

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GRANITE RIDGE PHASE 3

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GRANITE RIDGE PHASE 3 ("Supplemental Declaration") is made as of July 2, 2020 by GRANITE RIDGE DEVELOPMENT COMPANY, LLC, a Utah limited liability company ("Declarant").

RECITALS

- A. On September 2, 2016, the Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Granite Ridge, which was recorded in the Box Elder County Recorder's Office on September 2, 2016 as Entry No. 361542 (the "Declaration").
- B. The Declaration governs that certain residential subdivision commonly known as "Granite Ridge" located in Willard, Utah (the "Project")
- C. The Declaration was intended to be initially recorded only against the Phase 1 of the Project by attaching a legal description of Phase 1 as Exhibit A (Land Initially Submitted) and attaching a legal description of the remainder of the Project as Exhibit B (Land Subject to Annexation).
- D. A legal description for the entire Project was erroneously attached to the Declaration as Exhibit A, while the legal description for Phase 1 was erroneously attached to the Declaration as Exhibit B. As a result, the Declaration was recorded against the entire Project, including Phase 1 and all future Phases of the Project.
- E. Pursuant to Article IX of the Declaration, Declarant may annex additional property into the Project by recording a Supplemental Declaration describing the property being subjected to the Declaration.
- F. Declarant is the owner of that certain real property more particularly described under Exhibit "A", which is attached to and made part of this Supplemental Declaration (the "Additional Land").
- G. Although the Declaration has already been recorded against the Additional Land, the Declarant desires to record this Supplemental Declaration in order to confirm the Additional Land has been annexed into the Project, and will serve as Phase 3 of the Project.

H. Prior to the recordation of this Supplemental Declaration, Declarant has recorded or intends to record a subdivision plat entitled "Granite Ridge Subdivision, Phase 3", describing the Additional Land and the Lots created on such Additional Land. The legal description of the Additional Land attached to this Supplemental Declaration may be in the form of a metes and bounds description or may refer to the recorded subdivision plat.

NOW, THEREFORE, Declarant hereby declares as follows:

1. Recitals. The foregoing recitals are hereby incorporated into this Supplemental Declaration in their entirety.

2. Annexation of Additional Land. Declarant declares that the Additional Land is hereby annexed into the Project, and the Additional Land shall be held, transferred, sold, conveyed, and occupied subject to any and all covenants, conditions, restrictions, rights, benefits, easements, privileges, uses, limitations, charges and liens as set forth in the Declaration.

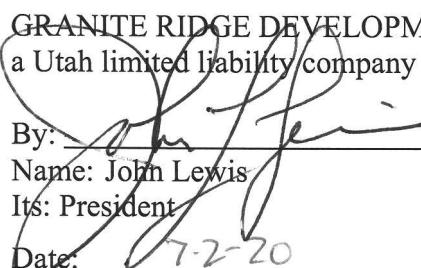
3. Rights and Benefits. The entirety of the Additional Land, including without limitation, any and all Lots, Common Areas, Common Improvements or other improvements located on such Additional Land shall be entitled and subject to any and all covenants, conditions, restrictions, rights, benefits, easements, privileges, uses, limitations, charges and liens as set forth in the Declaration or as provided by law. Each and every provision of the Declaration shall be deemed to run with the real property that comprises the Additional Land, shall be a burden and a benefit on such Additional Land, and shall be binding upon the Declarant, including Declarant's successors and assigns, and to any Owner or any other Person acquiring, leasing, owning or otherwise controlling any interest in any part of the Additional Land and any improvements that comprise the Project, as well as their respective personal representatives, heirs, successors and assigns.

4. Capitalized Terms. Unless otherwise defined in this Supplemental Declaration, any capitalized terms used in this Supplemental Declaration shall be defined as set forth under the Declaration.

5. Effect of Supplemental Declaration. This Supplemental Declaration shall be effective against the Additional Land immediately upon the recordation of this Supplemental Declaration in the Recorder's Office.

IN WITNESS WHEREOF, the Declarant, acting pursuant to authority granted under the Declaration, has executed this Supplemental Declaration as of the date set forth below.

GRANITE RIDGE DEVELOPMENT COMPANY, LLC
a Utah limited liability company

By: 

Name: John Lewis

Its: President

Date: 7-2-20

On this 3rd day of June, in the year 2020, before me Candyce Smith a notary public, personally appeared John Lewis (name of document signer), proved on the basis of satisfactory evidence to be the person(s) whose name is subscribed to this instrument, and acknowledged he executed the same.

Witness my hand and official seal

John G. Smith Notary Public

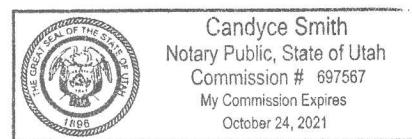


Exhibit "A"
to
Supplemental Declaration
of
Covenants, Conditions and Restrictions
for Phase 3 of
Granite Ridge

LEGAL DESCRIPTION OF ADDITIONAL LAND

Any and all real property (including, without limitation, any and all Lots and Common Area) and any easements or improvements located upon such real property (including, without limitation, any and all Residences and Common Improvements) located in that certain residential subdivision located in Box Elder County, State of Utah, commonly known as "Granite Ridge" as identified on the following Plat Map, as such Plat Maps may be substituted or amended:

Granite Ridge Subdivision, Phase 3, which was recorded on July 2, 2020, as Entry No. 414029 in Book 1420 at Page 20 of the Official Records of the Recorder's Office of Box Elder County, State of Utah