

When Recorded Return To:

Willow Creek Development, LLC
c/o 911 East Pioneer Road
Draper, Utah 84020

ENT 175253:2021 PG 1 of 5
Andrea Allen
Utah County Recorder
2021 Oct 13 02:39 PM FEE 120.00 BY JG
RECORDED FOR Wasatch Land & Title
ELECTRONICALLY RECORDED

Tax Parcel Numbers appear on Exhibit "A"

**FIRST SUPPLEMENT TO THE DECLARATION OF
PROTECTIVE EASEMENTS, RESTRICTIVE COVENANTS, CONDITIONS AND
RESTRICTIONS FOR RIDGE VIEW ESTATES**
Salem City, Utah County

THIS FIRST SUPPLEMENT TO THE DECLARATION OF PROTECTIVE EASEMENTS, RESTRICTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIDGE VIEW ESTATES (this "Supplemental Declaration"), is dated as of the 13th day of October, 2021, is made by Willow Creek Development, LLC (the "Declarant"), for the purpose of supplementing that certain Declaration of Protective Easements, Restrictive Covenants, Conditions And Restrictions For Ridge View Estates dated as of April 24, 2020, and recorded on April 24, 2020 in the Office of the Recorder of Utah County, Utah, as Entry No. 54493:2020 (the "Original Declaration"). The Original Declaration, as amended and supplemented by this Supplemental Declaration, is collectively referred to herein as the "Declaration". All capitalized terms not otherwise defined herein shall have the same meaning given such terms in the Original Declaration.

RECITALS

A. Declarant subjected certain subdivided real property known and referred to as "Ridge View Estates" and located in Salem City, Utah County, Utah (the "Project") to the Declaration. The original recorded "Plat" for Phase 1 of Ridge View Estates includes 33 residential lots.

B. The Declaration provided for the expansion of the Project by additional phases by Declarant upon the recording of a Supplemental Declaration and a subdivision plat for an additional phase of the Project. On October 1, 2021, the Declarant recorded the subdivision plat for Phase 2 of the project consisting of 17 additional Lots in the Project as Entry No. 169172:2021. Phase 2 of the Project is more particularly described on Exhibit "A" of this Supplemental Declaration and is incorporated herein by this reference.

C. This Supplemental Declaration is entered into and recorded by the Declarant for the purpose of making the 17 additional Lots in Phase 2 of the Project subject to the Declaration, and supplementing the Declaration for the entirety of the Project, as more particularly set forth in this Supplemental Declaration.

NOW THEREFORE, in consideration of the foregoing premises, the Declarant hereby supplements and amends the Declaration as follows:

1. Phase 2 Incorporated In Project. The 17 Lots in the Phase 2 Plat are hereby incorporated into the Project and made subject to the Declaration as modified by this Supplemental Declaration. All Lots in the Project including the Phase 2 Lots will be sold, conveyed, transferred and encumbered subject to the terms of the Declaration.

2. Design Review Fee. The "nominal fee" to cover the cost of DRB reviews as provided in Section 2.1 of the Original Declaration shall be \$200 per review of a "submittal package", and may be adjusted reasonably from time to time by the DRB to cover the time and costs required for such review. The submittal package to the DRB shall contain architectural plans, landscape plans, grading and drainage plans, fence plans, or remodel plans, which may be submitted as a single submittal package. If the foregoing plans are not submitted in a single submittal package, there shall be a separate \$200 charge for each additional submittal, but such additional submittal may include multiple plans related to the Lot.

3. Roof Slope. The 8/12 roof slope requirement set forth in Section 1.4.3 shall be considered a "guideline" rather than an absolute requirement. Instead, the overall appearance and adherence to the design concepts, the approved architectural plan, and the Architectural Design Guidelines as interpreted by the DRB in its discretion shall be considered. Flat roofs will generally not be approved by the DRB.

4. No Obstruction In MUE. Lots within the Project backing on Woodland Hills Drive and/or 11200 South that are subject to a municipal utility easement ("MUE") on the rear or side of the Lot shall not construct any permanent structures or improvements within the portion of the Lot subject to the MUE. The MUE area is also subject to a future slope easement or restriction to accommodate future widening of these roads if required by governmental authorities.

5. Additional Requirements Applicable. Additional soils reports, slope stability reports, and storm drainage reports may be required to be provided by owners of Lots in the Project and/or future phases of the Project, as a condition of approval for construction on a Lot, if required by governmental authorities or deemed necessary by the DRB in its discretion. Owners of Lots and their builders shall comply with all recommendations set forth in any additional such required reports.

6. Covenants to Run With the Land. This Supplemental Declaration and the provisions hereof shall constitute covenants running with the land, and shall be binding upon the Owners of all of the Lots in the Project, Declarant and their respective successors, assigns and any person acquiring, leasing or otherwise owning an interest in the Project.

7. Successors and Assigns. This Supplemental Declaration shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

8. Attorneys' Fees. In the event any action is commenced by any party against any other party in connection with this Supplemental Declaration, including any bankruptcy proceeding, the prevailing party shall be entitled to its costs and expenses, including reasonable attorneys' fees.

9. Incorporation of Recital and Exhibits. The Recitals at the beginning of this Supplemental Declaration and the Exhibits hereto are incorporated into this Supplemental Declaration.

10. Original Declaration Otherwise In Force. Except as amended, modified or supplemented hereby, the Declaration remains in full force and effect.

11. Counterparts. This Supplemental Declaration may be executed in any number of counterparts, each of which when executed and delivered shall be an original, but all such counterparts shall constitute one and the same agreement.

12. No Dedication. Nothing contained in this Supplemental Declaration will be deemed to be a gift or a dedication of any portion of the Project to the general public or for the use by or benefit of the general public for any public purpose whatsoever, it being the intention of the parties that this Supplemental Declaration will be strictly limited to and for the purposes expressed herein.

13. Effective Date. This Supplemental Declaration shall be effective as of the date it is recorded in the Office of the Recorder of Utah County, Utah.

14. Due Authorization and Adoption. The Declarant hereby certifies that this Supplemental Declaration was duly approved and adopted by Declarant in compliance with Sections 3.4 and 4.1 of the Original Declaration.

IN WITNESS WHEREOF, the Declarant executed this Supplemental Declaration.

DECLARANT:

WILLOW CREEK DEVELOPMENT, LLC,
a Utah limited liability company

By: 

Name: JEFF ANDERSON

Title: MANAGER

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

On this 13 day of October, 2021, before me a Notary Public in and for said county and state, personally appeared Jeffrey Anderson, who acknowledged to me that he executed the foregoing instrument in his capacity as the duly authorized Manager of Willow Creek Development, LLC, a Utah limited liability company, which thereby executed and approved the same.

WITNESS my hand and notarial seal



Notary Public

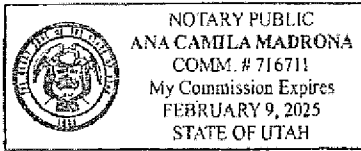


EXHIBIT A

The following described real property located in Utah County, State of Utah:

All of Lots 1-33 described in the subdivision plat entitled Ridge View Estates, Plat A, (includes a vacation of a portion of Lots 8 & 12, and all of lots 9, 10 & 11 of Plat "B", Bulbous Blue Subdivision), according to the official plat thereof on file and of record in the Utah County Recorder's Office, recorded as Entry No. 42505:2020 on April 2, 2020.*

Tax Serial Nos: 51-642-0001 thru 51-642-0033

and

All of Lots 34 through 50 described in the subdivision plat entitled Ridge View Estates, Plat "B", (includes a vacation of a portion of lots 6, 7, 8, 12, 13 & 14, Plat B, Bulbous Blue Subdivision), Salem, Utah according to the official plat thereof on file and of record in the Utah County Recorder's Office, recorded as Entry No 169172:2021 on October 1, 2021.**

Tax Serial Nos: 51-700-0034 thru 51-700-0050

*For information purposes, Plat "A" is sometimes referred to as "Phase 1" in the Original Declaration of Protective Easements, Restrictive Covenants, Conditions and Restrictions recorded April 24, 2020 as Entry No. 54493:2020, Utah County records.

** For information purposes, Plat "B" is sometimes referred to as "Phase 2" in this First Supplement to the Declaration of Protective Easements, Restrictive Covenants, Conditions and Restrictions for Ridge View Estates.