C31	24.830	24.000	24.83000	S07.2234°E	25.788
C32	33.993	100.000	33.99300	S07.2034°E	33.830
C33	3.944	990.000	3.94400	N03.6010°E	3.944

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	6.378	30.000	6.37800	N02.3000°E	6.384
C2	4.888	30.000	4.88800	N37.3000°E	5.944
C3	41.976	30.000	41.97600	N37.3000°E	38.353
C4	0.422	30.000	0.42200	N02.3000°E	0.422
C5	37.389	10.000	37.38900	N02.3000°E	37.225
C6	6.446	20.000	6.44600	N07.0000°E	6.431
C7	10.001	137.806	10.00100	N07.0000°E	10.001
C8	10.001	137.806	10.00100	N07.0000°E	10.001
C9	6.077	24.000	6.07700	N07.1931°E	6.077
C10	31.894	337.806	31.89400	N07.1931°E	31.846
C11	4.144	18.000	4.14400	N07.1931°E	4.144
C12	27.182	24.000	27.18200	N07.1931°E	26.240
C13	29.149	337.806	29.14900	N07.1931°E	29.142
C14	4.273	18.000	4.27300	N07.1931°E	4.273
C15	21.640	20.000	21.64000	N07.1931°E	20.862
C16	31.872	24.000	31.87200	N07.1931°E	29.423

Line #	Length	Direction
L1	20.000	S00.0000°E
L2	20.101	N08.2537°N
L3	5.834	N70.4725°W

Line #	Length	Direction
L5	74.618	N39.3438°N
L6	19.203	N39.3438°N
L7	1.164	S00.0000°E
L8	14.167	S00.0000°E
L9	0.100	S00.0000°E
L10	25.280	S37.4126°E
L11	6.032	N33.4085°E
L12	12.335	S37.4126°E
L13	19.203	S00.0000°E
L14	19.203	S00.0000°E
L15	6.546	N70.4725°W
L16	6.000	N07.1931°E
L17	4.225	S37.4126°E
L18	3.899	N33.4085°E
L19	2.001	N33.4085°E

Line #	Length	Direction
L17	17.000	N70.4725°W
L18	6.778	N10.0000°E
L19	6.187	N07.0000°E
L20	7.071	N08.0000°N
L21	5.245	N07.0000°E
L22	18.000	N07.0000°E
L23	18.000	N07.0000°E
L24	18.000	N07.0000°E
L25	18.000	N07.0000°E
L26	18.000	N07.0000°E
L27	18.000	N07.0000°E
L28	18.000	N07.0000°E
L29	18.000	N07.0000°E
L30	18.000	N07.0000°E
L31	18.000	N07.0000°E
L32	18.000	N07.0000°E

Line #	Length	Direction
L1	27.631	N04.4085°E
L2	20.000	N00.0000°E
L3	10.783	N00.0000°E
L4	4.860	N04.4085°E
L5	9.002	N04.4085°E
L6	30.000	N70.4725°W
L7	7.776	S07.1931°E
L8	5.944	S07.1931°E
L9	6.105	N10.1189°N
L10	7.000	N10.1189°N
L11	7.000	N10.1189°N
L12	7.000	N10.1189°N
L13	4.915	N10.1189°N
L14	17.000	N70.4725°W
L15	30.000	N10.1189°N

