

WHEN RECORDED MAIL TO:

ANTHEM II, LLC
6150 S Redwood Road, Ste 150
Taylorsville, UT 84123

File No.: 136642-DMF

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1/25/2021 3:31:00 PM \$40.00
Book - 11105 Pg - 1965-1971
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 7 P.

**SUPPLEMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR ANTHEM II
(Phase 10-13)
A Planned Unit Development**

In Reference to Tax ID Number(s):

26-26-251-008, 26-26-401-011, 26-26-401-008 and 26-26-200-034 (for reference purposes only)

When Recorded Return To:

AMTHEM II, LLC
c/o Kirk Young
6150 S Redwood Road, Suite 150
Taylorsville, UT 84123

**SUPPLEMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
ANTHEM II
(Phase 10-13)
A Planned Unit Development**

This SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ANTHEM II ("**Supplemental Declaration**") is executed and adopted by Anthem II, LLC, a Utah limited liability company ("**Declarant**") and shall be binding on their respective successors and assigns.

RECITALS

A. This Supplemental Declaration shall modify and supplement the "Declaration of Covenants, Conditions and Restrictions for ANTHEM II a Planned Unit Development" ("**Declaration**") recorded with the Salt Lake County Recorder's Office on December 15, 2017 as Entry No. 12680306.

B. Anthem II, LLC is the Declarant as identified and set forth in the Declaration.

C. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land including but not limited to Additional Land described in the Declaration.

D. Toll Southwest LLC, is the owner of the real property identified on "**Exhibit A**" attached hereto.

E. Toll Southwest LLC consents to subject all of the real property identified on Exhibit A attached hereto to this Supplemental Declaration.

F. Declarant desires to add a portion of the Additional Land as hereinafter provided for.

G. Unless otherwise defined herein, all capitalized terms shall have the meaning defined in the Declaration.

ANNEXATION

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. **Annexation of Additional Land.** Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the “**Subject Property**”) is submitted to and properly annexed into the Declaration.

2. **Plat.** The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the following plats which plats shall be recorded in the office of the Salt Lake County Recorder:

- **Big Bend Park Phase 10 Plat**
- **Big Bend Park Phase 11 Plat**
- **Big Bend Park Phase 12 Plat**
- **Big Bend Park Phase 13 Plat**

3. **Submission.** The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. **Membership.** The Owner of each Lot or Parcel within the Subject Property shall be a member of the Anthem II Homeowners Association (“Association”) and shall be entitled to all benefits and voting rights of such membership as set forth in the Declaration.

5. **Allocation of Assessments.** Each Lot or Parcel within the Subject Property shall be apportioned a share of the Common Expenses of the Association and shall be liable for all Assessments levied by the Association as permitted under the Declaration.

6. **Reservation of Declarant's Rights.** Pursuant to the Declaration, all rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration.

7. **Effective Date.** This Supplemental Declaration shall take effect upon being recorded with the Salt Lake County Recorder.

* * * *

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration on the date set forth below.

DATED this 8 day of January, 2021.

DECLARANT
Anthem II, LLC
a Utah limited liability company

By: [Signature]

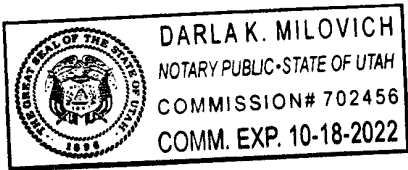
Name: KIRK YOUNG

Title: MANAGER.

STATE OF UTAH)
COUNTY OF Salt Lake) ss.

^{AKA} Kirk Young ~~Darla K. Milovich~~ On the 8 day of January, 2021, personally appeared before me who by me being duly sworn, did say that she/he is an authorized representative of Anthem II, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: [Signature]



CONSENT TO SUPPLEMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR ANTHEM II (Phases 10-13)

For good and sufficient consideration, Toll Southwest LLC, a Delaware limited liability company, the owner of the land defined herein as the Subject Property, consents to this Supplemental Declaration, as of the date first above listed.

TOLL SOUTHWEST LLC,
a Delaware limited liability company

By: [Signature]
Name: SCOTT LUZALITURRI
Its: VICE PRESIDENT

STATE OF Utah)
COUNTY OF Salt Lake) ss.

The foregoing instrument was acknowledged before me, this 12 day of January, 2021, by Scott Luzaliturri, the Manager of TOLL SOUTHWEST LLC, a Delaware limited liability company, Vice President atcu

[Signature]
Notary Public

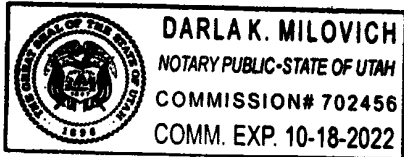


EXHIBIT A
SUBJECT PROPERTY/ADDITIONAL LAND
(Legal Description)

Big Bend Park Phase 10 Plat

Beginning at a point being North 89°59'00" West 1,742.83 feet along the section line and South 2,228.43 feet from the Northwest Corner of Section 25, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence South 00°01'53" East 644.37 feet;
thence South 89°58'07" West 278.00 feet;
thence North 00°01'53" West 661.17 feet;
thence Southeasterly 219.29 feet along the arc of a 350.00 foot radius curve to the right (center bears South 15°08'48" East and the chord bears South 87°11'52" East 215.72 feet with a central angle of 35°53'52");
thence Southeasterly 63.59 feet along the arc of a 120.00 foot radius curve to the left (center bears North 20°45'04" East and the chord bears South 84°25'45" East 62.85 feet with a central angle of 30°21'38") to the point of beginning.

Contains 184,084 Square Feet or 4.226 Acres

Big Bend Park Phase 11 Plat

Beginning at a point being North 89°59'00" West 1,742.48 feet along the section line and South 2,872.81 feet from the Northwest Corner of Section 25, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence South 00°01'53" East 683.02 feet;
thence South 89°57'57" West 278.00 feet;
thence North 00°01'53" West 683.03 feet;
thence North 89°58'07" East 278.00 feet to the point of beginning.

Contains 189,881 Square Feet or 4.359 Acres

Big Bend Park Phase 12 Plat

Beginning at a point being North 89°59'00" West 2,020.84 feet along the section line and South 2,211.87 feet from the Northwest Corner of Section 25, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence South 00°01'53" East 661.17 feet;
thence South 89°58'07" West 247.28 feet;
thence South 44°53'33" West 46.61 feet;
thence North 00°08'37" East 672.43 feet;
thence South 89°17'30" East 160.47 feet;
thence Northeasterly 63.55 feet along the arc of a 220.00 foot radius curve to the left (center bears North 00°42'30" East and the chord bears North 82°26'00" East 63.33 feet with a central angle of 16°33'00");
thence North 74°09'30" East 52.81 feet;
thence Northeasterly 4.24 feet along the arc of a 350.00 foot radius curve to the right (center bears South 15°50'30" East and the chord bears North 74°30'21" East 4.24 feet with a central angle of 00°41'42") to the point of beginning.

Contains 179,651 Square Feet or 4.124 Acres

Big Bend Park Phase 13 Plat

Beginning at a point being North 89°59'00" West 2,020.48 feet along the section line and South 2,873.04 feet from the Northwest Corner of Section 25, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running

thence South 00°01'53" East 683.03 feet;
thence South 89°57'57" West 282.18 feet;
thence North 00°08'37" East 650.05 feet;
thence North 44°53'33" East 46.61 feet;
thence North 89°58'07" East 247.28 feet to the point of beginning.

Contains 191,486 Square Feet or 4.396 Acres