

WHEN RECORDED RETURN TO:

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THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DA VINCI PLACE SUBDIVISION

This Third Amendment to Declaration of Covenants, Conditions and Restrictions for Da Vinci Place Subdivision is made and executed by Ivory Development, LLC, a Utah limited liability company, of 978 E. Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for Da Vinci Subdivision was recorded in the office of the County Recorder of Salt Lake County, Utah on October 28, 2005 as Entry No. 123594:2005 at Pages 1-64 of the official records (the "Declaration").

B. The First Amendment to Declaration of Covenants, Conditions and Restrictions for Da Vinci Subdivision was recorded in the office of the County Recorder of Salt Lake County, Utah on January 27, 2006 as Entry No. 10699:2006 of the official records (the "First Amendment").

C. The Second Amendment to Declaration of Covenants, Conditions and Restrictions for Da Vinci Subdivision was recorded in the office of the County Recorder of Salt Lake County, Utah on October 17, 2006 as Entry No. 138087:2006 at Pages 1-5 of the official records (the "Second Amendment").

D. This document affects that certain real property located in Salt Lake County, Utah, described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference (the "Property").

E. The Property is subject to the Declaration.

F. The Declarant desires to amend the Declaration.

G. All of the voting requirements to amend the Declaration have been satisfied.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Property and the owners thereof, the Declarant hereby executes this Third Amendment to Declaration of Covenants, Conditions and Restrictions for Da Vinci Subdivision.

1. Section 1(d) of the Declaration is hereby amended to add the following language:

An Owner may lease or otherwise grant occupancy rights to his Dwelling Unit, only when in compliance with (a) Orem City Ordinances and (b) the First Amendment relating to the Age Restriction 80/20, 80% being over 55 age or older. This restriction voids item Subsection 1(d)(7) in the Second Amendment under Leases, on page 3.

2. Article IV, Section 7 of the Declaration is hereby amended to add the following language:

PARKING RESTRICTIONS:

Existing parking restrictions in the Declaration with its First and Second Amendments, still stand are in full force. In addition thereto, overnight parking on the street is not allowed within the Da Vinci Place Subdivision. Owner's vehicles are to be parked in the Owner's garage or driveway during the overnight hours.

The parking area by the tennis court is designated as a Common Area. This parking area is for the vehicles of those who are playing on the tennis court and for temporary daytime and overnight guests of all Owners. Owners and residents are to park their vehicles in their garages and their own driveways. Prior written permission is needed for any exception to this policy.

3. In the event of any conflict, incongruity or inconsistency between the provisions of the Declaration and this Amendment, the latter shall in all respects govern and control.

4. The effective date of this Amendment is the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

EXHIBIT "A"
LEGAL DESCRIPTION

The Property referred to in the foregoing document is located in Utah County, Utah and is described more particularly as follows:

A portion of Lots 2 and 3, Plat "G", Timpanogos Research and Technology Park, as shown on file in the office of the Utah County Recorder, Utah County, Utah.

Also being described as:

Commencing at a point located South 89°54'39" West along the Section line 328.07 feet and North 33.00 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°54'42" West 488.66 feet; thence along the arc of a 100.00 foot radius curve to the right 34.82 feet (chord bears North 80°06'54" West 34.64 feet); thence along the arc of a 100.00 foot radius curve to the left 34.82 feet (chord bears North 80°06'54" West 34.64 feet); thence South 89°54'39" West 200.00 feet; thence along the arc of a 15.00 foot radius curve to the right 23.59 feet (chord bears North 45°02'40" West 21.23 feet); North 187.85 feet; thence along the arc of a 100.00 foot radius curve to the left 22.41 feet (chord bears North 06°25'09" West 22.36 feet); thence along the arc of a 100.00 foot radius curve to the right 22.41 feet (chord bears North 06°25'09" West 22.36 feet); thence North 452.87 feet; thence East 164.19 feet; thence South 45°00'00" East 250.00 feet; thence East 226.27 feet South 66°45'53" East 227.17 feet; South 00°07'16" East 444.59 feet to the point of beginning.

Now known as Lots 1 through 46, Davinci Place, Plat A Amended.
Area: 446,293 SF 10.25 Acres