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BRENDA NELSON, Recorder  
MORGAN COUNTY  
For: HOLLAND & HART LLP - SLC  
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**FIFTH SUPPLEMENTAL DECLARATION TO  
MASTER DECLARATION FOR WASATCH PEAKS RANCH**

This FIFTH SUPPLEMENTAL DECLARATION TO MASTER DECLARATION FOR WASATCH PEAKS RANCH (“**Supplement**”) is made this 15th day of April, 2024, by WASATCH PEAKS RANCH, LLC, a Delaware limited liability company (“**WPR**”).

**RECITALS:**

A. WPR is “**Declarant**” under the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Wasatch Peaks Ranch recorded in the official records of the Morgan County Recorder’s Office, Morgan County, Utah (“**Official Records**”) on May 3, 2022 as Entry No. 160853, in Book 391, Page 402, that certain First Supplemental Declaration for Wasatch Peaks Ranch recorded in the Official Records on May 1, 2023 as Entry No. 163348, in Book 399, Page 1242, that certain Second Supplemental Declaration and First Amendment to Master Declaration for Wasatch Peaks Ranch recorded in the Official Records on May 1, 2023 as Entry No. 163355, in Book 399, Page 1288, that certain Third Supplemental Declaration and Second Amendment to Master Declaration for Wasatch Peaks Ranch recorded in the Official Records on November 8, 2023 as Entry No. 164605, in Book 404, Page 853, and that certain Fourth Supplemental Declaration to Master Declaration for Wasatch Peaks Ranch recorded in the Official Recorded on February 16, 2024 as Entry No. 165236, in Book 407, Page 15, as the same may be supplemented, amended, and otherwise revised from time to time (together, the “**Declaration**”), and is “**Owner**” and “**Declarant**” as such terms may be used and defined in that certain Final Plat Wasatch Peaks Ranch Plat 1, dated April 13, 2022 and recorded in the Official Records on May 3, 2022 as Entry No. 160852, in Book 391, Page 382, and is “**WPR**” and “**Declarant**” as such terms may be used and defined in that certain Final Plat Wasatch Peaks Ranch Plat 1, First Amendment, dated April 10, 2023 and recorded in the Official Records on May 1, 2023 as Entry No. 163347, in Book 399, Page 1237, in Final Plat Wasatch Peaks Ranch Plat 2A, dated April 19, 2023 and recorded in the Official Records on May 1, 2023 as Entry No. 163354, in Book 399, Page 1278, in Wasatch Peaks Ranch Plat 3A, dated September 25, 2023 and recorded in the Official Records on November 8, 2023 as Entry No. 164599, in Book 404, Page 811, and in Wasatch Peaks Ranch North Village Condominium, Plat A, dated and recorded in the Official Records on February 16, 2024, as Entry No. 165235 in Book 407 Page 4.

B. Contemporaneously with or soon after recording this Supplement in the Official Records, WPR is also recording Wasatch Peaks Ranch Plat 5 (“**Plat 5**”).

C. Plat 5 creates a new subdivision of that portion of the Property depicted in Plat 5 and being more specifically described in Exhibit A, attached hereto and incorporated herein by reference (“**Plat 5 Property**”).

D. WPR holds both legal and equitable title to the Plat 5 Property.

E. Section 2.6 of the Declaration provides that WPR may cause additional land to be subjected to the Declaration by recording a supplemental declaration and a plat identifying such additional land and expressly subjecting it to the Declaration.

F. Section 11.7(a) of the Declaration provides that so long as there is a Class B Member, Declarant may unilaterally amend the Declaration for any purpose, so long as such amendment does not materially adversely affect title to any property. If the amendment materially adversely affects an existing Owner, such Owner must consent in writing.

G. WPR currently holds all Undeveloped RDUs and has not otherwise transferred or assigned any of Declarant's rights under the Declaration; therefore, pursuant to Section 3.12(a) of the Declaration, WPR, as Declarant, is the Class B Member of the Association.

H. In accordance with and pursuant to the terms and provisions of the Declaration, WPR is authorized to amend the Declaration with consent of the undersigned Owners.

I. WPR now exercises its discretion to execute and record this Supplement to: (1) subject the Plat 5 Property to the Declaration with the intent that all Owners of any portion of the Plat 5 Property shall at all times enjoy the benefits of and shall hold their interest subject to the Declaration and all additional Governing Documents as such are defined in the Declaration and in Utah Code Ann. §57-8a-102 as the same may be amended from time to time; and (2) amend and restate Sections 1.45, 1.53, 3.4, and 3.5 of the Declaration as further detailed herein.

NOW THEREFORE, WPR does hereby declare and provide as follows:

1. **Recitals.** The foregoing recitals are incorporated as though fully set forth herein.
2. **Defined Terms.** Capitalized terms used and not defined herein have the meanings set forth in the Declaration.
3. **Additional Land.** The Plat 5 Property is hereby made a part of Wasatch Peaks Ranch and is fully subjected to all the covenants, conditions, restrictions, reservations of easements, and other terms and provisions of the Declaration, as the same may be amended from time to time.
4. **Governing Documents.** In addition to the Declaration, and in accordance with the terms thereof, the Plat 5 Property is subject to all terms and provisions of the Governing Documents.
5. **Consistency.** Except as set forth in this Supplement, the Declaration remains unchanged, continues in full force and effect, and is hereby ratified and confirmed. In the event of any conflict between the Declaration and this Supplement, the terms of this Supplement control.
6. **Binding Effect.** The Plat 5 Property shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved in accordance with the provisions of the Declaration, the Governing Documents, and this Supplement (as the same may be amended, restated, and supplemented from

time to time), which easements, covenants, restrictions, and charges shall be appurtenant to and run with the land and shall be binding upon all persons and entities having or acquiring any right, title or interest in the Additional Land or any part thereof and shall inure to the benefit of each owner thereof.



**EXHIBIT A****WASATCH PEAKS RANCH PLAT 5 PROPERTY**

A PARCEL OF LAND LYING AND SITUATED IN THE NORTHWEST, SOUTHWEST AND SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING ON THE NORTHERLY BOUNDARY LINE OF WASATCH PEAKS RANCH PLAT 1, AS RECORDED ON MAY 3, 2022, ENTRY NO. 160852, IN THE OFFICE OF THE MORGAN COUNTY RECORDER, SAID POINT ALSO BEING 1277.99 FEET NORTH 00°27'24" EAST AND 1781.80 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID SOUTHEAST CORNER BEING A 3" ALUMINUM CAP SET BY THE MORGAN COUNTY SURVEYOR IN 2021 AND RUNNING THENCE, ALONG THE BOUNDARY LINE OF SAID WASATCH PEAKS RANCH PLAT 1, THE FOLLOWING TWENTY EIGHT (28) COURSES: (1) SOUTHWESTERLY 117.24 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 24°25'34", CHORD BEARS SOUTH 31°06'52" WEST 116.35 FEET, (2) SOUTH 18°54'05" WEST 53.66 FEET, (3) SOUTHWESTERLY 116.69 FEET ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 29°42'50", CHORD BEARS SOUTH 33°45'30" WEST 115.38 FEET, (4) SOUTH 48°36'55" WEST 160.72 FEET, (5) WESTERLY 62.83 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", CHORD BEARS NORTH 86°23'05" WEST 56.57 FEET, (6) NORTH 41°23'05" WEST 10.00 FEET, (7) SOUTH 48°36'55" WEST 50.00 FEET, (8) NORTH 41°23'05" WEST 9.61 FEET, (9) NORTHWESTERLY 81.28 FEET ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20°41'53", CHORD BEARS NORTH 51°44'01" WEST 80.84 FEET, (10) NORTH 62°04'57" WEST 63.55 FEET, (11) NORTHWESTERLY 155.56 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°24'42", CHORD BEARS NORTH 45°52'36" WEST 153.50 FEET, (12) NORTH 29°40'15" WEST 49.21 FEET, (13) NORTHWESTERLY 150.97 FEET ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 38°26'37", CHORD BEARS NORTH 48°53'34" WEST 148.15 FEET, (14) NORTH 68°06'52" WEST 111.83 FEET, (15) NORTHWESTERLY 200.77 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 41°49'49", CHORD BEARS NORTH 47°11'58" WEST 196.34 FEET, (16) NORTH 26°17'03" WEST 77.28 FEET, (17) NORTHWESTERLY 55.52 FEET ALONG THE ARC OF A 325.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 9°47'16", CHORD BEARS NORTH 31°10'41" WEST 55.45 FEET, (18) NORTH 36°04'19" WEST 52.05 FEET, (19) NORTHWESTERLY 65.21 FEET ALONG THE ARC OF A 375.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 9°57'47", CHORD BEARS NORTH 31°05'26" WEST 65.13 FEET, (20) SOUTH 56°30'48" WEST 375.50 FEET, (21) SOUTH 56°46'47" WEST 91.41 FEET, (22) SOUTH 36°23'22" WEST 141.11 FEET, (23) SOUTH 50°02'57" WEST 175.51 FEET, (24) SOUTH 62°39'25" WEST 280.57 FEET, (25) SOUTH

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Fifth Supplemental Declaration  
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52°20'02" WEST 199.48 FEET, (26) SOUTH 80°18'11" WEST 200.39 FEET, (27) SOUTH 75°19'21" WEST 188.56 FEET, (28) NORTH 60°39'17" WEST 54.21 FEET; THENCE NORTH 33°44'36" WEST 111.23 FEET; THENCE NORTH 64°33'27" WEST 84.43 FEET; THENCE NORTH 87°08'25" WEST 145.40 FEET; THENCE NORTH 70°31'09" WEST 119.24 FEET; THENCE NORTH 41°10'07" WEST 167.19 FEET; THENCE NORTH 11°07'58" WEST 144.35 FEET; THENCE NORTH 12°04'00" WEST 127.51 FEET; THENCE NORTH 00°44'49" WEST 93.85 FEET; THENCE NORTH 09°53'39" EAST 162.21 FEET; THENCE NORTH 36°36'51" EAST 157.03 FEET; THENCE NORTH 20°39'15" EAST 159.28 FEET; THENCE NORTH 01°09'49" EAST 168.39 FEET; THENCE NORTH 26°35'10" WEST 104.02 FEET; THENCE NORTH 07°56'00" EAST 154.59 FEET; THENCE NORTH 21°20'47" EAST 192.10 FEET; THENCE NORTH 21°06'37" EAST 145.42 FEET; THENCE NORTH 34°12'37" EAST 248.41 FEET; THENCE NORTH 39°55'24" EAST 296.54 FEET; THENCE NORTH 62°32'50" EAST 163.95 FEET; THENCE NORTH 67°49'41" EAST 159.20 FEET; THENCE NORTH 26°56'09" EAST 70.06 FEET; THENCE SOUTH 80°18'00" EAST 437.48 FEET; THENCE NORTH 84°48'12" EAST 50.00 FEET; THENCE SOUTHERLY 13.39 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 2°47'25", CHORD BEARS SOUTH 06°35'30" EAST 13.39 FEET; THENCE SOUTH 80°18'00" EAST 93.87 FEET; THENCE NORTH 81°16'25" EAST 342.64 FEET; THENCE SOUTH 04°17'30" WEST 273.13 FEET; THENCE SOUTH 15°10'51" EAST 429.88 FEET; THENCE NORTH 40°27'32" WEST 89.15 FEET; THENCE WESTERLY 307.35 FEET ALONG THE ARC OF A 185.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 95°11'19", CHORD BEARS NORTH 88°03'12" WEST 273.20 FEET; THENCE SOUTH 44°21'09" WEST 50.18 FEET; THENCE SOUTHWESTERLY 12.51 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 28°40'47", CHORD BEARS SOUTH 58°41'32" WEST 12.38 FEET; THENCE SOUTH 16°58'04" EAST 50.00 FEET; THENCE NORTHEASTERLY 37.54 FEET ALONG THE ARC OF A 75.00 FOOT NON-TANGENT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°40'47", CHORD BEARS NORTH 58°41'32" EAST 37.15 FEET; THENCE NORTH 44°21'09" EAST 50.18 FEET; THENCE EASTERLY 224.28 FEET ALONG THE ARC OF A 135.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 95°11'19", CHORD BEARS SOUTH 88°03'12" EAST 199.36 FEET; THENCE SOUTH 40°27'32" EAST 131.90 FEET; THENCE SOUTHEASTERLY 101.92 FEET ALONG THE ARC OF A 205.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°29'09", CHORD BEARS SOUTH 54°42'07" EAST 100.87 FEET; THENCE SOUTH 68°56'41" EAST 28.67 FEET; THENCE SOUTHEASTERLY 86.94 FEET ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 39°51'06", CHORD BEARS SOUTH 49°01'08" EAST 85.20 FEET; THENCE SOUTH 29°05'36" EAST 168.44 FEET; THENCE SOUTHEASTERLY 241.06 FEET ALONG THE ARC OF A 220.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 62°46'51", CHORD BEARS SOUTH 60°29'01" EAST 229.18 FEET; THENCE NORTH 88°07'34" EAST 36.36 FEET; THENCE SOUTHEASTERLY 24.04 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 91°50'35", CHORD BEARS SOUTH 45°57'09" EAST 21.55 FEET; THENCE SOUTHEASTERLY 76.61 FEET ALONG THE ARC OF A 100.00 FOOT RADIUS REVERSE CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 43°53'48", CHORD BEARS SOUTH 21°58'46" EAST 74.75 FEET; THENCE SOUTH 43°55'40" EAST 63.17 FEET; THENCE SOUTHERLY 209.46 FEET ALONG THE ARC OF A

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Fifth Supplemental Declaration  
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175.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 68°34'39", CHORD BEARS SOUTH 09°38'20" EAST 197.18 FEET; THENCE SOUTH 24°39'00" WEST 249.73 FEET; THENCE SOUTHERLY 176.27 FEET ALONG THE ARC OF A 175.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 57°42'39", CHORD BEARS SOUTH 04°12'20" EAST 168.91 FEET; THENCE SOUTH 33°03'39" EAST 71.33 FEET; THENCE SOUTHERLY 58.99 FEET ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 67°35'56", CHORD BEARS SOUTH 00°44'19" WEST 55.63 FEET; THENCE SOUTH 55°27'43" EAST 50.00 FEET; THENCE SOUTHWESTERLY 13.11 FEET ALONG THE ARC OF A 100.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 7°30'39", CHORD BEARS SOUTH 38°17'36" WEST 13.10 FEET; THENCE SOUTH 42°11'56" WEST 15.03 FEET; THENCE NORTH 85°09'38" EAST 391.75 FEET; THENCE NORTH 14°07'05" EAST 208.58 FEET; THENCE SOUTH 41°23'05" EAST 246.91 FEET TO THE POINT OF BEGINNING.

Contains 4,282,593 Square Feet or 98.315 Acres.

PARCEL NOS.: 00-0093-1109, 00-0093-1110, 00-0093-1111, 00-0093-1112, 00-0093-1113, 00-0093-1114, 00-0093-1115, 00-0093-1116, 00-0093-1117, 00-0093-1118, 00-0093-1119, 00-0093-1120, 00-0093-1121, 00-0093-1122, 00-0093-1123, 00-0093-1124, 00-0093-1125, 00-0093-1126, 00-0093-1127, 00-0093-1128, 00-0093-1129, 00-0093-1130, 00-0093-1131, 00-0093-1132

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