

RECORDING REQUESTED BY:

FIRST AMERICAN TITLE INSURANCE COMPANY

ENT 59967:2003 PG 1 of 10
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2003 Apr 18 1:05 pm FEE 56.00 BY SFS
RECORDED FOR MOUNTAIN HOME DEVELOPH

WHEN RECORDED, MAIL TO:

MOUNTIAN HOME DEVELOPMENT CORPORATION
1520 W. 3600 N.
LEHI, UT 84043

(Space Above for Recorder's Use)

**Supplemental Master Declaration
of Covenants, Conditions, Restrictions and
Reservation of Easements
For Traverse Mountain
Chapel Bend
(Lots 1 through 28, Pod 10, Plat A)**

**Supplemental Master Declaration
of Covenants, Conditions, Restrictions and
Reservation of Easements
For Traverse Mountain
Chapel Bend
(Lots 1 through 28, Pod 10, Plat A)**

This Supplemental Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Traverse Mountain ("**Supplemental Declaration**") is made by **MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation ("Declarant")**. Unless otherwise indicated, all capitalized terms used in this Supplemental Declaration are given the same meanings as in the Master Declaration defined in the Preamble of this Supplemental Declaration. This Supplemental Declaration shall be interpreted according to the rules established in Section 1.69 of the Master Declaration except that references in this Supplemental Declaration to Sections and Exhibits are to Sections of and Exhibits to this Supplemental Declaration.

P R E A M B L E:

A. On August 29, 2001, Declarant executed a Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Traverse Mountain which was Recorded on August 31, 2001, as Entry No. 88405:2001, and amended by a First Amendment thereto, Recorded on August 12, 2002, as Entry No. 92301:2002, both in the Official Records of Utah County, Utah ("**Official Records**"), which may be further amended and restated (collectively, the "**Master Declaration**"). The Master Declaration is binding upon all Owners of Lots and Condominiums in the master planned development known as Traverse Mountain ("**Properties**").

B. Declarant is the record owner of certain real property ("**Residential Property**") in Lehi City, Utah County, Utah, described on **Exhibit "RA."**

C. Declarant is the record owner of certain real property ("**Annexed Master Association Property**") in the Lehi City, Utah County, Utah, described on **Exhibit "MP."** The Annexed Master Association Property and the Residential Property are collectively referred to in this Supplemental Declaration as "Chapel Bend (Phase I)."

D. Chapel Bend (Phase I) is part of the Annexable Territory defined in Section 1.2 of the Master Declaration.

E. Declarant is the Declarant defined in Section 1.21 of the Master Declaration. Declarant wishes to add Chapel Bend (Phase I) to the Properties in accordance with Article XVI of the Master Declaration and impose the restrictions contained in the Master Declaration and this Supplemental Declaration on Chapel Bend (Phase I).

THEREFORE, DECLARANT DECLARES AS FOLLOWS:

1. **Annexation.** Declarant declares that Chapel Bend (Phase I) is added to and made a part of the real property subject to the Master Declaration, as a Phase of the Properties. This Supplemental Declaration is a "Supplemental Declaration" defined in Section 1.64 of the Master Declaration Recorded in compliance with Article XVI of the Master Declaration.

2. **Land Classifications.**

2.1 **Residential Area.** The Residential Property is designated as a portion of the Residential Area, defined in Section 1.62 of the Master Declaration. All Owners of Lots in Chapel Bend (Phase I) shall automatically become Members of the Master Association.

2.2 **Master Association Property.** Unless otherwise provided in this Supplemental Declaration, the Master Association shall commence maintaining all property in Chapel Bend (Phase I) that it is obligated to maintain concurrently with the commencement of Common Assessments in Chapel Bend (Phase I). The Annexed Master Association Property is designated as a portion of the Master Association Property defined in Section 1.40 of the Master Declaration. The Annexed Master Association Property shall be conveyed to the Master Association prior to the first Close of Escrow for the sale of a Lot in Chapel Bend (Phase I), as provided in the Master Declaration.

3. **Common Area.** There is no Common Area in Chapel Bend (Phase I).

4. **Special Benefit Area.** Chapel Bend (Phase I) is not part of a Special Benefit Area.

5. **Neighborhood.** The Residential Property shall be a portion of the Chapel Bend Neighborhood, which is a Neighborhood as defined in Section 1.47 of the Master Declaration. The Chapel Bend Neighborhood shall be composed of all of Pod 10 on Plat A that is annexed to the Properties. The Neighborhood Representative and alternate shall be selected as provided in Section 4.6 of the Master Association Bylaws. The term of office of the first Neighborhood Representative and first alternate Neighborhood Representative for this Neighborhood shall expire on March 31, 2004. The term of office of each successive Neighborhood Representative and alternate Neighborhood Representative shall be three (3) years.

6. **Assessment Obligations.** The rights and obligations of all Owners of Lots located in Chapel Bend (Phase I) with respect to assessments are as set forth in the Master Declaration and this Supplemental Declaration. All assessments provided for in the Master Declaration shall commence as to Lots in Chapel Bend (Phase I) on the day of the first Close of Escrow for the sale of a Lot in Chapel Bend (Phase I).

7. **Amendment and Duration.** This Supplemental Declaration may be amended in accordance with Sections 16.4.1 and 16.4.2 of the Master Declaration. The Board may also amend this Supplemental Declaration to (i) conform to applicable law, (ii) correct typographical errors, and (iii) change any exhibit or portion of an exhibit to conform to as-built conditions. So long as Declarant or a Neighborhood Builder owns any portion of the Properties or the Annexable Area, any amendment adopted by the Board must also be approved by the Declarant. After the first Close of

Escrow in Chapel Bend (Phase I), all other amendments to this Supplemental Declaration must be made by complying with the requirements of Section 14.2 of the Master Declaration. Unless amended or terminated, this Supplemental Declaration shall continue and remain in full force and effect for so long as the Master Declaration remains in effect.

8. **Equitable Servitudes and Covenants Appurtenant.** This Supplemental Declaration and the Master Declaration are imposed as equitable servitudes upon Chapel Bend (Phase I) and each Lot therein, as a servient tenement, for the benefit of each and every other Lot and Condominium within the Properties and the Master Association Property, as the dominant tenements. The covenants, conditions and restrictions of this Supplemental Declaration and the Master Declaration shall run with, and shall inure to the benefit of and shall be binding upon all of Chapel Bend (Phase I), and shall be binding upon and inure to the benefit of all Persons having, or hereafter acquiring, any right, title or interest in all or any portion of Chapel Bend (Phase I), and their successive owners and assigns.

9. **Governing Documents.** This Supplemental Declaration is Recorded pursuant to Article XVI of the Master Declaration, is a part of the Governing Documents, and may be enforced as provided in the Master Declaration.

10. **No Representations or Warranties.** No representations or warranties, express or implied, have been given or made by Declarant, a Neighborhood Builder, Master Association or their agents in connection with the Properties, its physical condition, zoning, compliance with laws, fitness for intended use, or in connection with the subdivision, sale, operation, maintenance, cost of maintenance, taxes or regulation thereof as a master planned community, except as provided in this Supplemental Declaration or the Master Declaration, provided by Declarant to the first Owner of a Lot.

[Signatures on following page]

This Supplemental Declaration has been executed on April 14th, 2003, to be effective as of the date of its Recordation.

MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation

By: *Stephen L. Christensen*

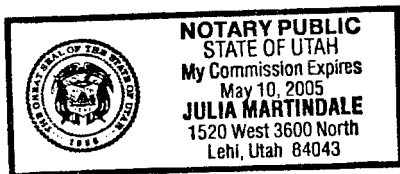
Print Name: Stephen L. Christensen

Title: President

“Declarant”

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 14th day of April, 2003, by **STEPHEN L. CHRISTENSEN**, an individual residing in the State of Utah, as the President of MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation. Said **STEPHEN L. CHRISTENSEN** acknowledged before me that he executed the foregoing on behalf of MOUNTAIN HOME DEVELOPMENT CORPORATION, a Utah corporation.



Julia Martindale
Notary Public

Residing at: 1520W 3600 N, Utah
LEHI, UTAH

My Commission Expires: 5/10/2005

EXHIBIT "RA"

ENT **59967:2003** PG 6 of 10

The Residential Property shall consist of Lots 1 through 28 in Pod 10 Plat A as set forth on the attached Plat Map.

EXHIBIT "MP"

ENT 59967:2003 PG 8 of 10

The Annexed Master Association Property shall include the property marked "Common Area Tot Lot" on the attached Plat Map.

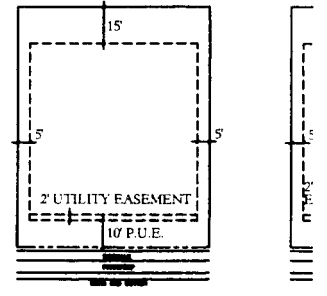
NOTES:

1. ALL FRONT LOT CORNERS TO HAVE A RIVET SET ON TOP OF CURB ON THE EXTENSION ON EACH LOT LINE.
2. COMMON AREA TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
3. STORM WATER DETENTION FOR POD 10 IS PROVIDED IN THE MAIN DETENTION POND. TOTAL DETENTION REQUIRED FOR POD 10 IS 0.51 ACRE-FOOT OR 8.9% OF THE CAPACITY OF THE MAIN POND.
4. LANDSCAPING WITHIN PUBLIC ROW WILL BE OWNED AND MAINTAINED BY THE MASTER ASSOCIATION.
5. THE PRIOR PRELIMINARY PLAT UNDERLYING THIS AREA IS STILL APPLICABLE TO FUTURE PHASES.

FUTURE PLANNED COMMUNITY

**CHAPEL BE
A RESUE
LOT 10 TRAVERS**
A PLANNED COMMUNITY DEVELOPMENT
SITUA1
TOWNSH
SALT

FUTURE PLANNED COMMUNITY TYPICAL LOT SETBACK DETAIL (N.T.S.)



TEMP. TURN-AROUND EASEMENT

CHAPEL RIDGE ROAD
N 57°36'19" E 344.03'
N 32°03'41" W 127.16'

$\Delta=10'49'49"$
R=1171.00'
L=221.35'

$\Delta=45'53'25"$
R=636.53'
L=511.63'

$\Delta=90'00'00"$
R=25.00'
L=39.27'

$\Delta=30'48'11"$
R=1155.00'
L=620.94'

LINE DATA

LINE NO.	START STATION	END STATION	BEARING	DISTANCE
1	0+00	0+00	N 00°00'00" E	0.00
2	0+00	0+00	S 00°00'00" E	0.00
3	0+00	0+00	S 00°00'00" W	0.00
4	0+00	0+00	N 00°00'00" W	0.00
5	0+00	0+00	N 00°00'00" E	0.00
6	0+00	0+00	S 00°00'00" E	0.00
7	0+00	0+00	S 00°00'00" W	0.00
8	0+00	0+00	N 00°00'00" W	0.00
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10	0+00	0+00	S 00°00'00" E	0.00
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CURVE DATA

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0+00	S 00°00'00" W	0.00	0°00'00"	0.00
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