

316

12-520-0098 thru 0108

LOTS 98 thru 106

Common AREA E & F

ChrisSam Meadows

WHEN RECORDED RETURN TO:
Gary M. Wright
IVORY HOMES
1544 North Woodland Park Drive
Suite 300

E 1879932 B 3315 P 735
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2003 JUN 19 9:31 AM FEE 31.00 DEP DJW
REC'D FOR BMW DEVELOPMENT INC

Layton, Utah 84041
THIRD SUPPLEMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS OF
CHRISSAM MEADOWS NO. 4 SUBDIVISION

This Third Supplement to the Declaration of Covenants, Conditions, & Restrictions For ChrisSam Meadows No. 4 Subdivision is made and executed by Ivory North, a Utah joint venture, of 1544 North Woodland Park Drive, Suite 300, Layton, Utah 84041 (the "Declarant").

RECITALS

Whereas, The Original Declaration of Covenants, Conditions & Restrictions For ChrisSam Meadows No. 1 Subdivision was recorded in the office of the County Recorder of Davis County, Utah on the 8th day of September, 2000 as Entry No 1612348 in Book 2689 at Page 937 of the Official Records (the "declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Davis County, Utah.

Whereas, the First Supplement to the Declaration of Covenants, Conditions & Restrictions for ChrisSam Meadows No. 2 Subdivision was recorded in the office of the County Recorder of Davis County, Utah on the 12th day of December, 2001 as Entry No. 1711534 in Book 2943 at Page 594 of the Official Records (the "Declaration").

Whereas, the related Plat Map(s) for Phase II of the Project has also been recorded in the office of the County Recorder of Davis County, Utah.

Whereas, the Second Supplement to the Declaration of Covenants, Conditions & Restrictions for ChrisSam Meadows No. 3 Subdivision was recorded in the office of the County Recorder of Davis County, Utah on the 14 day of March 2003 as Entry No. 1842631 in Book 3247 at Page 573 of the Official Records (the "Declaration").

Whereas, the related Plat Map(s) for Phase III of the Project has also been recorded in the office of the County Recorder of Davis County, Utah.

Whereas, under Section 3 of the Declaration, Declarant reserved an option to expand the Project and annex additional real property.

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to add to the subdivision additional land at any time and in any order, without limitation.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Davis County, Utah and described with particularity on Exhibit "A-4" attached hereto and incorporated herein by this reference (the "Phase IV Property").

Whereas, Declarant desires to expand the Project by creating on the Phase IV Property a new phase in the subdivision.

Whereas, Declarant now intends that the Phase IV Property shall become subject to the Declaration and the following protective covenants:

ChrisSam Meadows

whereas, this affects the real property located in Davis County, Utah described with particularity on Exhibits A-4 and Amended Exhibit C attached

A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners thereof, Declarant hereby executes this Third Supplement to the Declaration of Covenants, Conditions & Restrictions for ChrisSam Meadows No. 4 Subdivision.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

a. Third Supplement to the Declaration shall mean and refer to this Third Supplement to the Declaration of Covenants, Conditions & Restrictions for ChrisSam Meadows No. 4 Subdivision .

b. Third Supplemental Map or Phase IV Map shall mean and refer to the Supplemental Plat Map of Phase IV of the Project, prepared and certified to by Gary L. Newman, a duly registered Utah Land Surveyor holding Certificate No. 4778, and filed for record in the Office of the County Recorder of Davis County, Utah prior to or concurrently with the filing of this Third Supplement to the Declaration.

c. Phase IV shall mean and refer to ChrisSam Meadows No. 4, as shown on the Third Supplemental Map.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The real property described in Exhibit A-4 is hereby submitted to the provisions of the Declaration, and said land shall be held, transferred, sold, conveyed, and occupied subject to the provisions of said Declaration, as it may be supplemented from time to time.

3. Annexation. Declarant hereby declares that the Phase IV Property shall be annexed to and become subject to the Declaration, which upon recordation of this Third Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-4 subject to the functions, powers, rights, duties, and jurisdiction of the Association.

4. Total Number of Lots Revised. As shown on the Phase IV Map, nine (9) additional Lots are or will be created in the Project on the Phase IV Property. The Lots will be numbered 98-106. The additional Lots are located within a portion of the additional land. Upon the recordation of the Phase IV Map and this Third Supplement to the Declaration, the total number of Lots in the Project will be one hundred six (106). The additional Lots are substantially similar in size, construction, design, and quality to the Lots in the prior Phase, except Lot No. 106 upon which an LDS Church shall be constructed.

5. Percentage Interest Revised. Pursuant to the Declaration, Declarant is required with the addition of Lots to reallocate the undivided percentages of ownership interest in the Project based upon the eight (8) additional residential Lots. Revised Exhibit "C," which sets forth the percentages of undivided ownership interests for the 105 Lots, is attached hereto and incorporated herein by this reference.

6. Exception. Lot No. 106 is not subject to the restrictive covenants.

7. Detention Basins. The subdivision will also contain two (2) detention

ChrisSam Meadows

basins, identified as Common Area E and Common Area F on the Plat Map, which shall be maintained by the Association.

8. Conflict. In the event of any conflict, inconsistency, or incongruity between the provisions of this Supplement to the Declaration and the provisions of the Declaration, the former shall in all instances control.

9. Severability. Any provision in this contract, or part thereof, prohibited by the laws of the state of Utah, shall be ineffective to the extent of such prohibition without invalidating the remaining provisions of this document.

10. Effective Date. The effective date of this Third Supplement to the Declaration and the Phase IV Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Davis County, Utah.

EXECUTED the 17 day of June, 2003.

DECLARANT:
IVORY NORTH, a joint venture
BY: GMW DEVELOPMENT, INC., Partner

By: *[Signature]*
Gary M. Wright, President

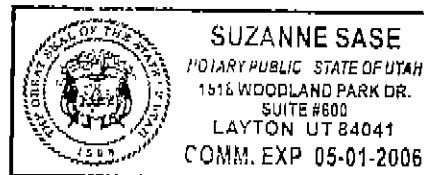
Title:

STATE OF UTAH)
)ss.
COUNTY OF DAVIS)

On the 17th day of June, 2003, personally appeared before me Gary M. Wright, who by me being duly sworn, did say that he is the President of GMW DEVELOPMENT, INC., a Utah corporation, and that GMW DEVELOPMENT, INC. is a Partner of IVORY NORTH, a joint venture, and that the within and foregoing instrument was signed in behalf of said IVORY NORTH pursuant to the joint venture agreement and by authority of a resolution of the joint venturers, and said Gary w. wright, duly acknowledged to me that IVORY NORTH executed the same.

[Signature]

NOTARY PUBLIC
Residing At: Layton, UT
Exhibit "A-4"



PHASE IV
CHRISSAM MEADOWS NO. 4
LEGAL DESCRIPTION

The land described in the foregoing document is located in Davis County, Utah and is described more particularly as follows:

REVIESED EXHIBIT "C"
PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST

Phase	Lot No.	Parcel No.	Percentage of Ownership Interest
1	1	12-407-0001	0.9523%
1	2	12-407-0002	0.9523%
1	3	12-407-0003	0.9523%
1	4	12-407-0004	0.9523%

ChrisSam Meadows

1 5 12-407-0005 0.9523%
 1 6 12-407-0006 0.9523%
 1 7 12-407-0007 0.9523%
 1 8 12-407-0008 0.9523%
 1 9 12-407-0009 0.9523%
 1 10 12-407-0010 0.9523%
 1 11 12-407-0011 0.9523%
 1 12 12-407-0012 0.9523%
 1 13 12-407-0013 0.9523%
 1 14 12-407-0014 0.9523%
 1 15 12-407-0015 0.9523%
 1 16 12-407-0016 0.9523%
 1 17 12-407-0017 0.9523%
 1 18 12-407-0018 0.9523%
 1 19 12-407-0019 0.9523%
 1 20 12-407-0020 0.9523%
 1 21 12-407-0021 0.9523%
 1 22 12-407-0022 0.9523%
 1 23 12-407-0023 0.9523%
 1 24 12-407-0024 0.9523%
 1 25 12-407-0025 0.9523%
 1 26 12-407-0026 0.9523%
 1 27 12-407-0027 0.9523%

0.9523%

2 28 12-426-0028 0.9523%
 2 29 12-426-0029 0.9523%
 2 30 12-426-0030 0.9523%
 2 31 12-426-0031 0.9523%
 2 32 12-426-0032 0.9523%
 2 33 12-426-0033 0.9523%
 2 34 12-426-0034 0.9523%
 2 35 12-426-0035 0.9523%
 2 36 12-426-0036 0.9523%
 2 37 12-426-0037 0.9523%
 2 38 12-426-0038 0.9523%
 2 39 12-426-0039 0.9523%
 2 40 12-426-0040 0.9523%

Phase Lot No. Parcel No. Percentage of Ownership Interest

2 41 12-426-0041 0.9523%
 2 42 12-426-0042 0.9523%
 2 43 12-426-0043 0.9523%
 2 44 12-426-0044 0.9523%
 2 45 12-426-0045 0.9523%
 2 46 12-426-0046 0.9523%
 2 47 12-426-0047 0.9523%
 2 48 12-426-0048 0.9523%
 2 49 12-426-0049 0.9523%
 2 50 12-426-0050 0.9523%
 2 51 12-426-0051 0.9523%
 2 52 12-426-0052 0.9523%
 2 53 12-426-0053 0.9523%
 2 54 12-426-0054 0.9523%

3 55 12-407-0055 0.9523%
 3 56 12-407-0056 0.9523%
 3 57 12-407-0057 0.9523%
 3 58 12-407-0058 0.9523%
 3 59 12-407-0059 0.9523%
 3 60 12-407-0060 0.9523%
 3 61 12-407-0061 0.9523%
 3 62 12-407-0062 0.9523%
 3 63 12-407-0063 0.9523%

Chrissam Meadows

3 64 12-407-0064 0.9523%
 3 65 12-407-0065 0.9523%
 3 66 12-407-0066 0.9523%
 3 67 12-407-0067 0.9523%
 3 68 12-407-0068 0.9523%
 3 69 12-407-0069 0.9523%
 3 70 12-407-0070 0.9523%
 3 71 12-407-0071
 3 72 12-407-0072 0.9523%
 3 73 12-407-0073 0.9523%
 3 74 12-407-0074 0.9523%
 3 75 12-407-0075 0.9523%
 3 76 12-407-0076 0.9523%
 3 77 12-407-0077 0.9523%
 3 78 12-426-0078 0.9523%
 3 79 12-426-0079 0.9523%
 3 80 12-426-0080 0.9523%
 3 81 12-426-0081 0.9523%
 3 82 12-426-0082 0.9523%
 3 83 12-426-0083 0.9523%

0.9523%

Phase Lot No. Parcel No. Percentage of Ownership Interest

3 84 12-426-0084 0.9523%
 3 85 12-426-0085 0.9523%
 3 86 12-426-0086 0.9523%
 3 87 12-426-0087 0.9523%
 3 88 12-426-0088 0.9523%
 3 89 12-426-0089 0.9523%
 3 90 12-426-0090 0.9523%
 3 91 12-426-0091 0.9523%
 3 92 12-426-0092 0.9523%
 3 93 12-426-0093 0.9523%
 3 94 12-426-0094 0.9523%
 3 95 12-426-0095 0.9523%
 3 96 12-426-0096 0.9523%
 3 97 12-426-0097 0.9523%

3 98 12-426-0098 0.9523%
 3 99 12-426-0099 0.9523%
 3 100 12-426-0100 0.9523%
 3 101 12-426-0101 0.9523%
 3 102 12-426-0102 0.9523%
 3 103 12-426-0103 0.9523%
 3 104 12-426-0104 0.9523%
 3 105 12-426-0105 0.9523%

EXHIBIT A - 4

A part of the Northwest Quarter of section 13, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at the Southwest corner of lot 75, ChrisSam Meadows No. 3, a subdivision in Clearfield City, Davis County, Utah, said point being 662.50 feet North 89°49'48" West along the Quarter Section line from the Southeast corner of said Quarter Section; running thence North 89°49'48" West 661.29 feet along said Quarter Section line to the East boundary of Springfield Estates Phase 2 Subdivision, in Clearfield City, Davis County, Utah; thence two (2) courses along said East boundary of said as follows: North 0°09'57" East 215.53 feet and North 89°49'52" West 4.86 feet; thence North 0°46'53" West 74.20 feet; thence South 89°47'00" East 279.62 feet; thence North 0°13'00" East 194.94 feet; hence North 65°49'30" East 319.31 feet; thence South 89°53'28" East 97.21 feet to the West boundary of said ChrisSam Meadows No. 3; thence South 0°13'00" West 616.16 feet along said West boundary to the point of beginning.

Contains 6.875 Acres