

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

E 2996036 B 6684 P 244-248
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
01/18/2017 11:50 AM
FEE \$40.00 Pgs: 5
DEP RTT REC'D FOR CLINTON CITY

**THIRD SUPPLEMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR**

14-521-0109 → 0131 **CRANEFIELD ESTATES PRUD NO. 5** **D**

This Third Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 5 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 Second Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 4 was recorded in the office of the County Recorder of Davis County.

H. The related Plat Map for Cranefield Estates PRUD No. 4 has also been recorded in the office of the County Recorder of Davis County, Utah (the "Phase 4 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 5 Property").

H. Declarant reserved the unilateral right and now desires to expand Cranefield Estates and to annex additional land to the Project including residential Lots and Parcel B, which is open space and part of the Common Area.

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. 5 (the "Third Supplement") for the purpose of annexing the Phase 5 Property.

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

a. **Third Supplemental Declaration** shall mean and refer to this Third Supplement to the Declaration of Covenants, Conditions and Restrictions for Cranefield Estates No. 5.

b. **Parcel B** shall mean that certain open space, part of the Common Area, as shown on the Phase 5 Map.

c. **Phase 5 Map** shall mean and refer to the Final Plat of Phase 5 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 5 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 5 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 5 Property.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 5 Map, twenty two (22) new Lots, Numbers 109 through 130, Parcel B, and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 5 Property. Phase 1 has sixty eight (68) Lots. Phase 2 has twenty eight (28) Lots. Phase 3 has twenty one (21) Lots. Phase 4 has eighteen (18) Lots. Upon the recordation of the Phase 5 Map and this Third Supplemental Declaration, the total number of Lots/Units in the Project will be two hundred and seventeen (217) 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.

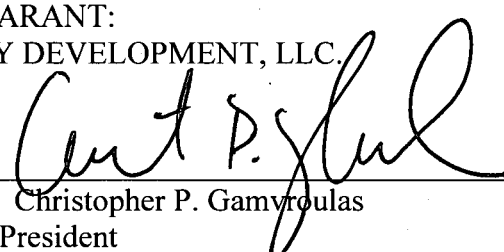
5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this Second Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Third Supplement, and the application of any such provision, paragraph, sentence, 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 Third 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 Third 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 5th day of ~~December, 2016~~ January 2017

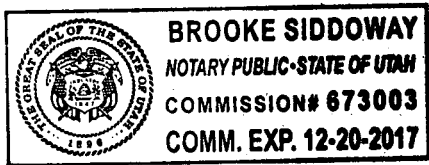
DECLARANT:
IVORY DEVELOPMENT, LLC.

By: 
Name: Christopher P. Gamvroulas
Title: President

ACKNOWLEDGMENT

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 5th day of January ~~2017~~ ~~December, 2016~~ 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 5 Property is located in Davis County, Utah and is described more particularly as follows:

All of Parcel B, Cranefield Estates PRUD No. 1, - 1st Amendment and a part of the Northwest Quarter of Section 29, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Clinton City, Davis County, Utah:

Beginning at a point on the South Line of 2300 North Street, being 33.00 feet South 0°04'13" West from the North Quarter Corner of said Section 29, and running thence South 0°04'13" East 482.46 feet, thence due West 218.87 feet, thence due North 13.24 feet, thence due West 286.63 feet, thence due North 31.63 feet, thence due West 244.72 feet to a point on the East Line of 3650 West Street said point also being on the point of a non-tangent curve, of which the radius point lies South 81°37'04" West; thence five (5) courses along said Easterly right of way line as follows: (1) Northerly along the arc of a 480.77 foot radius curve to the left a distance of 39.54 feet (Delta Angle equals 04°42'42" and Long Chord bears North 10°44'17" West 39.52 feet); (2) North 12°05'42" West 67.31 feet to the point of a non-tangent curve, of which the radius point lies North 77°44'29" East; (3) Northerly along the arc of a 668.42 feet radius curve to the right a distance of 143.01 feet (Delta Angle equals 12°15'30" and Long Chord bears North 06°07'46" West 142.74 feet); (4) due North 123.03 feet to a point of curvature; and (5) Northerly along the arc of a 68.00 foot radius curve to the right a distance of 106.81 feet (Central Angle equals 90°00'00" and Long Chord bears North 45°00'00" East 96.17 feet) to a point on said South Line of 2300 West Street; thence due East 719.52 feet to the point of beginning.

Contains 358,928 Sq. Ft. or 8.240 Acres