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WHEN RECORDED, RETURN TO:  
SEB Legal  
2225 Murray Holladay Rd., Suite 111  
Salt Lake City, UT 84117

E 2737770 B 5761 P 462-464  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
05/02/2013 12:06 PM  
FEE \$42.00 Pgs: 3  
DEP RT REC'D FOR WOODS CROSS CITY

**SUPPLEMENTAL  
DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS  
FOR VALENTINE ESTATES POOL OWNERS ASSOCIATION  
(Cottage Homes Phase 3)**

06-359-0301 → 0328

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**THIS SUPPLEMENTAL DECLARATION** is made the date executed below, by Valentine Estates, L.L.C., a Utah limited liability company.

**RECITALS**

A. Valentine Estates, L.L.C., is Declarant "A" under the Valentine Estates Phase 1 Homeowner's, Inc. Supplemental Declaration of Covenants, Conditions, and Restrictions recorded May 9, 2006, as Entry No. 2166826 in the Davis County Recorder's office ("Declaration"). Declarant "A" is the owner and developer of Valentine Estates Subdivision, Woods Cross City, Davis County, Utah (the "Development");

B. Under Article III, Section 3.2 of the Declaration, Declarant "A" has the right to add Lots to the Property;

C. Declarant "A" desires to annex property into the Property. The annexed land shall be known as the Townhomes ("Project").

**NOW THEREFORE**, Declarant "A" hereby declares as follows:

1. All defined terms as used in this Supplemental Declaration shall have the same meaning as those set forth and defined in the Declaration, unless a definition is given to the term in this Supplemental Declaration. "Property" shall mean the property where the pool and pool house will be constructed.
2. The real property described in Exhibit "A" and situated in Woods Cross City, Davis County, Utah, is hereby submitted to the provisions of the Declaration and, pursuant thereto, is hereby annexed in to the Property and is to be held, transferred, sold, conveyed, and occupied as a part of the Property, subject to the following:

**RESERVING UNTO DECLARANT "A"**, however, such easements and rights of ingress and egress over, across, through, and under the said property and any improvements (including buildings) now or hereafter constructed thereon as may be reasonably necessary for Declarant "A" (in a manner which is reasonable and not inconsistent with the provisions of the Declaration): (i) to construct and complete the Project, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete on the Additional Property, or any portion thereof, such improvements as Declarant "A" shall determine to build in its sole discretion (and whether or not the Additional Property or any portion thereof has been or hereafter will be added to the Development); (iii) to amend the existing Project as to the number of lots, lot sizes, and units to be built upon the land, as permitted by the laws of the State of Utah and Davis County and the zoning requirements of Woods Cross City; and (iv) to improve portions of the said property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners as Declarant "A" may reasonably determine to be appropriate. If, pursuant to all foregoing reservations, the said property or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms,

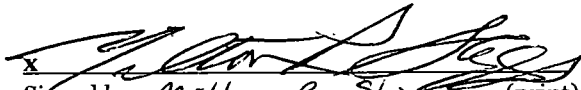
expire 7 years after the date on which this Supplemental Declaration is recorded. Declarant "A" may add land and subject it to this Supplemental Declaration in its discretion for 7 years from the date this Supplemental Declaration is recorded.

**THE FOREGOING IS SUBJECT TO** all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all Patent reservations and exclusions; all mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described real property or any portion thereof, including, without limitation, any mortgage or deed of trust (and nothing in this paragraph shall be deemed to modify or amend such mortgage or deed of trust); all visible easements and rights-of-way; all easements and rights-of-way, encroachments, or discrepancies shown on, or revealed by, a Plat or otherwise existing, an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the said real property at such time as construction of all Development improvements is complete; and all easements necessary for ingress to egress from, maintenance of, and replacement of all such pipes, lines, cable, wires, utility lines, and similar facilities.

- 3. The Declaration as previously amended and supplemented shall remain unchanged and, together with this Supplemental Declaration shall constitute the Declaration of Covenants, Conditions and Restrictions for the Development as further expanded by the annexation of the Additional Property.
- 4. Declarant "A" reserves the right, as stated in the Declaration, to Class B voting membership.
- 5. This Supplemental Declaration shall be recorded in the Davis County Recorder's Office to accompany the Plat Maps entitled Valentine Estates Cottage Homes Phase 3, recorded simultaneously herewith, located in the City of Woods Cross, Davis County, Utah, executed and acknowledged by Valentine Estates, L.L.C., and accepted by the City of Woods Cross.

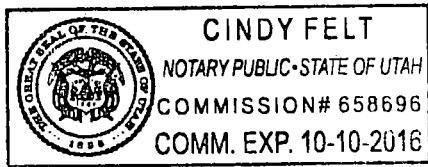
**IN WITNESS WHEREOF**, Declarant "A" has executed this instrument as set forth below.


DECLARANT "A"  
VALENTINE ESTATES, L.L.C.

  
 Signed by: Milton P. Shipp (print)  
 Dated: April 23, 2013

STATE OF UTAH            )  
  :SS  
County of Salt Lake

On the 23<sup>rd</sup> day of April, 2013, personally appeared Milton P. Shipp who, being first duly sworn, did that say that he is the manager of Declarant "A" and that said instrument was signed on behalf of Declarant "A" by authority of its members or managers; and he acknowledged said instrument to be his voluntary act and deed.



  
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 Notary Public

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Valentine Estates Cottage Homes Phase 3 Legal Description:

*A part of the Northeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Woods Cross City, Davis County, Utah:*

*Beginning at the Southwest Corner of Parcel A, Valentine Estates Cottage Homes Phase 2 Subdivision located 2081.78 feet South 0°23'18" East along the Section Line; and 1714.94 feet North 89°48'15" West from the Northeast Corner of said Section 34; and running thence North 89°48'15" West 499.33 feet to the Easterly Line of Valentine Estates Phase 3 Subdivision; thence along said Easterly Line the following two courses: North 25°39'58" West 49.27 feet to the Southeast corner of Lot 304 thereof; and North 28°53'00" East 425.95 feet to the Southerly Line of 2260 South Street as it exists at 28.00 foot half-width; thence along said Southerly Line the following three courses: South 89°48'15" East 307.65 feet to a point of curvature; Southeasterly along the arc of a 15.00 foot radius curve to the right a distance of 17.84 feet (Central Angle equals 68°08'34" and Long Chord bears South 55°43'58" East 16.81 feet) to a point of reverse curvature; and Southeasterly along the arc of a 100.50 foot radius curve to the left a distance of 36.50 feet (Central Angle equals 20°48'25" and Long Chord bears South 32°03'53" East 36.30 feet) to the most Northerly Corner of Lot 220 of said Valentine Estates Cottage Homes Phase 2 Subdivision; thence along the Westerly Line of said subdivision the following two courses: South 47°31'55" West 33.45 feet; and South 0°11'45" West 355.22 feet to the Southwest Corner of said Parcel A and the point of beginning.*

*Contains 179,734 sq. ft.  
or 4.126 acres*