

**NINTH SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR RED LEDGES**

THIS NINTH SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RED LEDGES (this, "***Ninth Supplemental Declaration***") is hereby made and executed this 10th day of December, 2021 by RED LEDGES LAND DEVELOPMENT, INC., a Florida corporation ("***Declarant***"), joined by RED LEDGES COMMUNITY ASSOCIATION, INC., a Utah non-profit corporation ("***Association***") and made effective when recorded in Office of the Wasatch County Recorder, Wasatch County, Utah ("***Official Records***").

RECITALS:

A. Declarant is the developer of that certain development commonly known as "Red Ledges" and located in Heber City, Wasatch County, Utah and recorded in the Official Records on October 11, 2007 that certain Declaration of Covenants, Conditions and Restrictions for Red Ledges dated October 11, 2007 as Entry No. 327154, which Declaration of Covenants, Conditions and Restrictions for Red Ledges has been subsequently amended and/or supplemented by: (i) First Supplemental Declaration dated June 4, 2008 and recorded in the Official Records as Entry No. 337464, as amended by the Amendment to First Supplemental Declaration dated August 1, 2019 and recorded in the Official Records as Entry No. 466274; (ii) Second Supplemental Declaration dated May 11, 2010 and recorded in the Official Records as Entry No. 359264; (iii) Third Supplemental Declaration dated October 22, 2012 and recorded in the Official Records as Entry No. 383343; (iv) Fourth Supplemental Declaration dated November 22, 2013 and recorded in the Official Records as Entry No. 396341, as amended by Amendment to Fourth Supplemental Declaration dated July 9, 2019 and recorded in the Official Records as Entry No. 465509; (v) Fifth Supplemental Declaration dated March 24, 2014 and recorded in the Official Records as Entry No. 399406; (vi) Sixth Supplemental Declaration dated November 24, 2014, and recorded in the Official Records as Entry No. 406705; (vii) Seventh Supplemental Declaration dated July 9, 2015 and recorded in the Official Records as Entry No. 413846; and (viii) Eighth Supplemental Declaration dated March 19, 2020 and recorded in the Official Records as Entry No. 475834 (collectively, the "***Declaration***"). Any capitalized terms used and not defined herein shall have the meanings given in the Declaration.

B. As further detailed on Exhibit A, attached hereto and incorporated by this reference, numerous plats detailing various phases of the development of Red Ledges have been recorded in the Official Records.

C. That certain Red Ledges Phase 3L Villas, A Condominium Plat Vacating a Portion of Red Ledges Phase 2 Subdivision Plat (the "***Villas Plat***") was approved as part of the Consent Agenda at the March 16, 2021 Heber City Council Meeting, Heber City, Utah, and has been or will concurrently herewith be placed of record in the Official Records.

D. The Villas Plat vacates a portion of land ("***Vacated Land***") formerly subject to the Phase 2 Plat (as such term is defined in Exhibit A) in order to make such Vacated Land subject to the Villas Plat.

E. In addition to the Vacated Land, a portion of the Additional Property (as such term is defined in the Declaration) is depicted in and subject to the Villas Plat.

F. Declarant holds both legal and equitable title to the land depicted in and subject to the Villas Plat, which land is described on Exhibit B, attached hereto and incorporated by reference (the "Villas Property").

G. Declarant desires and intends to develop a condominium project on the Villas Property.

H. Pursuant to Article II, Section 2 of the Declaration, Declarant has the right in its sole discretion to execute and record in the Official Records additional Supplemental Declarations which (i) subject some or all of the Additional Property to the Declaration; (ii) designate a Neighborhood; (iii) assign a specific use to a portion of the Property; or (iv) do anything else permitted by the Declaration.

I. Declarant now exercises its discretion to execute and record this Ninth Supplemental Declaration, to (i) subject the Villas Property to the Declaration with the intent that all Owners of any portion of the Villas Property shall at all times enjoy the benefits of and shall hold their interest subject to the Declaration; (ii) designate the Villas Property as a Neighborhood; (iii) assign the Villas Property for use as a condominium development; and (iv) detail certain maintenance requirements of the Association as relate to the Villas Property.

DECLARATION

NOW THEREFORE, the Declarant hereby supplements the Declaration to:

1. **Subject the Villas Property to the Declaration.** The Declarant hereby declares that the Villas Property, is and shall henceforth be owned, held, conveyed, encumbered, leased, improved, used, occupied, and enjoyed subject to all the terms, provisions, conditions, covenants, obligations, and restrictions contained in the Declaration as the same shall, from time to time, be amended, supplemented, or both. Declarant so declares to accomplish the desires, intentions, and purposes set forth in the recitals above.
2. **Create a Neighborhood.** The Declarant hereby declares that the Villas Property is a "Neighborhood" as defined in the Declaration. The Neighborhood shall be referenced herein as the "Villas".
3. **Specify Use for a Condominium Development.** The Villas Property shall be submitted to the condominium form of ownership as permitted pursuant to Article II of the Declaration and as further detailed in that certain Neighborhood Declaration and Declaration of Condominium for Red Ledges Phase 3L Villas ("Neighborhood Declaration") that shall be recorded concurrently herewith or soon hereafter.
4. **Detail the Maintenance Requirements of the Association.**
 - a. Notwithstanding anything to the contrary in the Declaration, Neighborhood Declaration, or on the Villas Plat, the Neighborhood Association shall, with respect to the Villas,

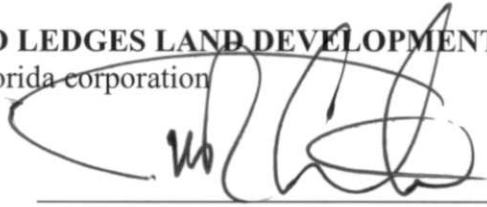
perform all landscaping, snow removal, maintenance, replacement, and repair of the Common Areas and Facilities, the area between the footprint of each building, and all Open Space as the same are depicted on the Villas Plat, in accordance with the Project Quality Standard. The cost of such maintenance shall be a Neighborhood Expense benefitting the Villas and shall result in a Neighborhood Assessment.

- b. The maintenance required pursuant to subparagraph 2(a) above shall specifically exclude maintenance, replacement, repair, of streets, including snow removal of streets, which shall be the obligation of the Association, as shown on the Villas Plat.
 - c. The budget for the maintenance required pursuant to subparagraph 2(a) above shall be determined by the Board of the Neighborhood Association as detailed in the Declaration. Similarly, the Neighborhood Assessments required pursuant to subparagraph 2(a) above shall be determined, assessed, and otherwise handled pursuant to the Neighborhood Declaration.
5. **Additional Covenants, Conditions and Restrictions Affecting the Villas.** Additional covenants, conditions, and restrictions affecting the Villas are further detailed in the Neighborhood Declaration.

[Remainder of the page is intentionally blank. Signature pages follow.]

IN WITNESS WHEREOF, this Ninth Supplemental Declaration has been executed as of the day and year first above written.

RED LEDGES LAND DEVELOPMENT, INC.,
a Florida corporation



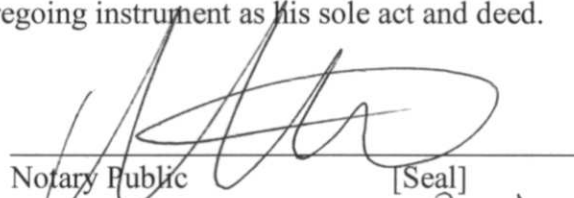
By: _____
Name: Todd R. Cates
Title: Vice President

STATE OF UTAH

ss:

COUNTY OF WASATCH

On the 10th day of December, 2021, personally appeared before me Todd R. Cates, as Vice President of Red Ledges Land Development, Inc., a Florida corporation, who acknowledged before me, a Notary Public, that he executed the foregoing instrument as his sole act and deed.



Notary Public [Seal]

My Commission Expires: 8/2/25

The undersigned entity hereby joins in this Ninth Supplemental Declaration.

**RED LEDGES COMMUNITY ASSOCIATION,
INC.,** a Utah non-profit corporation

By: [Signature]
Name: Todd R. Cates
Title: Vice President

STATE OF UTAH

ss:

COUNTY OF WASATCH

On the 10th day of December, 2021, personally appeared before me Todd R. Cates as Vice President of Red Ledges Community Association, Inc., a Utah non-profit corporation, who acknowledged before me, a Notary Public, that he executed the foregoing Ninth Supplemental Declaration as his sole act and deed.



[Signature]
Notary Public [Seal]

My Commission Expires: 8/2/25

EXHIBIT A

RED LEDGES PLATS

1. Red Ledges Phase 1 Subdivision Plat, recorded in the Official Records on October 11, 2007 as Entry No. 327153, as amended by: (i) Red Ledges Phase 1 Amended Subdivision Plat, recorded in the Official Records on August 7, 2008 as Entry No. 338822; (ii) Red Ledges Amending Lot 39 of Red Ledges Phase 1 Amended Subdivision Plat, recorded in the Official Records on February 7, 2011 as Entry No. 366849; (iii) Red Ledges Phase 1 Amended Second Amendment to Lot 39, recorded in the Official Records on March 26, 2014 as Entry No. 399478; (iv) Red Ledges Phase 1 – Lot 168 Amended, recorded in the Official Records on July 9, 2015 as Entry No. 413810; (v) Red Ledges Phase 1K – Lot 411 Amended also Amending Lots 95 and 96 of Red Ledges Phase 1 Amended, recorded in the Official Records on November 9, 2016 as Entry No. 431106; (vi) Red Ledges Phase – 1 Amended Lot 73 Amended, recorded in the Official Records on November 14, 2017 as Entry No. 445131; (vii) Red Ledges Phase 1 – Lot 67 Amended, recorded in the Official Records on September 19, 2018 as Entry No. 456102; (viii) Red Ledges Phase 1 – Lot 167 Amended, recorded in the Official Records on November 15, 2019 as Entry No. 470870; (ix) Red Ledges Phase 1 Amended Lot 51 Amended, recorded in the Official Records on August 26, 2020 as Entry No. 483416; and (x) Red Ledges Phase 1 – Lot 76 Amended, recorded in the Official Records on December 17, 2020 as Entry No. 490633;

2. Red Ledges Phase 2 Subdivision Plat, recorded in the Official Records on August 7, 2008 as Entry No. 338823, as amended by Red Ledges Phase 2 – Lot 78 Amendment Plat, recorded in the Official Records on August 10, 2012 as Entry No. 381359; Red Ledges Phase 2 – Lot 264 Amended, recorded in the Official Records on July 9, 2015 as Entry No. 413811; Red Ledges Phase 2 Amended Second Amendment to Lots 263-264, recorded in the Official Records on October 17, 2016 as Entry No. 430112; Red Ledges Phase 2 – Amending Lots 280 and 281 and Creating Lot 279, recorded in the Official Records on September 14, 2017 as Entry No. 442718; Red Ledges Phase 2 – Lot 165 Amended, recorded in the Official Records on November 20, 2018 as Entry No. 458223; and Red Ledges Phase 2 – Amending Lots 285, 286, and 287, recorded in the Official Records on November 6, 2020 as Entry No. 488150 (collectively, the “Phase 2 Plat”);

3. Red Ledges Phase 2A, recorded in the Official Records on December 12, 2011 as Entry No. 374750;

4. Red Ledges Phase 1H, recorded in the Official Records on August 3, 2012 as Entry No. 381116;

5. Red Ledges Phase 1G, recorded in the Official Records on August 10, 2012 as Entry No. 381334;

6. Red Ledges Phase 1J, recorded in the Official Records on August 10, 2012 as Entry No. 381335;

7. Red Ledges Phase 2B, recorded in the Official Records on October 22, 20012 as Entry No. 3833337;

8. Red Ledges Phase 1L, recorded in the Official Records on March 15, 2013 as Entry No. 387773, as amended by Red Ledges Phase 1L – Amending Lots 737 and 738, recorded in the Official Records on August 5, 2019 as Entry No. 466434;

9. Red Ledges Phase 1K, recorded in the Official Records on March 15, 2013 as Entry No. 387772, as amended by Red Ledges Phase 1K – Lot 405 Amended, recorded in the Official Records on March 14, 2014 as Entry No. 399168; Red Ledges Phase 1K – Lot 408 Amended, recorded in the Official Records on December 2, 2014 as Entry No. 406924; and Red Ledges Phase 1K – Lot 411 Amended also Amending Lots 95 and 96 of Red Ledges Phase 1 Amended, recorded in the Official Records on November 9, 2016 as Entry No. 431106;

10. Red Ledges Phase 1N, recorded in the Official Records on October 15, 2013 as Entry No. 394826;

11. Red Ledges Phase 2D Subdivision – Club Villas Final Plat, recorded in the Official Records on November 22, 2013 as Entry No. 396340;

12. Red Ledges Phase 1P, recorded in the Official Records on March 3, 2014 as Entry No. 398788, as amended by Red Ledges Phase 1P – Lot 772 Amended, recorded in the Official Records on August 31, 2016 as Entry No. 428283;

13. Red Ledges Phase 1R, recorded in the Official Records on March 10, 2014 as Entry No. 399022, as amended by Red Ledges Phase 1R – Lot 430 Amended, recorded in the Official Records on July 9, 2015 as Entry No. 413809; Red Ledges Phase 1R – Lots 451-454 Amended, recorded in the Official Records on September 3, 2015 as Entry No. 415886; Red Ledges Phase 1R – Lot 434 Amended, recorded in the Official Records on August 16, 2016 as Entry No, 427767; Red Ledges Phase 1R – Lots 437-439 Amended, recorded in the Official Records on August 16, 2016 as Entry No, 427768; and Red Ledges Phase 1R – Lot 447 Amended, recorded in the Official Records on June 10, 2019 as Entry No. 464515;

14. Red Ledges Phase 2E Subdivision – Juniper Hills Final Plat, recorded in the Official Records on March 13, 2014 as Entry No. 399091;

15. Red Ledges Phase 1Q, recorded in the Official Records on April 21, 2014 as Entry No. 400191, as amended by Red Ledges Phase 1Q – Lot 216 Amended, recorded in the Official Records on July 26, 2017 as Entry No. 440852;

16. Red Ledges Phase 2C: The Villas at Red Ledges, recorded in the Official Records on October 15, 2014 as Entry No. 405345;

17. Red Ledges Phase 2J: The Villas at Red Ledges, recorded in the Official Records on April 24, 2015 as Entry No. 411226, as amended by Red Ledges Phase 2J Amended Subdivision:The Villas

at Red Ledges Amending Lots 307-311 of Red Ledges Phase 2J: The Villas at Red Ledges Final Plat, recorded in the Official Records on March 10, 2021 as Entry No. 495591;

18. Red Ledges Phase 2H Subdivision Final Plat, recorded in the Official Records on May 22, 2015 as Entry No. 412302, as amended by Red Ledges Phase 2H – Amending Lots 712, 713, and 714, recorded in the Official Records on January 3, 2019 as Entry No. 459500;

19. Red Ledges Phase 2K, recorded in the Official Records on July 17, 2015 as Entry No. 414103, as amended by Red Ledges Phase 2Q – Amending Lot 487 of Red Ledges Phase 2K, recorded in the Official Records on December 8, 2016 as Entry No. 432179; and Red Ledges Phase 2P – Amending Lot 545 of Red Ledges Phase 2K, recorded in the Official Records on May 10, 2017 as Entry No. 437973;

20. Red Ledges Phase 2G Subdivision – Club Villas Final Plat, recorded in the Official Records on September 3, 2015 as Entry No. 415889, as amended by Red Ledges Phase 2G Amended Subdivision – Club Villas Final Plat, recorded in the Official Records on July 5, 2016 as Entry No. 426308;

21. Red Ledges Phase 2M, recorded in the Official Records on March 11, 2016 as Entry No. 422093, as amended by Red Ledges Phase 2M – Amending Lots 363 and 364, recorded in the Official Records on August 13, 2019 as Entry No. 466761; Red Ledges Phase 2M – Amending Lots 365 and 366, recorded in the Official Records on December 17, 2020 as Entry No. 489868;

22. Red Ledges Phase 2L, recorded in the Official Records on March 11, 2016 as Entry No. 422092;

23. Red Ledges Phase 2N Subdivision – Club Villas Final Plat, recorded in the Official Records on August 25, 2016 as Entry No. 428099, as amended by Red Ledges Phase 2N Subdivision – Club Villas Amended Amending Units 2N-19, 2N-20, 2N-21, and 2N-22, recorded in the Official Records on January 3, 2019 as Entry No. 459499;

24. Red Ledges Phase 2R, recorded in the Official Records on December 8, 2016 as Entry No. 432180;

25. Red Ledges Phase 2Q – Amending Lot 487 of Red Ledges Phase 2K, recorded in the Official Records on December 8, 2016 as Entry No. 432179;

26. Red Ledges Phase 2P – Amending Lot 545 of Red Ledges Phase 2K, recorded in the Official Records on May 10, 2017 as Entry No. 437973;

27. Red Ledges Phase 3B Mountainside, recorded in the Official Records on October 12, 2018 as Entry No. 457064;

28. Red Ledges Phase 2S Subdivision – Juniper Hills Final Plat, recorded in the Official Records on October 25, 2018 as Entry No. 457417, as amended by Red Ledges Phase 2S Juniper Hills – Amending Lots 2S-15 and 2S-16 and Parcel Open Space A, recorded in the Official Records on

March 26, 2019 as Entry No. 461821; and Red Ledges Phase 2S Juniper Hills – Amending Lots 2S-17 and 2S-18, recorded in the Official Records on November 6, 2020 as Entry No. 488151;

29. Red Ledges Phase 3D Subdivision – Club Villas Final Plat, recorded in the Official Records on May 14, 2019 as Entry No. 463599;

30. Red Ledges Phase 3E Plat, recorded in the Official Records on July 26, 2019 as Entry No. 466035;

31. Red Ledges Phase 3F, recorded in the Official Records on September 12, 2019 as Entry No. 467997;

32. Red Ledges Phase 3H Crown Ridge, recorded in the Official Records on February 13, 2020 as Entry No. 474444;

33. Red Ledges Phase 3G Crown Ridge, recorded in the Official Records on February 13, 2020 as Entry No. 474443;

34. Red Ledges Phase 2T, recorded in the Official Records on December 7, 2020 as Entry No. 489870; and

35. Red Ledges Phase 3J Final Plat, recorded in the Official Records on December 7, 2020 as Entry No. 489869.

EXHIBIT B

THE VILLAS PROPERTY LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHEASTERLY CORNER OF LOT 26 OF THE RED LEDGES PHASE 1 AMENDED SUBDIVISION PLAT ON FILE AT THE WASATCH COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 89°48'55" WEST 751.60 FEET AND NORTH 1849.46 FEET FROM THE SOUTH QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING ALONG THE BOUNDARY OF SAID RED LEDGES PHASE 1 AMENDED PLAT THE FOLLOWING TWO (2) COURSES: 1) NORTH 35°09'23" EAST 153.39 FEET; 2) NORTH 28°04'30" EAST 163.77 FEET; THENCE SOUTH 66°58'02" EAST 218.85 FEET; THENCE NORTH 81°23'10" EAST 211.01 FEET; THENCE SOUTH 48°20'00" EAST 272.76 FEET; THENCE SOUTH 27°10'02" WEST 539.97 FEET TO CABINS AT RED LEDGES SUBDIVISION PHASE 1B AMENDED PLAT, ON FILE AT THE WASATCH COUNTY RECORDER'S OFFICE; THENCE ALONG THE BOUNDARY OF SAID CABINS AT RED LEDGES SUBDIVISION PHASE 1B AMENDED PLAT, SOUTH 38°36'53" WEST 45.12 FEET TO THE VILLAS AT RED LEDGES PHASE 2F SUBDIVISION, ON FILE AT THE WASATCH COUNTY RECORDER'S OFFICE; THENCE ALONG THE BOUNDARY OF SAID THE VILLAS AT RED LEDGES PHASE 2F SUBDIVISION, NORTH 57°39'13" WEST 277.51 FEET TO THE VILLAS AT RED LEDGES PHASE 1E SUBDIVISION, ON FILE AT THE WASATCH COUNTY RECORDER'S OFFICE; THENCE RUNNING ALONG THE BOUNDARY OF SAID THE VILLAS AT RED LEDGES PHASE 1E SUBDIVISION, NORTH 66°30'24" WEST 129.34 FEET TO THE SAID VILLAS AT RED LEDGES PHASE 2F SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID THE VILLAS AT RED LEDGES PHASE 2F SUBDIVISION, NORTH 28°18'52" WEST 319.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.05 ACRES, MORE OR LESS.

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