

WHEN RECORDED RETURN TO:

Ivory Development, LLC
Christopher P. Gamvroulas
978 East Woodoak Lane
Salt Lake City, UT 84117
(801) 747-7440

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
01/29/2016 09:20 AM
FEE \$33.00 Pgs: 4
DEP RTT REC'D FOR CLINTON CITY

13-310-0091 → 0108

**SECOND SUPPLEMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR
CRANEFIELD ESTATES PRUD NO. 4** **D**

This Second Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 4 is made and executed by Ivory Development, LLC, a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 1 was recorded in the office of the County Recorder of Davis County, Utah on October 12, 2007 as Entry No. 2312956 in Book 4387 at Pages 40-108 of the official records (the "Initial Declaration").

B. The related Plat Map for Cranefield Estates PRUD No. 1 has also been recorded in the office of the County Recorder of Davis County, Utah (the "Phase 1 Final Plat").

C. The Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 1- 1st Amendment was recorded in the office of the County Recorder of Davis County, Utah on May 30, 2008 as Entry No. 2369147 in Book 4544 at Pages 1020-1098 of the official records (the "Declaration").

D. The related Plat Map for Cranefield Estates PRUD No. 2 has also been recorded in the office of the County Recorder of Davis County, Utah (the "Phase 2 Final Plat").

E. The First Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 3 was recorded in the office of the County Recorder of Davis County, Utah on May 6, 2013.

F. The related Plat Map for Cranefield Estates PRUD No. 3 has also been recorded in the office of the County Recorder of Davis County, Utah (the "Phase 3 Final Plat").

G. The 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" attached hereto and incorporated herein by this reference (the "Phase 4 Property").

H. Declarant reserved the unilateral right and now desires to expand Cranefield Estates and to annex additional land to the Project.

NOW, THEREFORE, for the reasons recited above, and for the benefit of Cranefield Estates and all of the Lot Owners, Declarant hereby executes this First Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 4 (the "Second Supplement") for the purpose of annexing the Phase 4 Property.

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

a. **Second Supplemental Declaration** shall mean and refer to this Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Cranefield Estates No. 4.

b. **Phase 4 Map** shall mean and refer to the Final Plat of Phase 4 of the Project, prepared and certified to by Andy Hubbard, a duly registered Utah Land Surveyor holding Certificate No. 6242920, and filed for record in the Office of the County Recorder of Davis County, Utah concurrently with the filing of this Second Supplemental Declaration.

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

2. **Legal Description.** The legal description for the Phase 4 Property is set forth with particularity in Exhibit A-3 attached hereto and incorporated herein by this reference.

3. **Annexation.** Declarant hereby declares that the Phase 4 Property is hereby annexed and the recordation of this First Supplement and the Final Plat constitutes and effectuates the expansion of Cranefield Estates so that it includes the Phase 4 Property.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 4 Map, eighteen (18) new Lots, Numbers 91 through 108 and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 4 Property. Phase 1 has sixty eight (68) Lots. Phase 2 has twenty eight (28) Lots. Phase 3 has twenty one (21) Lots. Upon the recordation of the Phase 4

Map and this Second Supplemental Declaration, the total number of Lots/Units in the Project will be one hundred and ninety five (195) Lots. The additional Lots (and the homes to be constructed therein) are or will be substantially similar in construction, design and quality to the Lots and homes in the single earlier Phases.

5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this Second Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Second Supplement, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

6. **Topical Headings and Conflict.** The headings appearing at the beginning of the paragraphs of this Second Supplement are only for convenience of reference and are not intended to describe, interpret, define or otherwise affect the content, meaning or intent of this Second Supplement of any paragraph or provision hereof. In case any provisions hereof shall conflict with Utah law, Utah law shall be deemed to control.

7. **Effective Date.** This annexation shall take effect upon the recording of this instrument and the Final Plat in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this 4th day of November, 2015.

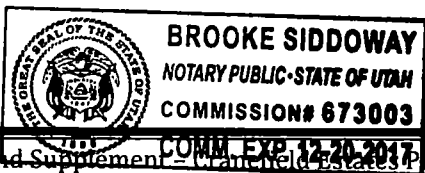
DECLARANT:
IVORY DEVELOPMENT, LLC.

By: *Christopher P. Gamvroulas*
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
SS:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 4th day of November, 2015 by Christopher P. Gamvroulas, as President of IVORY DEVELOPMENT, LLC, a Utah limited liability company, and said Christopher P. Gamvroulas duly acknowledged to me that said IVORY DEVELOPMENT, LLC executed the same.



Brooke Siddoway
NOTARY PUBLIC

EXHIBIT "A-3"

LEGAL DESCRIPTION

The Property referred to in the foregoing document as the Phase 4 Property is located in Davis County, Utah and is described more particularly as follows:

A part of the South Quarter Corner of Section 20; Township 5 North, Range 2 West, Salt Lake Base and Meridian:

Said point also being 84.45 feet West and 447.40 feet North from said South Quarter Corner of Section 20, and running thence North 6°28'31" East 336.71 feet, thence North 3°30'42" West 79.50 feet, thence North 45°43'57" West 95.92 feet, thence North 19°25'13" East 89.26 feet, thence North 45°18'28" East 98.37 feet, thence South 44°41'32" East 12.13 feet, thence North 45°18'28" East 146.76 feet, thence North 89°50'16" East 138.76 feet, thence South 89°59'46" East 101.69 feet, thence South 6°28'31" West 172.33 feet to a point on a non-tangent curve with a radius of 150.00 feet to the left a distance of 28.88 (Central Angle equals 11°01'50" and Long Chord bears North 89°02'24" West 28.83 feet), thence South 6°28'31" West 482.49 feet, thence South 122.46 feet, thence West 129.18 feet, thence North 21.22 feet, thence West 60.00 feet, thence North 86°28'28" West 124.90 feet to the point of beginning.

Contains: 241,707 Sq. Ft. or 5.549 Acres