

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

E 3142012 B 7194 P 23-27
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/06/2019 08:49 AM
FEE \$34.00 Pgs: 5
DEP RT REC'D FOR CLINTON CITY

**FIFTH SUPPLEMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR
CRANEFIELD ESTATES PRUD NO. 8** *D*

This Fifth Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 8 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").

13-342-0190 → 0206 **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").

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

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

K. The Fourth Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Cranefield Estates PRUD No. 7 was recorded in the office of the County Recorder of Davis County.

L. The related Plat Map for Cranefield Estates PRUD No. 7 has also been recorded in the office of the County Recorder of Davis County, Utah (the "Phase 7 Final Plat").

M. 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 8 Property").

N. 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. 8 (the "Fifth Supplement") for the purpose of annexing the Phase 8 Property.

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

a. **Fifth Supplemental Declaration** shall mean and refer to this Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions for Cranefield Estates No. 8.

b. **Phase 8 Map** shall mean and refer to the Final Plat of Phase 8 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 8 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 8 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 8 Property.

4. **Description of Property and Total Number of Units Revised.** As shown on the Phase 8 Map, seventeen (17) new Lots, Numbers 190 through 206 and other improvements of a less significant nature are or will be constructed and/or created in the Project on the Phase 8 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. Phase 5 has twenty two (22) Lots. Phase 7 has twenty nine (29) Lots. Upon the recordation of the Phase 8 Map and this Fifth Supplemental Declaration, the total number of Lots/Units in the Project will be two hundred and three (203) 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.

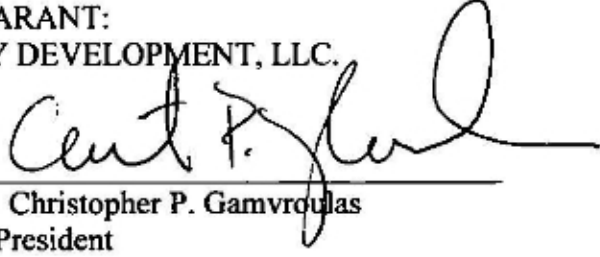
5. **Severability.** If any provision, paragraph, sentence, clause, phrase, or word of this Fifth Supplement should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of the Fifth Supplement, and the application of any such provision, paragraph, sentence, 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 Forth 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 Forth 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 21
day of January, 2019.

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 21 day of January 2019 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.


NOTARY PUBLIC



EXHIBIT "A-3"

LEGAL DESCRIPTION

The Property referred to in the foregoing document as the Phase 8 Property is located in Davis County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

A part of the Southeast Quarter of Section 20, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Clinton City, Davis County, Utah:

Beginning at the Northeast Corner of Lot 9, Cranefield Estates PRUD No. 1 - 1st Amendment, Clinton City, Davis County, Utah; said point being 413.97 feet North 0°16'03" East along the Quarter Section Line, and due East 227.47 feet from the South Quarter Corner of said Section 20; and running thence four (4) courses along the East Boundary of Lot 10, Cranefield Estates PRUD No. 1 - 1st Amendment and the East Boundary of Cranefield Estates PRUD No. 4, Clinton City, Davis County, Utah as follows: (1) due North 125.80 feet, (2) North 6°28'31" East 482.49 feet to a point of a non-tangent curve, (3) Southeasterly along the arc of a 150.00 foot Radius curve to the right a distance of 28.88 feet (Central Angle equals 11°01'50" and Long Chord bears South 89°02'24" East 28.83 feet) and (4) North 6°28'31" East 172.33 to the South Boundary of Cranefield Estates PRUD No. 7, Clinton City, Davis County, Utah; thence two (2) courses along said South Boundary as follows: (1) South 89°59'52" East 12.39 feet and (2) South 84°28'31" East 250.45 feet; thence South 6°28'31" West 117.88 feet; thence South 83°31'29" East 14.57 feet; thence South 6°28'31" West 156.38 feet; thence due South 154.64 feet; thence South 20°18'56" West 173.97 feet; thence South 2°55'59" West 81.65 feet; thence South 13°40'01" East 77.20 feet to the Northerly Line of said Cranefield Estates PRUD No. 1 - 1st Amendment; thence three (3) courses along said Northerly Boundary Line as follows: (1) South 89°59'29" West 178.24 feet, (2) due South 3.31 feet and (3) due West 123.32 feet to the Point of Beginning.

Contains 5.189 Acres