

BK 4198 PG 1196  
 E 2235506 B 4198 P 1196-1199  
 RICHARD T. MAUGHAN  
 DAVIS COUNTY, UTAH RECORDER  
 01/12/2007 04:36 PM  
 FEE \$62.00 Pgs: 4  
 DEP RT REC'D FOR KAYSVILLE CITY

After recording, please return to:

Robert A McConnell  
 Parr Waddoups Brown Gee & Loveless  
 185 South State Street, Suite 1300  
 Salt Lake City, Utah 84111

08-408-0201 *elms*  
 0246

Space above for Recorder's use.

D

**SUPPLEMENT TO DECLARATION OF  
 PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS  
 FOR OLD MILL SUBDIVISION  
 ADDING  
 OLD MILL VILLAGE--PHASE 2A**

This Supplement (the "Supplement") is made and executed this \_\_\_ day of December, 2006, by KAYSVILLE DEVELOPMENT, LLC, a Utah limited liability company (the "Declarant").

RECITALS:

A. Declarant is the record owner of that certain tract of real property known as Old Mill Village--Phase 2A ("Phase 2A"), which property is more specifically shown on the plat thereof recorded in the official records of Davis County, State of Utah, on January 12, 2007 as Entry Number 2235505 in Book 4198 at Page 1195 (the "Phase 2A Plat"). The metes and bounds description of Phase 2A is set forth on Exhibit "A" of this Supplement.

B. Declarant previously recorded those certain plats of subdivision known as Old Mill Village Subdivision, Phase 1-A, Phase 1B and Phase 2B in the official records of Davis County, State of Utah. The Phase 1-A Plat was recorded on April 1, 2005 as Entry Number 2063105 in Book 3758 at Page 318, the Phase 1B Plat was recorded on August 19, 2005 as Entry Number 2098464 in Book 3853 at Page 907, and the Phase 2B Plat was recorded on October 13, 2006 as Entry No. 2210329 in Book 4138 at Page 705.

C. Declarant has previously executed and recorded that certain Declaration of Protective Covenants, Conditions, and Restrictions for Old Mill Subdivision dated March 25, 2005 (the "Original Declaration"), which Original Declaration was recorded in the official records of Davis County, State of Utah on April 1, 2005 as Entry Number 2063106 in Book 3758 at Page 319. Subsequent thereto, Declarant executed and recorded that certain First Addendum to Declaration of Protective Covenants For Old Mill Village Subdivision, dated March 31, 2005

(the "First Amendment") in the official records of Davis County, State of Utah, on April, 1, 2005 as Entry Number 2063107 in Book 3758 at Page 352. The Original Declaration and the First Amendment are collectively referred to herein as the "Declaration." Capitalized terms not specifically defined herein have the meaning ascribed to such terms in the Declaration.

D. Pursuant to Article XI of the Declaration, Declarant reserved the right to expand the Project by submitting certain Additional Land to the Declaration. Phase 2A is a part of the Additional Land.

E. Pursuant to Section 11.3 of the Declaration, Declarant desires to expand the Project by adding Phase 2A to the Project and to subject Phase 2A to the Declaration with this Supplement.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Declarant hereby declares that, as more fully set forth in Article XI of the Declaration, the Project known as Old Mill Village Subdivision shall be expanded to include Phase 2A and that Phase 2A, from and after the recording of this Supplement, shall be a part of the Project.

2. Declarant hereby declares that Phase 2A shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, as the same may be amended or supplemented from time to time in accordance with the terms and provisions of the Declaration.

3. Declarant hereby agrees to convey by special warranty deed to the Association, at or prior to the time Declarant conveys to an Owner the first Lot located on Phase 2A, good and marketable title to any parcels or Lots located on Phase 2A that are intended to be HOA Real Property, free and clear of all monetary liens and encumbrances (other than the lien of current general taxes and the lien of any current assessments, charges, or taxes imposed by governmental or quasi-governmental authorities).

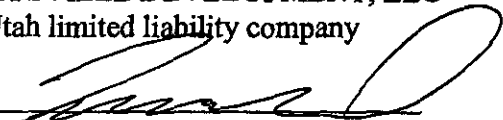
4. Declarant hereby reserves those rights-of-ways and easements as are shown on the Phase 2A Plat or otherwise reserved in the Declaration, such that the said rights-of-way and easements shall be available for and used for the purposes stated on the Phase 2A Plat and the Declaration.

[Continued on the next page.]

Executed by Declarant on this \_\_\_\_ day of December, 2006.

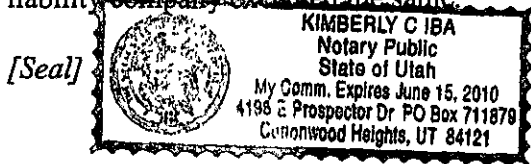
"DECLARANT"

KAYSVILLE DEVELOPMENT, LLC  
a Utah limited liability company

By   
Terry C. Diehl, Manager

STATE OF UTAH            )  
                                  ) ss  
COUNTY OF SALT LAKE    )

On this 6<sup>th</sup> day of December, 2006, personally appeared before me Terry C. Diehl, who being by me duly sworn, did say that he is a Manager of Kaysville Development, LLC, a Utah limited liability company, that the foregoing instrument was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said limited liability company executed the same.



My Commission Expires:  
June 15, 2010

Kimberly C. Iba  
Notary Public  
Residing at Salt Lake County

**EXHIBIT "A"****OLD MILL VILLAGE PHASE 2A - LEGAL DESCRIPTION**

## PHASE 2A Boundary

Beginning at a point which lies South 88°08'30" East 462.18' from Found Brass Cap, said point being the West Quarter Corner Section 3 Township 3 North, Range 1 West, Salt Lake Base & Meridian; and running thence

South 88°08'30" East	759.40 feet, thence
South 19°31'44" East	1044.17 feet, thence
South 24°46'42" East	21.68 feet, thence
South 19°14'22" East	47.51 feet, thence
South 70°45'39" West	174.33 feet, thence
North 70°17'11" West	136.00 feet, thence
South 19°42'51" West	345.10 feet, thence
North 70°17'09" West	55.00 feet, to a point on a curve to the right, having a radius of 15.00 feet and a central angle of 90°00'00", thence along the arc of said curve a distance of 23.56 feet, said arc subtended by a chord bearing South 64°42'51" West, a distance of 21.21 feet, thence
North 70°17'09" West	91.35 feet, thence
North 25°03'04" West	273.18 feet, thence-
North 21°54'19" West	1209.23 feet, to the Point of Beginning;

Contains 868,599 sq ft or 19.94 acres, more or less.