

When Recorded Return To:
Ivory Development, LLC
Christopher P. Gamvroulas
978 East Woodoak Lane
Salt Lake City, UT 84117
(801) 747-7440

**SEVENTH SUPPLEMENT
TO
MASTER DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
SAGEWOOD VILLAGE
FOR
SAGEWOOD GARDENS PHASE 1**

This supplement to Master Declaration of Covenants, Conditions, and Restrictions for Sagewood Village (the “Supplement”) is made and executed by Ivory Development, LLC, a Utah limited liability company with an address of 970 E Woodoak Lane, Salt Lake City, Utah 84117 (the “Declarant”).

RECITALS

A. Declarant recorded that certain Master Declaration of Covenants, Conditions, and Restrictions for Sagewood Village with the Office of Recorder for Tooele County, Utah on February 13, 2019 as Entry No. 481076 (the “Master Declaration”).

B. The Master Declaration reserves to the Declarant the right and authority to unilaterally expand the Project in accordance with the Master Declaration.

C. Declarant is the record owner of certain real property located in Stansbury Park, Tooele County, Utah, more fully described herein (the “Property” or “Sagewood Gardens Phase 1”).

D. Declarant desires to further expand the Project to include an additional twenty-four (24) age-restricted Lots, eleven (11) non-restricted lots and other improvements of a less significant nature on the Property.

E. Declarant now intends that the Property and the Lots thereon shall become part of the Project and subject to the Master Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project, Declarant, and Owners, Declarant hereby executes this Supplement to the Master Declaration of Covenants, Conditions, and Restrictions for Sagewood Village for Sagewood Gardens Phase 1.

SUPPLEMENT TO MASTER DECLARATION

1. Supplement to Definitions. Article I of the Master Declaration, entitled “Definitions,” shall be and hereby is modified to include the following supplemental definitions:

- “Age Qualified Occupant” shall mean and refer to any person fifty-five (55) years of age or older who occupies a Lot.
- “Age Restricted Community” shall mean and refer to a development in compliance with 42 U.S.C. § 3607(b) of the Fair Housing Act and all other applicable state and federal housing laws.
- “Age Restricted Lots” shall mean and refer to Lot 103 through Lot 125 and belonging to an Age Restricted Benefited Neighborhood and Service Area.
- “Age Restriction” shall mean and refer to the requirement that one or more Benefited Neighborhoods within the Project provide housing primarily for persons fifty-five (55) years of age or older and shall be operated as an Age Restricted Community such that at least eighty percent (80%) of the occupied Lots shall be occupied by at least one person fifty-five (55) years of age or older.
- “Non-Restricted Lots” shall mean and refer to Lot 101, Lot 102 and Lot 127 through Lot 135. Non-Restricted Lots do not belong to the Age Restricted Benefited Neighborhood and Service Area. Non-Restricted Lots do not belong to the Age Restricted Community and are not encumbered with and Age Restriction.
- “Qualified Occupant” shall mean and refer to a person that is eighteen (18) years of age or older.
- “Sagewood Gardens Phase 1 Plat” shall mean and refer to the final plat maps of the Property that have been or will be recorded with the Office of County Recorder for Tooele County, Utah contemporaneous with the filing of this Supplement to Master Declaration.

Except as otherwise provided herein, the definitions of capitalized terms contained in the Master Declaration are incorporated herein by this reference.

2. Annexation. Consistent with the rights and authority reserved to Declarant in the Master Declaration, the Property shall be and hereby is annexed into the Project and the Sagewood Village Master Association, which is organized and operating as a Utah nonprofit corporation (the “Master Association”). Recordation of this Supplement to Master Declaration, together with the Sagewood Gardens Phase 1 Plat, shall constitute and effectuate further expansion of the Project, making the real property described in Exhibit A and every Owner and

Occupant of a Lot thereon subject to the Master Declaration and the functions, powers, rights, duties, and jurisdiction of the Master Association.

3. Age Restricted Benefitted Neighborhood and Service Area. Consistent with the Master Declaration, the Age Restricted Lots (Lots 103 through 126), Parcel A, Parcel B and the Private Streets are hereby designated as a Benefitted Neighborhood and a distinct Service Area within the Project. Service Area Expenses and/or Special Assessments may be assessed to the Owners of Age Restricted Lots developed on the Property.

4. Benefitted Common Area. Consistent with the Master Declaration, the Property includes certain common area (Parcel A and Parcel B) which primarily benefits the Age Restricted Lots in Sagewood Gardens which is hereby designated as Benefitted Common Area. Benefitted Common Area Expenses, if any, may be assessed to the Owners of the Age Restricted Lots developed on the Property.

5. Additional Covenants. The Property, and the Owners and Occupants of any Age Restricted Lots on the Property, shall be subject to the following Additional Covenants:

a. Age Restriction. Declarant desires and intends that the Property be operated to provide housing opportunities for persons age fifty-five (55) and older in accordance with 42 U.S.C. § 3607(b) of the Fair Housing Act. Once an Age Restricted Lot is occupied by an Age Qualified Occupant, other Qualified Occupants of that Age Restricted Lot may continue to occupy that Lot, regardless of the termination of the Age Qualified Occupant's occupancy, if at least eighty percent (80%) of the Age Restricted Lots within the Property are occupied by at least one person fifty-five (55) years of age or older.

b. Intent to Comply. The Declarant or the Master Association will publish and adhere to policies and procedures that demonstrate its intent to provide housing for Age Qualified Occupants, such as written rules, regulations, lease provisions, deed restrictions, advertising, actual practices, and so forth. Declarant and the Master Association will comply with all of the rules issued by the Secretary of Housing and Urban Development for verifications of occupancy through reliable surveys and affidavits. Owners and Occupants of Age Restricted Lots shall be required to cooperate in providing age verification. Declarant and the Master Association will re-survey its list of residents at least once every two (2) years to ensure that the 80% requirement is met.

c. Exclusions. The following may be excluded from the calculation of the 80% requirement: (a) unoccupied Age Restricted Lots within the Property; (b) Age Restricted Lots occupied by employees of the Master Association who are under the age of 55 and who provide substantial management and maintenance services to the Property; and (c) Age Restricted Lots occupied solely by persons who are necessary or essential to provide medical and/or health and nursing care services as a reasonable accommodation to residents of the Property. In order to not risk losing the exemption provided by the Housing for Older Persons Act of 1995, if Age Qualified Occupants die with survivors or heirs who are under age 55, re-sales and leases of such Age Restricted Lots previously occupied by an Age Qualified Occupant may be restricted by the Association to occupancy by at least one Age Qualified Occupant.

d. Advertisements. Declarant or its designee may advertise or market the 20% portion of the Age Restricted Lots within the Property which are not required to be occupied by at least one Age Qualified Occupant to prospective buyers under the age of 55 who are Qualified Occupants and/or to families with children, but the marketing must be done in a way that identifies the Property as housing intended for older persons. Advertising and marketing must be consistent with that intent.

e. Temporary Absence. If an Age Qualified Occupant is on vacation, hospitalized, on sabbatical, providing ecclesiastical, philanthropic, humanitarian or related service or otherwise absent for a season, such Age Qualified Occupant may allow a younger relative or house sitter who is a Qualified Occupant to live in such Age Qualified Occupant's Dwelling or Unit during such absence, in which case, such Dwelling or Unit shall be deemed in compliance with the 80% occupancy requirement as long as the Dwelling or Unit is not leased to such relative or house sitter, and provided that the Age Qualified Occupant returns on a periodic basis and maintains legal and financial responsibility for the Dwelling or Unit.

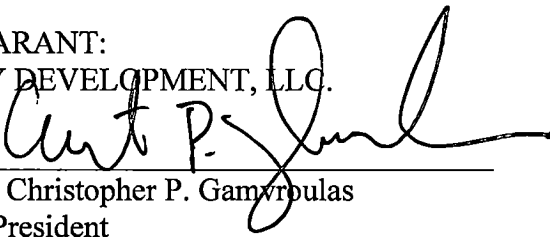
f. Enforcement. The Master Association shall have the power and authority to specifically enforce the provisions of this Supplement and the Age Restriction by any legal or equitable means available, as the Master Association deems reasonably appropriate.

g. Prohibition on Sale in Violation of Age Restriction. Each Owner of a Age Restricted Lot within the Property shall have and enjoy the privileges of fee simple ownership of his or her Lot; however, the Property is intended to be an Age Restricted Community and, as such, is intended and operated for occupancy by persons age fifty-five (55) and older. Declarant and/or the Master Association are granted and hereby expressly reserve the unilateral right to void any re-sale or lease of an Age Restricted Lot in violation of the Age Restrictions by recording a written "Notice of Election to Void Sale or Lease for Violation of Age Restrictions" or its equivalent in the Official Records of Tooele County, Utah.

6. Covenants, Conditions, and Restrictions to Run with the Land. The Covenants, Conditions and Restrictions for the Property and the Lots thereon established by this Supplement to Master Declaration are intended to and shall be binding on the Lots, the respective Owners and their successors in interest and shall run with the land.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand to this instrument this 19 day of August, 2021.

DECLARANT:
IVORY DEVELOPMENT, LLC.

By: 
Name: Christopher P. Gamvroulas
Title: President

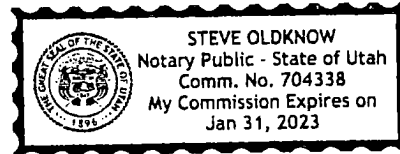
STATE OF UTAH)
) ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 19 day of AUG, 2021 by Christopher P. Gamvroulas, President of IVORY DEVELOPMENT, LLC, a Utah limited liability company, and who duly acknowledged to me that said IVORY DEVELOPMENT, LLC executed the same.



NOTARY PUBLIC

My Commission Expires: 6/31/23



**EXHIBIT A
LEGAL DESCRIPTION**

The real property referred to in the foregoing instrument is located in Tooele County, Utah and is more particularly described as follows:

THAT PORTION OF THE NORTH HALF OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; STANSBURY PARK, TOOELE COUNTY, UTAH DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS N89°22'40"E 4172.68 FEET FROM THE WEST QUARTER CORNER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE N00°37'20"W 239.99 FEET; THENCE S89°22'40"W 100.53 FEET; THENCE N45°37'20"W 56.57 FEET; THENCE S89°22'40"W 536.81 FEET; THENCE N08°40'42"E 49.82 FEET; THENCE N21°25'48"E 77.92 FEET; THENCE N64°42'14"W 96.00 FEET; THENCE S89°09'15"W 44.56 FEET; THENCE N64°47'30"W 192.00 FEET; THENCE S79°00'34"W 48.83 FEET; THENCE N67°12'57"W 101.40 FEET TO THE EASTERLY BOUNDARY OF SAGEWOOD VILLAGE PHASE 5; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) CALLS: 1.) N25°21'27"E 82.02 FEET; 2.) N17°22'28"E 61.11 FEET; 3.) N28°28'49"E 140.00 FEET TO THE RIGHT-OF-WAY OF VILLAGE BOULEVARD; THENCE ALONG SAID RIGHT-OF-WAY AND A NON-TANGENT CURVE TO LEFT, HAVING A RADIUS OF 1836.50 FEET, A DISTANCE OF 26.61 FEET, A CHORD DIRECTION OF S61°56'05"E AND A CHORD DISTANCE OF 26.61 FEET; THENCE S27°37'34"W 30.58 FEET; THENCE ALONG A NON-TANGENT CURVE TO LEFT, HAVING A RADIUS OF 1866.50 FEET, A DISTANCE OF 906.31 FEET, A CHORD DIRECTION OF S76°17'03"E AND A CHORD DISTANCE OF 897.43 FEET; N89°48'19"E 178.51 FEET; THENCE S80°20'03"E 76.23 FEET; THENCE N89°52'01"E 125.01 FEET TO THE WESTERLY BOUNDARY OF JENNY COVE SUBDIVISION; THENCE ALONG SAID WESTERLY LINE S00°24'20"E 534.53 FEET; THENCE S89°22'40"W 292.90 FEET TO THE POINT OF BEGINNING.

CONTAINS 10.40 ACRES IN AREA, 35 LOTS AND 5 PARCELS

Parcel Numbers: 05-036-0-0072