

When Recorded, Return to
Ivory Development, LLC
970 E. Woodoak Lane
Salt Lake City, Utah 84117

**FOURTH SUPPLEMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS,
AND RESERVATION OF EASEMENTS
FOR
SAGEWOOD VILLAGE SUBDIVISION
PHASE 4
IN
TOOELE COUNTY, UTAH**

This Fourth Supplement to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision, located in Tooele County, Utah, is made and executed by Ivory Development, LLC, a Utah limited liability company (“Declarant”) with a registered address of 970 E. Woodoak Lane, Salt Lake City, Utah 84117.

RECITALS

WHEREAS, that certain Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision (the “Declaration”) was recorded with the Office of Recorder for Tooele County, Utah on February 13th 2019, as Entry No. 481076 for the Sagewood Village subdivision (the “Project”);

WHEREAS, the First Supplement to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision Phase 2 (“First Supplement”) was recorded with the Office of Recorder for Tooele County, Utah on March 2nd 2019, as Entry No. 481521 for the Project;

WHEREAS, the Second Supplement to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision Phase 3 (“Second Supplement”) was recorded with the Office of Recorder for Tooele County, Utah on July 2nd 2019, as Entry No. 489287 for the Project;

WHEREAS, the Third Supplement to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision Phase 5 (“Third Supplement”) was recorded with the Office of Recorder for Tooele County, Utah on July 19th 2019, as Entry No. 490199 for the Project;

WHEREAS, the construction and approval of Phase 5 preceded that of Phase 4;

WHEREAS, the Declaration provides that the Project may be developed in phases and additional land may be annexed into and made part of the Project and made subject to the Declaration;

WHEREAS Declarant is the record fee owner of certain real property adjacent to the Project (the “Sagewood Village Phase 4 Property”), more specifically described in Exhibit “A” hereto and incorporated herein by this reference;

WHEREAS, Declarant desires to develop the Sagewood Village Phase 4 Property to include additional Lots and other improvements of a less significant nature;

WHEREAS, a final plat for the Sagewood Village Phase 4 Property has been or will be recorded with the Office of Recorder for Tooele County, Utah; and

WHEREAS, Declarant now intends that the Sagewood Village Phase 4 Property shall be subject to and burdened and benefitted by the Declaration.

SUPPLEMENT TO DECLARATION

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners therein, Declarant hereby executes this Fourth Supplement to the Declaration of Covenants, Conditions, and Restrictions, and Reservation of Easements for Sagewood Village Subdivision (this “Fourth Supplement to Declaration”).

1. Legal Description. The real property defined herein as the Sagewood Village Phase 4 Property is more fully described in Exhibit “A” hereto. The Sagewood Village Phase 4 Property is hereby submitted to the provisions of the Declaration. Said land and the Lots thereon shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration, as it may be further supplemented or amended from time to time.

2. Annexation. Consistent with the rights and authority reserved to the Declarant in the Declaration, the Sagewood Village Phase 4 Property is hereby annexed into the Project and made subject to the Declaration, which, upon recordation of this instrument shall constitute and effectuate the expansion of the Project making the Sagewood Village Phase 4 Property subject to the powers, rights, duties, functions, and jurisdiction of Sagewood Village Subdivision Homeowners Association, Inc. (the “Association”).

3. Description of the Project, as Supplemented by this Fourth Supplement to Declaration. The plats for Sagewood Village Subdivision Phases 1, 2, 3, and 5 included 114 Lots (Lots 101 through 158, Lots 201 through 212, Lots 301 through 325, Lots 501 through 519). Upon recording of the plat for the Sagewood Village Phase 4 Property, together with this Fourth Supplement to Declaration, an additional 44 Lots (Lots 401 through 444) will be annexed into the Association, bringing the total number of Lots in the Project to 158.

4. Supplement to Definitions in Declaration. Declaration Article 1 Definitions are hereby supplemented as follows:

- (a) The term “Plat” is hereby expanded to include the recorded final plat for Sagewood Village Phase 4 Property.
- (b) The term “Governing Documents” is hereby expanded to include the Final Plat (as defined herein), the Declaration, Bylaws, Articles of Incorporation, Rules and Regulations, Notice of Reinvestment Fee Covenant, and this Fourth Supplement to Declaration.
- (c) The term “Subdivision” is hereby expanded to include the Sagewood Village Phase 4 Property and the Lots thereon.
- (d) The term “Total Votes” is hereby expanded to include the Lots in Sagewood Village Phase 4.

5. Covenants, Conditions and Restrictions Run with the Land. This Fourth Supplement to Declaration and the terms and conditions established herein and in the Declaration are binding on each Owner and his/her/their assigns and successors in interest and are intended to and shall run with the land.

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