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Kathleen Gray  
REBECCA GRAY

FOURTH TITLE  
\$ \_\_\_\_\_ DEP \_\_\_\_\_

FEB 25 4 19 PM '85

RAHE L. JOHNSON  
REGISTERED  
SALT LAKE COUNTY,  
UTAH

4054242

SUPPLEMENTARY DECLARATION TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF EMERALD ISLE,  
A PLANNED UNIT DEVELOPMENT

THIS SUPPLEMENTARY DECLARATION ("Supplementary Declaration")  
is made and executed on the 13<sup>th</sup> day of December,  
1984, by WEXCORE INDUSTRIES, INC., a Utah corporation (the "Declarant").

R E C I T A L S

A. On June 26, 1984, Declarant made and executed the  
Declaration of Covenants, Conditions and Restrictions of Emerald  
Isle, a Planned Unit Development (the "Declaration"), as the ini-  
tial part of a plan for Emerald Isle, a Planned Unit Development  
(the "Project"). The Declaration was recorded in the Official  
Records of Salt Lake County, State of Utah, on June 27, 1984, in  
Book 5568 at pages 1506 et seq as Entry No. 3960466. The related  
Plat Map ("Phase I Map") was recorded on June 4, 1984 in Book  
84-6-83 as Entry No. 3949597. The Declaration and Phase I Map  
submitted to the conditions, covenants, restrictions, easements  
and reservations set forth in the Declaration, the following  
described real property situated in Salt Lake County, State of  
Utah, to-wit:

556-84

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Beginning at an old fence post which is South 1926.24 feet and West 368.56 feet from the Northeast corner of Section 13 Township 2 South, Range 1 West, Salt Lake Base 8, Meridian, said section corner being S 0°00'09" E 958.15' from a county monument in the center of 5300 South Street; (The basis of the bearing is N82°24'27" E along the 5300 South Street Monument Line through the Southeast quarter of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian.) Thence N 80°35'00" W 353.69' to a point on the Easterly line of 90th West Street, said point being on the arc of a 690.00' radius curve, the center of which bears N 81°23' W; Thence Northerly along said East Street line and the arc of said curve through a central angle of 5°37', a distance of 67.64'; Thence N 3° E 288.35'; Thence East 335.87'; Thence S 53°42' E 74.76'; Thence S 12°03'33" W 315.89'; to the point of the beginning.

Containing 2.79 Acres

B. Under the provisions of Article IX, "Additional Land", of the Declaration, Declarant reserved the right to expand the Project until the seventh anniversary of the recording of the Declaration.

C. Declarant is the record owner of the real property described in Article II ("Phase II Land") of this Supplementary Declaration. Phase II Land is all of the Additional Land described in the Declaration. This Supplementary Declaration seeks to comply in every way with the expansion provisions of the Declaration and applies to the Declaration and to no other Declaration. The related Plat Map for Phase II of the Project ("Phase II Map"), which also describes the Phase II Land, recorded herewith, consisting of one sheet, prepared and certified to by Dean Bain

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Mortensen, a duly registered Utah Land Surveyor, together with the Declaration, upon recordation, effects the expansion of the Project.

D. It is the intent of the Declarant that the Phase II Land shall become subject to the Declaration. To this end and for the benefit of the Project and the Owners thereof, Declarant makes this Supplementary Declaration.

E. There currently exists in the Project twenty (20) Lots and some Common Areas. This Supplementary Declaration and the Phase II expands the Project to include thirty-six (36) additional Lots with no additional Common Areas, all as depicted on the Phase II Map. After the recording of the Phase II Map and this Supplementary Declaration, there will be fifty-six (56) Lots included in the Project.

NOW, THEREFORE, for the foregoing purposes, Declarant hereby makes the following Supplementary Declaration:

#### I. DEFINITIONS

Except as otherwise defined herein or as may be required by the context, all terms or expressions defined in Article I of the Declaration shall continue to have such defined meanings when used in this Supplementary Declaration.

#### II. SUBMISSION

There is hereby submitted to the provisions of the Declara-

tion, as an additional tract of land associated with the Project, the following-described parcel of real property situated in Salt Lake County, State of Utah, as shown on the Phase II Map, to wit:

Beginning at a fence corner which is South 1377.476 feet and West 1144.954 feet from the Northeast corner of Section 13, Township 2 South, Range 1 West, Salt Lake Base and Meridian, said section corner being South  $0^{\circ}00'09''$  East 958.15 feet from a County Monument in the center of 5300 South Street, (Basis of Bearing is North  $82^{\circ}24'27''$  East along the 5300 South Street Monument Line, through the Southeast Quarter of Section 12, Township 2 South Range 1 West, Salt Lake Base and Meridian), and running thence South  $88^{\circ}00'$  West 15.00 feet to the True point of beginning, thence South  $0^{\circ}30'$  West 528.987 feet to the Northerly line of the Utahna-Murray No. 4 Subdivision: thence along said subdivision line South  $74^{\circ}08'31''$  East 376.235 feet to a point on the arc of a 555.00 foot radius curve, the center of which bears South  $75^{\circ}51'19''$  East: thence along the Westerly line of 90 West Street on the following four courses: Northerly along the arc of said 555.00 foot radius curve to the right through a central angle of  $0^{\circ}51'19''$  a distance of 8.28 feet, thence North  $15^{\circ}00'$  East 73.63 feet to the point of tangency of a 640.00 foot radius curve, the center of which bears North  $75^{\circ}00'$  West, thence Northerly along the arc of said curve to the left through a central angle of  $12^{\circ}00'$  a distance of 134.00 feet, thence North  $3^{\circ}00'$  East 451.77 feet to a point on the extension of an old wire fence line, thence South  $85^{\circ}46'31''$  West 409.136 feet, thence South  $88^{\circ}00'$  West 15.00 feet to the True Point of Beginning. Contains 5.5742 Acres.

### III. COVENANTS, CONDITIONS AND RESTRICTIONS

The foregoing submission is made upon and under the following covenants, conditions and restrictions:

1. Descriptions of Improvements. The improvements con-

tained in the Project are now or will be located upon the land. The improvements include roads, sewers, storm drains, a culinary water system, and other utilities.

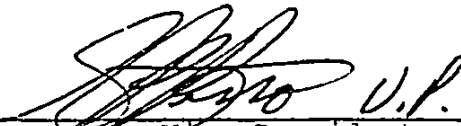
2. Description and Legal Status of Units. The Phase II Map shows the lot designation of each Lot located within the boundaries of this phase, its location and dimensions, and other pertinent information.

3. Effective Date. This Supplementary Declaration shall take effect upon its being filed for record in the office of the County Recorder of Salt Lake County, State of Utah.

EXECUTED on the day and year first above written.

WEXCORE INDUSTRIES, INC.,  
a Utah Corporation

By

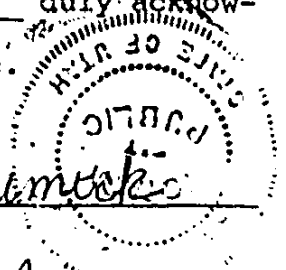
  
Vice President

STATE OF UTAH            )  
                                  : ss.  
County of Salt Lake )

On the 13<sup>th</sup> day of December, 1984, personally appeared before me Stephen P. Bruner, who, being by me duly sworn, did say that he is the Vice-President of Wexcore Industries, Inc., a Utah Corporation, and that the within and foregoing instrument was signed on behalf of said

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Corporation by authority of a resolution of its Board of Directors or of its By-Laws and said Stephen P. Bruno duly acknowledged to me that said corporation executed the same.



Carla R. Almsted  
Notary Public  
Residing at:

Salt Lake County

My Commissions Expires:

June 18, 1988

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