

WHEN RECORDED, RETURN TO:
Christopher Homes
Attention
136 Heber Avenue, Suite 204
Park City, UT 84060

Ent 328618 Bk 0954 Pg 0893-0901
ELIZABETH M PALMIER, Recorder
WASATCH COUNTY CORPORATION
2007 NOV 15 2:32pm Fee 50.00 JP
FOR COALITION TITLE AGENCY, INC.
ELECTRONICALLY RECORDED

**SUPPLEMENTAL ANNEXATION DECLARATION
TO THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
AND RESERVATION OF EASEMENTS
FOR CHRISTOPHER COMMUNITIES AT TUHAYE
(A UTAH EXPANDABLE RESIDENTIAL PLANNED COMMUNITY)**

This Supplemental Annexation Declaration To The Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Christopher Communities At Tuhaye (A Utah Expandable Residential Planned Community), hereinafter referred to as the "Annexation Supplement", is made and executed this 14th day of November, 2007, by FRIENDS OF TUHAYE, LLC, a Delaware limited liability company, hereinafter referred to as the "Declarant". Any capitalized terms used but not defined herein shall have the meanings attributed to them in the Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Christopher Communities At Tuhaye (A Utah Expandable Residential Planned Community), recorded in the official records of Wasatch County on August 8, 2005, as Entry No. 286794, Book No. 774, Pages 642-733 (as the same may have been or may hereafter be supplemented, amended and/or restated, the "Declaration").

RECITALS

A. Description of POD B Additional Land. The Declarant is the owner of real property within Tuhaye, a Planned Community, known as POD B which is a portion of the Additional Land described in the Declaration ("POD B Additional Land"). The POD B Additional Land is located in Wasatch County, State of Utah and described on Exhibit "A" attached hereto and incorporated herein by this reference.

B. Improvements. Certain Residences and other improvements will be constructed on the POD B Additional Land depicted on the POD B Plat defined below.

C. Christopher Communities At Tuhaye POD B Subdivision Plat. That certain plat map for the Additional Land, entitled Christopher Communities At Tuhaye Phase B Subdivision Plat, was executed and acknowledged by Tuhaye LLC, a Utah limited liability company, and recorded in the official records of Wasatch County, State of Utah, as Entry No. 290057, Book No. 797, Pages 628-647 (the "POD B Plat"), a copy of which is attached hereto as Exhibit "B" and incorporated herein by this reference.

D. Intent and Purpose. Declarant intends by recording this Annexation Supplement and recording the POD B Plat to exercise the Option to Expand pursuant to Section 15.1 of the Declaration and to submit the POD B Additional Land, the residential structures, and all other improvements situated in or upon or to be built or placed upon the POD B Additional Land to the provisions of the Declaration as an expansion of the fee simple expandable residential planned community, and to impose upon said property mutually beneficial restrictions under a general plan of improvement for the benefit of all Residences within said expandable residential planned community, including those to be built on the POD B Additional Land, and the Owners thereof. Declarant also desires to and does hereby subject the POD B Additional Land and all improvements to be constructed thereon to the jurisdiction and authority of the Association.

E. Master Declaration. The POD B Additional Land, the Residences to be built thereon and the Owners of such Residences are also subject to that certain Master Declaration of Covenants, Conditions and Restrictions for TUHAYE, A PLANNED COMMUNITY, recorded in the Office of the County Recorder of Wasatch County, Utah, on June 4, 2003, as Instrument No. 258750 in Book 0628, as the same from time to time may have been or may be supplemented, amended and/or restated (the "Master Declaration").

F. Voting and Interests in Common Areas. In connection with the recordation hereof, the votes, interest in Common Areas and responsibility for Assessments will be adjusted in accordance with Section 15.1 of the Declaration.

NOW THEREFORE, the foregoing recitals are incorporated herein by reference and Declarant does hereby declare as follows:

1. Submission to Declaration. In accordance with Section 15.1 of the Declaration, Declarant does hereby submit the POD B Additional Land, the Residences, and all other improvements now or hereafter constructed or placed in or upon the POD B Additional Land to the provisions of the Declaration. All of said property is and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, and improved as part of the fee simple expandable residential planned community known as CHRISTOPHER COMMUNITIES AT TUHAYE. All of said property is and shall be subject to the covenants, conditions, restrictions, uses, limitations, and obligations set forth in the Declaration, each and all of which are declared and agreed to be for the benefit of the CHRISTOPHER COMMUNITIES AT TUHAYE project, including the POD B Additional Land and all improvements thereon, and in furtherance of the general plan for improvement of said property and division thereof into Lots and Residences; further, each and all of the provisions of the Declaration shall be deemed to run with the POD B Additional Land and shall be a burden and a benefit on the POD B Additional Land and shall be binding upon the Declarant, its successors and assigns, and any persons acquiring, leasing, or owning an interest in the real property and improvements comprising any portion of CHRISTOPHER COMMUNITIES AT TUHAYE, including the POD B Additional Land and all improvements thereon, and their respective personal representatives, heirs, successors, and assigns. The POD B Additional Land is divided into Lots as shown on the POD B Plat,

EXHIBIT "A"

LEGAL DESCRIPTION OF POD B ADDITIONAL LAND

Beginning at a point on the boundary of Parcel 2 of the Tuhaye Phase 1 Subdivision, recorded with Wasatch County, Entry No. 275649, same said point lies $S00^{\circ}28'42''W$ 206.95 feet along the section line to the Northeast Corner of Section 28, T.2S., R.5E., S.L.B.&M. and $S00^{\circ}06'40''W$ 417.03 feet along the section line and East 2844.85 feet from the Northwest Corner of Section 27, T.2S., R.5E., S.L.B.&M. and running thence along Parcel 2 the following (four) courses: (1) thence $N42^{\circ}45'27''E$ 149.99 feet; (2) thence $N53^{\circ}11'44''E$ 400.70 feet; (3) thence $N83^{\circ}56'10''E$ 862.39 feet; (4) thence $S51^{\circ}09'02''E$ 399.21 feet to a point on the North right-of-way line of Tuhaye Park Drive; thence along said right-of-way the following (five) courses: (1) thence Westerly 79.87 feet along the arc of a 170.00 foot radius curve to the right, chord bears $N86^{\circ}58'20''W$ 79.14 feet; (2) thence $N73^{\circ}30'45''W$ 152.67 feet; (3) thence Westerly 262.00 feet along the arc of a 230.00 foot radius curve to the left, chord bears $S73^{\circ}51'12''W$ 248.07 feet; (4) thence $S41^{\circ}13'10''W$ 301.62 feet; (5) thence Southwesterly 79.47 feet along the arc of a 370.00 foot radius curve to the right, chord bears $S47^{\circ}22'22''W$ 79.32 feet; thence Northwesterly 17.94 feet along the arc of a 17.50 foot radius curve to the left, chord bears $N23^{\circ}43'43''W$ 17.16 feet; thence Northwesterly 48.10 feet along the arc of a 75.00 foot radius curve to the left, chord bears $N71^{\circ}28'04''W$ 47.28 feet; thence $N89^{\circ}50'26''W$ 64.04 feet; thence Westerly 115.62 feet along the arc of a 115.00 foot radius curve to the right, chord bears $N61^{\circ}02'18''W$ 110.81 feet; thence $S49^{\circ}33'43''W$ 184.94 feet; thence $N78^{\circ}38'12''W$ 97.35 feet; thence $N60^{\circ}30'15''W$ 155.26 feet; thence $N81^{\circ}08'26''W$ 260.03 feet; thence $N69^{\circ}35'40''W$ 31.28 feet to the point of beginning.

Containing 10.81 acres.

Tax Serial Nos. OTC-2001, OTC-2002, OTC-2003, OTC-2004, OTC-2005,
OTC-2006, OTC-2007, OTC-2008, OTC-2009, OTC-2010, OTC-2011,
OTC-2012, OTC-2013, OTC-2014, OTC-2015, OTC-2016, OTC-2017,
OTC-2018, OTC-2019, OTC-2020, OTC-2021, OTC-2022, OTC-2023,
OTC-2024 and OTC-20CA.

EXHIBIT "B"

CHRISTOPHER COMMUNITIES AT TUHAYE PHASE POD B SUBDIVISION PLAT

