

AFTER RECORDING RETURN TO:

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PEGGY FOY SULSER, Recorder
WASATCH COUNTY CORPORATION
For: HOGGAN LORRIE

**SUPPLEMENTAL DECLARATION TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TUHAYE, A PLANNED COMMUNITY**

[Lone Peak]

THIS SUPPLEMENTAL DECLARATION TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TUHAYE, A PLANNED COMMUNITY (this "Supplemental Declaration"), dated as of the 27 day of September, 2018, by **STORIED DEER VALLEY, LLC**, a Delaware limited liability company ("**Declarant**"), amends that certain *Declaration of Covenants, Conditions and Restrictions for Tuhaye, a Planned Community* dated May 29, 2003 and recorded on June 4, 2003 in the Office of the Recorder of Wasatch County, Utah, as Entry No. 258750 in Book 628 at Pages 770 through 839, as amended by that certain *Amendment of Declaration for Tuhaye, a Planned Community* dated April 20, 2006 and recorded on July 18, 2006 in the Office of the Recorder of Wasatch County, Utah, as Entry No. 304693 in Book 874 at Pages 386 through 393, as amended by that certain *Second Amendment to Declaration of Covenants, Conditions and Restrictions for Tuhaye, a Planned Community* dated March 9, 2017 and recorded on March 9, 2017 in the Office of the Recorder of Wasatch County, Utah, as Entry No. 435665 in Book 1185 at Pages 550 through 582 (as amended, the "**Declaration**"). All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Declaration.

RECITALS:

A. Pursuant to the *Assignment and Assumption Agreement Regarding Declarant's Rights Under Declaration of Covenants, Conditions and Restrictions for Tuhaye* dated January 31, 2018 and recorded on January 31, 2018 in the Office of the Recorder of Wasatch County, Utah as Entry No. 447959 in Book 1214 at Pages 542 through 536, Declarant is the current holder of all the rights, title and interest as "**Declarant**" under the Declaration.

B. The Declaration provides that Declarant shall have the right and option, from time to time and at any time before the date of the conveyance by Declarant of title to the last Lot owned by Declarant, to annex and subject all or any portion of the Additional Property to the Declaration, without the consent of any other Owner, by the recordation of a Supplemental Declaration, which shall be effective when it is recorded in the Office of the Recorder of Wasatch County, Utah, unless otherwise provided therein.

C. Pursuant to the provisions in *Section 2.2* of the Declaration, Declarant desires to subject the real property located in Wasatch County, Utah (the "**Property**"), more particularly described on Schedule 1 attached hereto and made a part hereof, which is part of the Additional Property, to the provisions of the Declaration.

DECLARATION:

NOW, THEREFORE, in consideration of the foregoing premises, Declarant hereby declares and states as follows:

1. **Recitals.** The Declarant hereby affirms the accuracy of the Recitals.
2. **Property Made Subject to Declaration.** The Property is hereby annexed and made subject to the Declaration, and shall be held, conveyed, transferred, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved or developed, in whole or in part, subject to the Declaration, as amended or modified from time to time, which provisions are hereby ratified, approved, confirmed and incorporated herein, with the same force and effect as if fully set forth herein and made again as of the date hereof.
3. **Covenant Running with Land.** The provisions of the Declaration shall run with the Property and shall be binding upon all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof.
4. **Effective Date.** This Supplemental Declaration shall be effective as of the date it is recorded in the Office of the Recorder of Wasatch County, Utah.

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**SCHEDULE 1
TO
SUPPLEMENTAL DECLARATION FOR LONE PEAK**

TUHAYE LONE PEAK SUBDIVISION LEGAL DESCRIPTION 09-20-2018

A PARCEL OF LAND BEING A PORTION OF SITE 8 AND ALL OF SITE 13, AS SHOWN IN THE SPECIAL WARRANTY DEED, ENTRY NUMBER 447948, RECORDED IN THE WASATCH COUNTY RECORDER'S OFFICE, BEING LOCATED IN SECTION 28, TOWNSHIP 4 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 28, THENCE SOUTH 00°08'41" WEST 2646.52 FEET ALONG THE EAST SECTION LINE OF SAID SECTION TO THE SOUTHEAST CORNER OF SECTION 28; THENCE SOUTH 89°54'00" WEST 522.27 FEET ALONG THE SOUTH LINE OF SAID SECTION 28 TO A FOUND IRON PIPE; THENCE NORTH 00°10'00" WEST 366.23 FEET TO A FOUND IRON PIPE; THENCE SOUTH 84°45'55" WEST 1501.48 FEET; THENCE NORTH 00°07'41" WEST 602.96 FEET TO A FOUND IRON PIPE; THENCE SOUTH 84°37'57" WEST 591.59 FEET; THENCE NORTH 00°16'05" WEST 549.34 FEET; THENCE NORTH 89°52'30" WEST 902.99 FEET TO A FOUND REBAR; THENCE NORTH 00°03'50" WEST 569.89 FEET; THENCE NORTH 84°46'55" EAST 1500.07 FEET; THENCE NORTH 00°03'50" WEST 602.50 FEET; THENCE SOUTH 84°46'55" WEST 1235.14 FEET; THENCE NORTH 58°48'00" EAST 2263.32 FEET; THENCE NORTH 00°15'17" EAST 703.76 FEET; THENCE NORTH 58°47'26" EAST 106.02 FEET TO A POINT ON THE WEST LINE OF UNITA DRIVE SHOWN ON TUHAYE PHASE 7 NORTH SUBDIVISION PLAT, ENTRY NUMBER 303813, RECORDED IN THE WASATCH COUNTY RECORDER'S OFFICE, AND A POINT ON A 375.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE WEST LINE OF SAID UINTAH DRIVE THE FOLLOWING TWO (2) COURSES: (1) ALONG THE ARC OF SAID CURVE 291.88 FEET HAVING A CENTRAL ANGLE OF 44°35'45" (CHORD BEARS SOUTH 34°21'23" EAST 284.57 FEET); (2) SOUTH 56°39'15" EAST 254.72 FEET TO A POINT ON THE WEST LINE OF THE TUHAYE 8 SOUTH SUBDIVISION, ENTRY NUMBER 303814, RECORDED IN THE WASATCH COUNTY RECORDER'S OFFICE, THENCE ALONG THE WEST AND SOUTH LINE OF SAID TUHAYE 8 SOUTH SUBDIVISION THE FOLLOWING NINE (9) COURSES: (1) SOUTH 14°04'49" WEST 837.27 FEET; (2) SOUTH 44°21'04" EAST 239.49 FEET; (3) SOUTH 22°21'09" WEST 50.18 FEET TO A POINT ON A 180.00 FOOT RADIUS CURVE TO THE LEFT; (4) ALONG THE ARC OF SAID CURVE 54.83 FEET HAVING A CENTRAL ANGLE OF 19°38'03" (CHORD BEARS SOUTH 12°32'08" WEST 54.56 FEET); (5) SOUTH 87°16'54" EAST 50.00 FEET TO A POINT ON A 110.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; ALONG THE ARC OF SAID CURVE 65.12 FEET HAVING A CENTRAL ANGLE OF 33°55'01" (CHORD BEARS SOUTH 14°14'24" EAST 64.17 FEET); (7) SOUTH 31°11'55" EAST 142.59 FEET; (8) NORTH 85°28'55" EAST 408.82 FEET; (9) SOUTH 62°25'47" EAST 423.64 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 28 AND THE POINT OF BEGINNING.

CONTAINS: 7,922,961 S.F. / 181.89 AC +/-

OWC - 3137-0-028-025