

WHEN RECORDED RETURN TO:

Blue Ledge Corporation
Attention: Hank Rothwell
P.O. Box 1450
Park City, Utah 84060

00225374 Bk 00467 Pg 00354-00360
WASATCH CO RECORDER-ELIZABETH M PARCELL
2000 JUL 05 15:14 PM FEE \$26.00 BY MNC
REQUEST: MURPHY RORY C

**SUPPLEMENTAL MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DEER CREST**

**DEER CREST ESTATES UPCMC 4 LOT SUBDIVISION
WASATCH COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEER CREST is made as of this 30th day of January, 2000, by BLUE LEDGE CORPORATION, a Delaware Corporation referred to below as "Blue Ledge," and DEER CREST ASSOCIATES I, L.C., a Utah limited liability company, referred to below as "Declarant."

RECITALS:

A. Deer Crest Associates I, L.C. is the declarant under that certain Master Declaration of Covenants, Conditions and Restrictions for Deer Crest dated October 31, 1997 and recorded November 3, 1997 as Entry Number 198235 in Book 363 at Page 542 of the Official Records of the Wasatch County Recorder (the "Declaration"). All capitalized terms contained herein shall have the definitions set forth herein or in the Declaration.

B. Blue Ledge is the owner of certain real property located in Wasatch County, Utah, which is more particularly described in Exhibit A (the "Deer Crest Estates UPCMC 4 Lot Subdivision"). The Deer Crest Estates UPCMC 4 Lot Subdivision is included within the definition of the "Additional Properties" under the Declaration and constitutes a portion of the "United Park City Mines Property" as defined in the Declaration, which was contemplated for inclusion within the Deer Crest Development.

C. Blue Ledge intends to develop the Deer Crest Estates UPCMC 4 Lot Subdivision ("Subdivision") as a residential subdivision subject to the general plan of development, and subject to certain protective covenants, conditions and restrictions all as set forth in the Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots within the Subdivision including the Deer Crest Estates UPCMC 4 Lot Subdivision and Declarant intends to allow the Subdivision to be incorporated into the Deer Crest Project on the terms set forth in this supplemental Declaration.

SUPPLEMENTAL DECLARATION:

DECLARANT AND BLUE LEDGE HEREBY DECLARE that all of the Lots within the Subdivision shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions, and equitable servitudes set forth in the Declaration, the terms of which Declaration are deemed incorporated herein by this reference. The covenants, conditions and restrictions of the Declaration are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders and any other person holding any interest in the Lots within the Subdivision, and shall inure to the benefit of all other Lots in Deer Crest. The covenants, conditions and restrictions of the Declaration shall be binding upon Blue Ledge as well as its successors in interest, and may be enforced by the Declarant or by any Owner of a Lot to the extent provided in the Declaration.

DECLARANT FUTURE DECLARES THE FOLLOWING:

1. Deer Crest Master Association. The Subdivision shall add four (4) single family lots to the Deer Crest project. Each Lot owner shall be entitled to one Class A membership in the Deer Crest Master Association for all purposes under the Declaration. Further each Lot shall have one vote and one full Assessment Unit for all purposes under the Declaration.

2. Public Ski Access. The public shall have the right to use those ski facilities, ski runs, and ski trails within the Deer Crest Development shown as "public" on Exhibit B, which shall be operated by Deer Valley Ski Resort Company or any successor in the operation of ski facilities in Deer Valley Resort, or any other commercial operator of any ski area which is later created and adjoins the Deer Crest project. Certain ski trails which are marked on Exhibit B as "private" shall be for private use of homeowners and guests to access their residences. All such private trails shall be marked as "private" on the entrance to such ski trail. Deer Valley or any such successor operator of the Deer Crest ski facilities may charge a fee for access to and use of public ski facilities, ski runs and ski trails and may establish rules and regulations limiting such access and use provided such fees, access and use shall be consistent with rules, regulations and fees for a public ski area and are applied equally to all skiers using the facilities of both ski areas. The preceding provisions relating to public access shall be applicable for so long as the ski facilities, ski runs and ski trails in Deer Valley Resort (under that name or any other name) are operated by a commercial ski operator or there is any other commercial ski area adjoining the Deer Crest Project. In the event that Deer Valley Resort or any successor operation closes or becomes a private ski resort, and there is no other adjoining commercial ski area, then, only in that event the Deer Crest Master Association shall have the right to close the ski facilities, ski runs and ski trails to the general public and operate the ski facilities, ski runs and ski trails as private facilities, runs and trails in accordance with the provisions of the Amended Density Determination. At such time as Deer Valley Resort reopens to the public (as Deer Valley Resort or under any other name), or any other adjoining property commences commercial ski operations, Deer Crest facilities will also be reopened to the general public.

3. Easement. Declarant hereby reserves in favor of Declarant and the Master Association those easements reflected in Article 4 of the Master Declaration over all portions of



the Subdivision that are not within buildings ultimately constructed on the Deer Crest Estates UPCM 4 Lot Subdivision.

4. Drainage and Water Quality Structures. The development of the Deer Crest Estates UPCM 4 Lot Subdivision and the construction of improvements on the Lots shall be accomplished so as to provide onsite water detention, erosion control and water quality structures to the extent necessary to comply with the requirements of Wasatch County, any other applicable government entity, Declarant and the Master Association, as shown on the approved plans and specifications. The Master Association shall have the right to inspect and enforce all obligations relating to water detention, erosion control and water quality systems and the right and obligation to maintain all such water detention, erosion control and water quality structures.

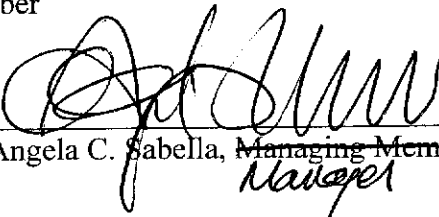
5. Lot Specific Provisions. The Lots within the Subdivision shall be subject to those lot-specific requirements as are set forth in Exhibit C attached hereto.

THIS SUPPLEMENTAL DECLARATION was executed as of the date stated above.

DECLARANT

DEER CREST ASSOCIATES I, L.C., a Utah limited liability company

By: Grand Harvest Ventures, L.C., a Delaware limited liability company, its Managing Member

By: 
Angela C. Sabella, Managing Member

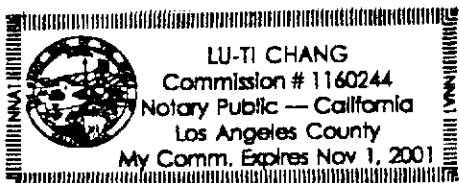
BLUE LEDGE

BLUE LEDGE CORPORATION

By: 
Hank Rothwell, President

STATE OF UTAH)
 : ss.
COUNTY OF LOS ANGELES)

The foregoing instrument was acknowledged before me on the 30TH day of JANUARY, 2000, by Angela C. Sabella, Managing Member of Grand Harvest Ventures, L.C., a Delaware limited liability company, its Managing Member of Deer Crest Associates I, L.C.



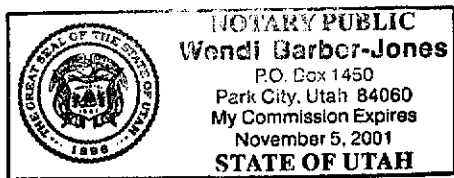
Lu-Ti Chang
Notary Public
Residing at: LOS ANGELES, CALIFORNIA

My Commission Expires:

Nov. 1, 2001

STATE OF UTAH)
 : ss.
COUNTY OF Summit)

The foregoing instrument was acknowledged before me on the 27th day of January, 2000, by Hank Rothwell, President of Blue Ledge Corporation.



Wendi Barber-Jones
Notary Public
Residing at: Park City Utah

My Commission Expires:

November 5, 2001

EXHIBIT "A"

Order Number: 00007980A

PARCEL 1:

BEGINNING AT A POINT THAT IS NORTH 00°05'48" WEST ALONG SECTION LINE 620.43 FEET AND EAST 2897.96 FEET FROM THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY LINE OF DEER CREST ESTATES SUBDIVISION - PHASE II ACCORDING TO THE OFFICIAL PLAT OF RECORD AND ON FILE IN THE OFFICE OF THE WASATCH COUNTY RECORDER, ENTRY NO. 209775, RECORDED DECEMBER 23, 1998; AND RUNNING THENCE ALONG SAID SOUTHERLY BOUNDARY LINE THROUGH THE FOLLOWING 7 COURSES (1) NORTH 58°25'58" EAST 265.71 FEET; THENCE (2) SOUTH 31°34'02" EAST 30.26 FEET; THENCE (3) NORTH 58°25'58" EAST 50.00 FEET; THENCE (4) SOUTH 31°34'02" EAST 14.63 FEET TO A POINT ON A 75.00 FOOT RADIUS CURVE TO THE LEFT, OF WHICH THE RADIUS POINT BEARS NORTH 58°25'58" EAST; THENCE (5) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 34.77 FEET THROUGH A CENTRAL ANGLE OF 26°33'49"; THENCE (6) NORTH 52°54'54" EAST 108.00 FEET; THENCE (7) SOUTH 77°57'08" EAST 239.77 FEET; THENCE SOUTH 06°53'27" WEST 383.30 FEET; THENCE WEST 296.02 FEET; THENCE NORTH 48°20'21" WEST 395.44 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH THE NON-EXCLUSIVE RIGHT OF WAY OVER THE ACCESS EASEMENTS AS SHOWN ON THE RECORDED PLATS OF DEER CREST SUBDIVISION PHASES I AND II.

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Coalition Title Agency, Inc.

EXHIBIT B

• **Special Lot Height Restrictions**

Lot #	Front Edge	Rear Edge	All Edges	Ascending Pitch
1U	—	—	28'	6 in 12
2U	No Special	Restrictions		
3U	No Special	Restrictions		
4U	No Special	Restrictions		
5U	No Special	Restrictions		
6U	28'	22'	—	None
7U	28'	22'	—	None
8U	—	22'	—	None
9U	No Special	Restrictions		
10U	No Special	Restrictions		
11U	28'	22'	—	Variable
12U	28'	22'	—	Variable

EXHIBIT "C"

