

**WHEN RECORDED RETURN TO:**

Visionary Homes 2020, LLC  
50 East 2500 North Ste. 101  
Logan, UT 84341

**SUPPLEMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS FOR ARCHIBALD ESTATES**

**AN AGE RESTRICTED COMMUNITY OPERATED  
FOR RESIDENTS 55 YEARS OF AGE AND OLDER  
(Plat "N")**

This Supplement to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Archibald Estates Townhomes ("**Supplemental Declaration**") is executed and adopted by Visionary Homes 2020, LLC, a Utah limited liability company ("**Declarant**").

**RECITALS**

A. This Supplemental Declaration shall modify and supplement the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Archibald Estates ("**Declaration**") recorded with the Box Elder County Recorder's Office on February 19, 2021 as Entry No. 427250.

B. Visionary Homes 2020, LLC is the Declarant as identified and set forth in the Declaration.

C. Land Haven, Inc. is the owner of the real property subject to this Supplemental Declaration.

D. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land. Declarant now desires to add a portion of the Additional Land as hereinafter provided.

E. Unless otherwise defined herein, capitalized terms shall have the meanings set forth in the Declaration.

**ANNEXATION**

**NOW THEREFORE**, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

1. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the "**Subject Property**") is submitted to and properly annexed into the Declaration.

2. Plat. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on the **ARCHIBALD ESTATES PLAT "N"** map, which plat map is recorded with the County Recorder.

3. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

4. Membership. The Owner of each Lot within the Subject Property shall be a member of the Archibald Estates Owners Association. Voting and the apportionment of the Association's Common Expenses shall be as set forth in the Declaration.

5. 55+ Age Restriction. The Project is an age restricted community intended for individuals age 55 and over in accordance with the provisions of the Federal Fair Housing Act and its exemptions from discrimination based on familial status for housing for older persons. The Association is empowered to adopt policies and procedures to verify age of residents and compliance with the Fair Housing Act.

6. Reservation of Declarant's Rights. Pursuant to the Declaration, all rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant's rights concerning such Subject Property shall be governed by the terms, provisions and limitations set forth in the Declaration.

7. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Box Elder County Recorder.

\* \* \* \*

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration this 6 day of May, 2022.

**DECLARANT**  
**VISIONARY HOMES 2020, LLC**  
a Utah limited liability company

By: \_\_\_\_\_

Name: Dallas Nicoll

Title: Manager

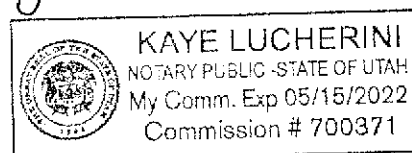
STATE OF UTAH )

) ss.

COUNTY OF Cache )

On the 6 day of May, 2022, personally appeared before me Dallas Nicoll who by me being duly sworn, did say that she/he is an authorized representative of Visionary Homes 2020, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: Kaye Lucherini



IN WITNESS WHEREOF, the owner of the real property described in Exhibit A consents to the recording of this Supplemental Declaration this 6 day of May, 2022.

**PROPERTY OWNER**  
**LAND HAVEN, INC.**  
a Utah corporation

By: [Signature]

Name: Dallas Nicoll

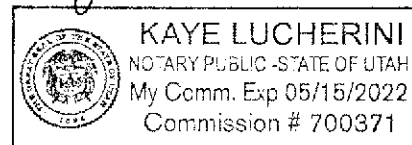
STATE OF UTAH )

COUNTY OF Cache ) ss.

Its: Manager

On the 6 day of May, 2022, personally appeared before me Dallas Nicoll who by me being duly sworn, did say that she/he is an authorized representative of Land Haven, Inc., and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: [Signature]



**EXHIBIT A**  
**SUBJECT PROPERTY**  
(Legal Description)

All of **ARCHIBALD ESTATES PLAT "N"**, according to the official plat filed in the office of the Box Elder County Recorder.

More particularly described as:

**A PART OF THE NORTHWEST QUARTER OF SECTION 3, T 11 N, R 3 W, SLB&M described as follows:**

Beginning at the Northwest Corner of Lot 36 of Archibald Estates Plat "J", being on the East Line of the Bear River Canal at a point 1130.15 feet S 00°30'43" W along the Section Line (Basis of Bearing) and 115.67 feet EAST from the Northwest Corner of Section 3, Township 11 North, Range 3 West, S.L.B.&M. and RUNNING THENCE N 00°46'23" E 450.19 feet along the east line of said canal; thence S 89°19'22" E 681.32 feet to the northwest corner of Lot 17 of said Plat "J"; thence S 00°40'38" W 419.01 feet to the northeast corner of Lot 47 of said Plat "J"; thence N 89°19'22" W 92.00 feet to the northwest corner of said Lot 47; thence N 00°40'38" E 48.01 feet along the west line of said Lot 47; thence N 89°19'22" W 236.00 feet to the northwest corner of Lot 48 of said Plat "J"; thence S 00°40'38" W 74.98 feet along the west line of said Lot 48; thence N 89°19'22" W 228.22 feet to the northwest corner of Lot 37; thence S 83°36'36" W 34.26 feet to the northeast corner of Lot 36 of said Plat "J"; thence N 89°19'22" W 91.85 feet to the point of beginning.

Containing 6.53 acres and 36 lots.

**Parcel Numbers: Not Yet Assigned**