

When Recorded Return To:

Visionary Homes 2022, LLC
50 E. 2500 N. #101
North Logan, UT 84341

**FIRST SUPPLEMENT TO THE
DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR NORTH POINT**

This Supplement to the Declaration of Covenants, Conditions, and Restrictions for North Point ("**Supplemental Declaration**") is executed and adopted by Visionary Homes 2022, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

A. This Supplemental Declaration shall amend and supplement the Declaration of Covenants, Conditions, and Restrictions for North Point (the "**Master Declaration**") recorded with the Box Elder County Recorder's Office on May 30, 2023, as Entry No. 463960, by annexing certain Additional Land previously identified in the Master Declaration into the Project.

B. Visionary Homes 2022, LLC is the Declarant as identified and set forth in the Master Declaration.

C. Under the terms of the Master Declaration, Declarant reserved the right to expand the Project by the addition of all or a portion of the Additional Land described in the Declaration. Declarant now desires to add a portion of the Additional land as hereinafter provided for.

D. Declarant still owns several Lots in the Project and the Additional Land, making the unilateral expansion period active as of the date of this Supplemental Declaration.

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

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

ANNEXATION

1. **Annexation of Additional Land**. Declarant hereby confirms that all of the real property identified and described in 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 Restated Declaration.

2. **Plats**. 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 Restated Declaration, are more particularly set forth on the **North Point Subdivision Phase 2** plat maps, which plat map is recorded in the office of the Cache 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 Restated Declaration and all supplements and amendments thereto.

4. **Membership.** The Owner of each Lot or parcel within the Subject Property shall be a member of the North Point Owners Association ("**Master Association**") and shall be entitled to all benefits of such membership as set forth in the Restated Declaration and shall be subject to the Restated Declaration. Each Lot Owner is allotted one vote in the Association per Lot owned.

5. **Apportionment of Common Expenses.** In accordance with the Master Declaration, Common Expenses shall be equally apportioned among the Owners, including the Owners of Lots annexed into to the Association through this Supplemental Declaration.

6. **Reservation of Declarant's Rights.** All rights concerning the Project reserved to Declarant in the Restated 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 same terms, provisions and limitations set forth in the Restated Declaration.

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

IN WITNESS WHEREOF, the Declarant, through its legal counsel, has executed this Supplemental Declaration this 19 day of July, 2023.

DECLARANT
VISIONARY HOMES 2022, LLC
 a Utah limited liability company

Signature: *Brad Robinson*

Name: Brad Robinson

Title: CFO

STATE OF UTAH)
) ss.
 COUNTY OF Cache)

On the 19 day of July, 2023, personally appeared before me Brad Robinson who by me being duly sworn, did say that she/he is an authorized representative of Visionary Homes 2022, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Notary Public: *Kaye Lucherini*

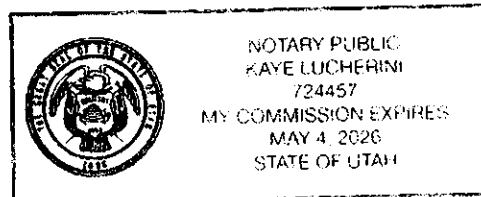


EXHIBIT A
[Legal Description]

AFFECTS PART OF 03-082-0143

The real property known as **North Point Subdivision Phase 2**, according to the official plat filed in the office of the Box Elder County Recorder.

Including all Limited Use Common Area, Common Area, Private Alley, and Private Parking Area.

More particularly described as:

A portion of the SW1/4 and the NW1/4 of Section 12, Township 9 North, Range 2 West, Salt Lake Base & Meridian, located in Brigham City, Utah, more particularly described as follows:

Beginning at a point on the easterly right-of-way of 500 West Street at the northwest corner of Lot 16, Phase 1, BRIGHAM WILLOWS Subdivision, according to the Official Plat thereof on file in the Office of the Box Elder County Recorder, as monumented and constructed, locate N1°13'56"W (plat: N1°11'34"W) along the Section line 2,545.21 feet and East 837.12 feet from the calculated position of the Southwest Corner of Section 12, T9N, R2W, S.L.B. & M.; thence N0°14'38"E along said lot 267.08 feet to the south line of CARDAMINE Subdivision, according to the Official Plat thereof on file in the Office of the Box Elder County Recorder; thence S89°31'04"E (plat: S89°27'41"E) along said Subdivision 580.51 feet; thence S0°28'45"W 3.15 feet; thence along the arc of a 70.00 foot radius curve to the left 8.92 feet through a central angle of 7°17'56" (chord: S3°10'13"E 8.91 feet); thence S6°49'11"E 76.35 feet; thence along the arc of a 14.00 foot radius curve to the left 20.19 feet through a central angle of 82°37'44" (chord: S48°08'11"E 18.49 feet); thence S10°10'58"E 61.06 feet; thence S89°28'12"E 421.86 feet; thence S1°12'10"W 403.77 feet; thence Southeasterly along the arc of a 1,110.00 foot radius non-tangent curve (radius bears: S5°06'21"W) to the right 219.52 feet through a central angle of 11°19'53" (chord: S79°13'43"E 219.17 feet); thence N17°12'38"E 100.00 feet; thence Southeasterly along the arc of a 1,210.00 foot radius non-tangent curve (radius bears: S16°30'01"W) to the right 290.01 feet through a central angle of 13°43'58" (chord: S66°38'00"E 289.32 feet); thence S60°03'00"E 37.65 feet; thence S43°20'00"E 62.04 feet; thence S6°39'51"W 94.00 feet; thence N58°03'37"W 80.49 feet; thence S29°09'20"W 152.64 feet; thence N58°25'31"W 27.82 feet; thence along the arc of a 1,013.00 foot radius curve to the left 46.14 feet through a central angle of 2°36'35" (chord: N59°43'49"W 46.14 feet); thence S30°58'49"W 139.91 feet to the northerly right-of-way line of Highway 13 (900 North); thence along said right-of-way the following 2 (two) courses and distances: Northwesterly along the arc of a 1,196.31 foot radius non-tangent curve (radius bears: S26°36'55"W) to the left 407.84 feet through a central angle of 19°31'59" (chord: N73°09'04"W 405.87 feet); thence S88°49'41"W 196.52 feet to the southeast corner of Parcel No. 03-082-0067; thence N1°23'43"W along said Parcel 40.43 feet; thence along said Parcel and the northeasterly line of said Phase 1 of BRIGHAM WILLOWS Subdivision the following 3 (three) courses and distances: N44°31'32"W 357.39 feet; thence N46°56'21"W 306.00 feet; thence S66°28'49"W 66.01 feet; thence N78°36'30"W 19.21 feet; thence N89°45'22"W 1.78 feet to the southeast corner of said Lot 16; thence along said lot the following 2 (two) courses and distances: N32°42'45"W 119.18 feet; thence N89°45'22"W 120.00 feet to the to the point of beginning.

Contains: 15.87 +/- acres

Parcel Numbers Not Yet Assigned.