

SUPPLEMENTARY DECLARATION CONCERNING
ADDITIONAL LAND INCLUDED WITHIN THE WESTVIEW ESTATES
SUBDIVISION, PHASE III

THIS SUPPLEMENTARY DECLARATION is made and executed on this 3rd day of August, 2005, by Northridge at Cross Hollow Development, Inc. ("Declarant").

00508660 Bk00985 Pg00557-00559
PATSY CUTLER - IRON COUNTY RECORDER
2005 AUG 03 11:36 AM FEE \$125.00 BY DBJ
REQUEST: SO UTAH TITLE CO/CEDAR CITY

RECITALS

A. Northridge at Cross Hollow Development, Inc., a Utah Corporation, has heretofore executed and recorded in the office of the Iron County Recorder, Utah, each of the following documents:

	<u>Title and/or Nature of Instrument</u>	<u>Recorded</u>	<u>Entry No.</u>	<u>Book, Pages</u>
(1)	Declaration of Restrictive Covenants and Conditions Affecting the Real Property Known as Westview Estates	3-3-2004	479926	921/471-497
(2)	Plat Map of Westview Estates Subdivision--Phase I	2-6-2004	478815	918/987
(3)	Plat Map of Westview Estates Subdivision, Phase III	7-12-2005	507293	981/1526

The Plat Map identified above as Item (2) is hereinafter referred to as the "Original Plat Map." The Declaration of Restrictive Covenants identified above as Item (1) is hereinafter referred to as the "Original Declaration." The Plat Map identified above as Item (3) is hereinafter referred to as the "Phase III Plat Map."

B. By virtue of the recordation of the Original Plat Map and the Original Declaration, there was created and is currently in existence the Westview Estates Subdivision, Phase I.

C. Under the Original Declaration, Article VII, the Declarant has the right to expand the Subdivision onto additional land and extend the Subdivision by Declarant as therein set forth.

D. The Declarant has exercised, and by the recording of this Supplementary Declaration, does exercise its right to expand the Westview Estates Subdivision to additional land and this Supplementary Declaration is recorded for that purpose.

NOW THEREFORE, for the foregoing purposes and pursuant to the Original Declaration, Declarant executes this Supplementary Declaration and hereby declares as follows:

1. Addition to Subdivision. The property described on Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed into the Westview Estates Subdivision, and is hereafter included for all purposes in said Subdivision (the "Additional Land"). From this time forth, the Additional Land shall be owned, held, sold, conveyed and occupied subject to the Original Declaration, the Original Plat Map, the Phase II Plat Map and the Supplementary Declaration with all of the rights, covenants and obligations therein set forth.

2. Building Restrictions relating to Westview Estates Phase II and Phase III only.

A. Dwelling Size. No more than one detached single family dwelling, not to exceed two stories above ground and not more than a total of 19 feet above ground level, excluding roof, will be allowed on any lot. No single family unit shall be less than 1,200 square feet in size on the main level, exclusive of garages. Two-story or split-level styled homes may have a minimum of 750 square feet on the main level, provided that there is at least 1,400 square feet of living space above ground level. Basement living space will not be considered part of the total living space. Roof gables will have a minimum of 5' x 12' pitch. No flat roofs will be accepted. All dwellings shall have a private garage sufficient to park at least two (2) cars, but not more than four (4) cars. All garages shall be fitted with a door, which shall be closed, except for normal use.

B. Building Location. No building shall be located on any lot nearer to the front line than 30 feet therefrom, measured to the foundation of such building; or nearer than 30 feet to the rear lot line; nor nearer than 25 feet to a side lot line. For the purpose of this covenant, eaves, steps, and open porches shall not be considered as part of a building for the purpose of determining such distances. All other setbacks and other location requirements shall at all times be in accordance with the ordinances of Iron County and/or Cedar City Corporation.

Except as set forth herein, there are no additions, modifications or clarifications of the covenants, conditions and restrictions contained in the Original Declaration, and it shall apply to the Additional Land as recorded.

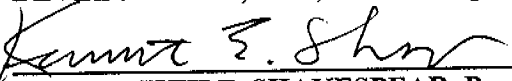
3. Amendment to existing Restrictive Covenants as to Phase III only.

A. The original restrictive covenant as referenced in paragraph A (1) herein is hereby amended to allow Lots 1 and 2, Block B, Westview Estates Subdivision, Phase I, to be used for a church and recreation area.

4. Subject to Association. From and after the recording hereof, the property described in Exhibit A shall be subject to the functions, powers and jurisdiction of the Association, and all of the owners of lots within the property described on Exhibit A shall automatically be members of the Association and bound by the covenants and obligations related thereto as set forth in the Original Declaration.

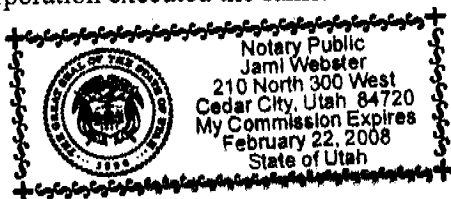
5. Effective Date. This Supplementary Declaration, and its effect on the real property described on Exhibit A, shall take effect upon being filed for record in the office of the Iron County Recorder, Iron County, Utah.


DATED this 7 day of August, 2005.

**NORTHRIDGE AT CROSS HOLLOW
DEVELOPMENT, INC., a Utah Corporation**

By: **KENNETH E. SHAKESPEAR, President**

STATE OF UTAH)
 ss
COUNTY OF IRON)

On the 7 day of August, 2005 personally appeared before me **KENNETH E. SHAKESPEAR**, who being by me duly sworn, did say that he is the President of **NORTHRIDGE AT CROSS HOLLOW DEVELOPMENT, INC., a Utah Corporation**, and that said instrument was signed in behalf of said **NORTHRIDGE AT CROSS HOLLOW DEVELOPMENT, INC., a Utah Corporation** by authority of its Bylaws (or a resolution of its Board of Directors) and said **KENNETH E. SHAKESPEAR** acknowledged to me that said corporation executed the same.





NOTARY PUBLIC

My Commission Expires:
Residing In:

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EXHIBIT 'A'

All Lots and Blocks in Westview Estates Subdivision Phase III, according to the Official Plat thereof, as filed in the Office of the Iron County Recorder, State of Utah.

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