

When Recorded Return To:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, Utah 84020  
Attention: Caleb Kleber

**THIRD SUPPLEMENTAL DECLARATION AND FOURTH AMENDMENT  
TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
WESTERN ACRES TOWNHOMES**

THIS THIRD SUPPLEMENTAL DECLARATION AND FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WESTERN ACRES TOWNHOMES (this “**Third Supplemental Declaration**”) is made as of June 27, 2025, by D.R. HORTON, INC., a Delaware corporation (“**Horton**”), with reference to the following:

RECITALS

A. On October 26, 2022, GRNOBL Western Acres, LLC, a Utah limited liability company (“**GRNOBL**”), caused to be recorded as Entry No. 581596 in the official records of the Office of the Recorder of Tooele County, Utah (the “**Official Records**”), that certain Declaration of Covenants, Conditions and Restrictions for Western Acres Townhomes (the “**Original Declaration**”) pertaining to a residential unit development known as Western Acres Townhomes located in Tooele City, Tooele County, Utah.

B. On August 18, 2023, GRNOBL caused to be recorded as Entry No. 592579 in the Official Records that certain First Supplemental Declaration and Amendment to the Declaration of Covenants, Conditions and Restrictions for Western Acres Townhomes (the “**First Supplemental Declaration**”).

C. Pursuant to that certain Assignment of Declarant’s Rights for Western Acres Townhomes (the “**Assignment of Declarant’s Rights**”) between GRNOBL and Horton, which was executed by GRNOBL and by Horton, and which GRNOBL and Horton caused to be recorded on February 29, 2024 in the Official Records as Entry No. 599607, GRNOBL assigned to Horton all right, title and interest of GRNOBL as the Declarant arising under the Original Declaration, as supplemented and amended. As a result of the Assignment of Declarant’s Rights, Horton shall be deemed to be the “**Declarant**,” as such term is defined in the Original Declaration, as hereinafter set forth.

D. On April 24, 2024, Declarant caused to be recorded as Entry No. 602038 in the Official Records that certain Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Western Acres Townhomes (the “**Second Amendment**”).

E. On May 13, 2024, Declarant caused to be recorded as Entry No. 602927 in the Official Records that certain Second Supplemental Declaration and Third Amendment to the

Declaration of Covenants, Conditions and Restrictions for Western Acres Townhomes (the **"Second Supplement Declaration"**).

F. The Original Declaration, as previously supplemented and amended, pertains to and affects that certain real property located in Tooele County, Utah, which is more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the **"Property"**).

G. Article 4 of the Original Declaration provides that Declarant shall have the absolute right and option, from time to time and at any time, to subject some or all of the Additional Land described in the Original Declaration to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, which shall be effective upon recording a supplemental declaration in the Official Records.

H. Pursuant to Article 4 of the Original Declaration, Declarant desires to subject that portion of the Additional Land described on Exhibit B, which is attached hereto and incorporated herein by this reference (the **"Subject Property"**), to the Original Declaration, as previously supplemented and amended.

I. Section 3.32(b) of the Original Declaration provides that Declarant shall have the right to amend unilaterally the Original Declaration during the Class B Control Period.

J. Declarant is executing and delivering this Third Supplemental Declaration for the purpose of subjecting the Subject Property to the provisions of the Original Declaration, as previously supplemented and amended, and for the purpose of amending the Original Declaration, as hereinafter set forth.

THIRD SUPPLEMENTAL DECLARATION AND FOURTH AMENDMENT

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. Defined Terms. All defined terms as used in this Third Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, as previously supplemented and amended, unless otherwise defined in this Third Supplemental Declaration.

2. Subject Property Subjected to the Original Declaration. The Subject Property is hereby subjected to the Original Declaration, as previously supplemented and amended, and the Subject Property shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously supplemented and amended, and as supplemented and amended by this Third Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof. All such provisions: (a) shall run with the Subject Property; (b) shall be binding upon all Persons having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns; and (c) shall inure to the benefit of each Owner thereof. The Subject Property shall hereafter be deemed to be a part of the Property, as such term is defined in Section 1.48 of the Original Declaration.

3. Amendment of Section 3.16 of the Original Declaration. Section 3.16 of the Original Declaration is hereby amended and restated in its entirety to read as follows:

3.16 Classes of Membership and Voting Allocations. The Association shall have two (2) classes of membership—Class A and Class B, described more particularly as follows:

(a) Class A. Class A Members shall be all Owners with the exception of the Class B members, if any. Class A Members shall be entitled to vote on all issues before the Association, subject to the following:

- (1) One Vote. Each Lot shall have one (1) vote.
- (2) Subject to Assessment. No vote shall be cast or counted for any Lot not subject to Assessment;
- (3) Multiple Owners. When more than one (1) Person or entity holds an ownership interest in a Lot, the vote for such Lot shall be exercised by those Persons or entities as they themselves determine and advise the Secretary of the Association prior to any meeting. In the absence of such advice, the vote of the Lot shall be suspended in the event more than one (1) Person or entity seeks to exercise it.
- (4) Leased Lot. An Owner of a Lot which has been leased may, in the lease or other written instrument, assign the voting right appurtenant to that Lot to the lessee, provided that a copy of such instrument is furnished to the Secretary at least three (3) days prior to any meeting.

(b) Class B. The Class B Member shall be Declarant and any successor of Declarant who takes title for the purpose of development and sale of Lots, and who is designated as such in a recorded instrument executed by Declarant. The Class B Member shall originally be entitled to three (3) votes per Lot owned. The Class B membership shall terminate, and Class B membership shall convert to Class A Membership upon the happening of the earlier of the following (herein referred to as the “**Event**” or “**Events**”):

- (1) Lots Sold. Four (4) months after one hundred percent (100%) of the Units (constructed upon the Lots) have been sold within the Project; or

- (2) Ten Years. Ten (10) years from the recording of this Declaration in the Office of the Recorder of Tooele County, Utah; or
- (3) Declarant Owns No Lots, Units or Development Rights. The day on which Declarant ceases to own any Lots or Units within the Project and also ceases to have any rights pertaining to the development of the Project; or
- (4) Election. When, in its sole discretion, Declarant so determines. If and when Declarant elects to relinquish control of the Association, Declarant shall send written notification to each Owner of the effective date of the relinquishment or transition (the "**Transition Date**") at least fifteen (15) days prior thereto. Thereupon, the Owners shall call a meeting to elect the members of the Board of Directors to take office as of the Transition Date.


From and after the happening of the first to occur of the Events, the Class B Member shall be deemed to be a Class A Member entitled to one (1) vote for each Lot owned. At such time, Declarant shall call a meeting, in the manner described in the Bylaws of the Association for special meetings, to advise the membership of the termination of Class B status.

4. No Other Changes. Except as supplemented and amended by the provisions of this Third Supplemental Declaration, the Original Declaration, as previously supplemented and amended, shall remain unmodified and in full force and effect. The Original Declaration, as previously supplemented and amended, and as supplemented and amended by this Third Supplemental Declaration, shall collectively be referred to as the "**Declaration**."

IN WITNESS WHEREOF, Declarant has caused this Third Supplemental Declaration to be executed by a person duly authorized to execute the same.

**DECLARANT:**

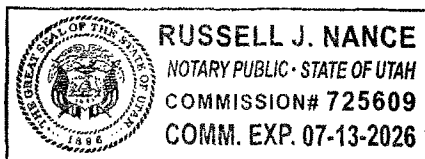
D.R. HORTON, INC.,  
a Delaware corporation

By:   
Name: MIKE DE CARLO  
Title: BOARD MEMBER

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

The foregoing instrument was acknowledged before me this 27 day of June, 2025, by Mike De Carlo, in such person's capacity as the Board Member of D.R. HORTON, INC., a Delaware corporation.

  
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NOTARY PUBLIC



**EXHIBIT A  
TO  
THIRD SUPPLEMENTAL DECLARATION  
AND FOURTH AMENDMENT  
TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
WESTERN ACRES TOWNHOMES**

**Legal Description of the Property**

The Property consists of that certain real property located in Tooele County, Utah more particularly described as follows:

The Property consists of that certain real property located in Tooele County, Utah more particularly described as follows:

**Western Acres Phase 1**

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°44'13" EAST ALONG THE SECTION LINE, 578.28 FEET FROM THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG THE SECTION LINE, NORTH 89°44'13" EAST 570.50 FEET; THENCE SOUTH 775.73 FEET; THENCE SOUTHWESTERLY 306.35 FEET ALONG THE ARC OF A 462.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 18°59'47" WEST 300.77 FEET); THENCE SOUTH 37°59'34" WEST 263.92 FEET; THENCE NORTH 52°00'26" WEST 8.00 FEET; THENCE NORTHWESTERLY 46.34 FEET ALONG THE ARC OF A 29.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 07°00'26" WEST 41.72 FEET); THENCE NORTH 52°00'26" WEST 264.63 FEET; THENCE NORTHWESTERLY 20.91 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 49°21'05" WEST 20.90 FEET); THENCE NORTHWESTERLY 4.00 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 50°03'57" WEST 4.00 FEET); THENCE NORTH 50°03'57" WEST 78.46 FEET; THENCE NORTH 52°00'26" WEST 153.67 FEET; THENCE NORTH 37°59'34" EAST 105.30 FEET; THENCE SOUTHEASTERLY 18.69 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 81°13'39" EAST 18.69 FEET); THENCE SOUTHEASTERLY 49.61 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE

RIGHT (CHORD BEARS SOUTH 41°48'05" EAST 45.33 FEET); THENCE SOUTH 00°00'01" EAST 29.78 FEET; THENCE SOUTHEASTERLY 103.11 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 13°05'57" EAST 102.21 FEET); THENCE NORTH 51°26'26" EAST 164.36 FEET; THENCE NORTHEASTERLY 134.22 FEET ALONG THE ARC OF A 149.50 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 25°43'13" EAST 129.76 FEET); THENCE NORTH 00°00'01" WEST 431.85 FEET; THENCE SOUTH 89°59'59" WEST 18.00 FEET; THENCE NORTH 00°00'01" WEST 72.00 FEET; THENCE NORTH 89°59'59" EAST 18.00 FEET; THENCE NORTH 00°00'01" WEST 10.00 FEET; THENCE NORTHWESTERLY 64.78 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 54°34'54" WEST 55.42 FEET); THENCE SOUTHWESTERLY 239.60 FEET ALONG THE ARC OF A 1069.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 64°24'57" WEST 239.10 FEET); THENCE NORTH 32°00'19" WEST 51.00 FEET; THENCE SOUTHWESTERLY 116.65 FEET ALONG THE ARC OF A 1120.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 55°00'39" WEST 116.60 FEET); THENCE NORTH 39°15'07" WEST 112.95 FEET; THENCE NORTH 43°58'38" EAST 350.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.49 ACRES, MORE OR LESS.

#### **Western Acres Phase 2A**

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00°01'31" EAST ALONG THE SECTION LINE, 664.44 FEET AND WEST 65.74 FEET FROM THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 43°58'38" EAST 576.59 FEET TO A POINT ON THE BOUNDARY OF WESTERN ACRES TOWNHOMES PHASE 1 ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY #556418; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWENTY-TWO (22) COURSES: 1) SOUTH 39°15'07" EAST 112.95 FEET; 2) NORTHEASTERLY 116.65 FEET ALONG THE ARC OF A 1120.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 55°00'39" EAST 116.60 FEET); 3) SOUTH 32°00'19" EAST 51.00 FEET; 4) NORTHEASTERLY 239.60 FEET ALONG THE ARC OF A 1069.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 64°24'57" EAST 239.10 FEET); 5) SOUTHEASTERLY 64.78 FEET ALONG THE ARC OF A 34.00 FOOT

RADIUS COMPOUND CURVE TO THE RIGHT (CHORD BEARS SOUTH 54°34'54" EAST 55.42 FEET); 6) SOUTH 00°00'01" EAST 10.00 FEET; 7) SOUTH 89°59'59" WEST 18.00 FEET; 8) SOUTH 00°00'01" EAST 72.00 FEET; 9) NORTH 89°59'59" EAST 18.00 FEET; 10) SOUTH 00°00'01" EAST 431.85 FEET; 11) SOUTHWESTERLY 134.22 FEET ALONG THE ARC OF A 149.50 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 25°43'13" WEST 129.76 FEET); 12) SOUTH 51°26'26" WEST 164.36 FEET; 13) NORTHWESTERLY 103.11 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 13°05'57" WEST 102.21 FEET); 14) NORTH 00°00'01" WEST 29.78 FEET; 15) 49.61 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 41°48'05" WEST 45.33 FEET); 16) NORTHWESTERLY 18.69 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT (CHORD BEARS NORTH 81°13'39" WEST 18.69 FEET); 17) SOUTH 37°59'34" WEST 105.30 FEET; 18) SOUTH 52°00'26" EAST 153.67 FEET; 19) SOUTH 50°03'57" EAST 78.46 FEET; 20) SOUTHEASTERLY 4.00 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 50°03'57" EAST 4.00 FEET); 21) SOUTHEASTERLY 20.91 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS REVERSE CURVE TO THE LEFT (CHORD BEARS SOUTH 49°21'05" EAST 20.90 FEET); 22) SOUTH 52°00'26" EAST 236.13 FEET; THENCE SOUTHWESTERLY 53.41 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 82°59'34" WEST 48.08 FEET); THENCE SOUTH 37°59'34" WEST 102.23 FEET; THENCE NORTH 52°00'35" WEST 125.52 FEET; THENCE NORTH 02°37'24" EAST 62.60 FEET; THENCE NORTH 87°17'11" WEST 79.23 FEET; THENCE SOUTH 02°09'54" WEST 80.91 FEET; THENCE NORTH 87°50'06" WEST 51.00 FEET; THENCE NORTH 02°09'54" EAST 121.33 FEET; THENCE NORTHEASTERLY 107.05 FEET ALONG THE ARC OF A 125.50 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 26°36'09" EAST 103.84 FEET) TO A POINT ON THE SOUTHERLY EASEMENT LINE OF AN EXISTING GASLINE EASEMENT IN FAVOR OF MOUNTAIN FUEL SUPPLY COMPANY, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY 292544 IN BOOK 100, AT PAGE 249; THENCE NORTH 52°00'26" WEST ALONG SAID EASEMENT A DISTANCE OF 220.79 FEET TO A POINT ON THE PROLONGATION OF THE NORTH BOUNDARY OF OVERPASS POINT SUBDIVISION, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY #112891 IN BOOK 510 NUMBER 620; THENCE NORTH 65°42'44" WEST ALONG SAID OVERPASS POINT SUBDIVISION AND A PROLONGATION THEREOF A DISTANCE OF 501.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.196 ACRES, MORE OR LESS.

**Western Acres Townhomes Plat 2B**

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 00°01'31" WEST ALONG THE SECTION LINE A DISTANCE OF 1416.69 FEET AND EAST 351.38 FEET FROM THE WEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, SAID POINT ALSO BEING ON THE EASTERLY LINE OF OVERPASS POINT SUBDIVISION, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY #112891 IN BOOK 510 NUMBER 620; AND RUNNING THENCE ALONG SAID BOUNDARY NORTH 00°00'05" EAST A DISTANCE OF 361.82 FEET; THENCE SOUTH 35°42'44" EAST 43.70 FEET; THENCE SOUTH 52°00'26" EAST 220.79 FEET; THENCE SOUTHWESTERLY 107.05 FEET ALONG THE ARC OF A 125.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 26°36'09" WEST 103.84 FEET); THENCE SOUTH 02°09'54" WEST 121.33 FEET; THENCE NORTH 87°50'06" WEST 162.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.240 ACRES, MORE OR LESS.

10 UNITS

**EXHIBIT B  
TO  
THIRD SUPPLEMENTAL DECLARATION  
AND FOURTH AMENDMENT  
TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
WESTERN ACRES TOWNHOMES**

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**Legal Description of the Subject Property**

The Subject Property consists of that certain real property located in Tooele County, Utah more particularly described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°53'05" EAST 606.70 FEET AND NORTH 884.60 FEET FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE NORTH 52°00'26" WEST 84.00 FEET; THENCE SOUTH 37°59'34" WEST 121.70 FEET; THENCE 359.39 FEET ALONG THE ARC OF A 542.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 18°59'50" WEST 352.84 FEET) TO A POINT ON THE EAST BOUNDARY OF OVERPASS POINT SUBDIVISION, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY 112891 IN BOOK 510 NUMBER 620; THENCE NORTH 00°00'05" EAST ALONG SAID BOUNDARY A DISTANCE OF 908.68 FEET TO THE BOUNDARY OF WESTERN ACRES TOWNHOMES PHASE 2B, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY 602822; THENCE SOUTH 87°50'06" EAST ALONG SAID BOUNDARY A DISTANCE OF 213.88 FEET TO THE BOUNDARY OF WESTERN ACRES TOWNHOMES PHASE 2A, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY 592540; THENCE ALONG SAID BOUNDARY THE FOLLOWING SIX (6) COURSES: 1) NORTH 02°09'54" EAST 80.91 FEET; 2) SOUTH 87°17'11" EAST 79.23 FEET; 3) SOUTH 02°37'24" WEST 62.60 FEET; 4) SOUTH 52°00'35" EAST 125.52 FEET 5) NORTH 37°59'34" EAST 102.23 FEET; 6) NORTHEASTERLY 53.41 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 82°59'34" EAST 48.08 FEET) TO A POINT ON THE BOUNDARY OF WESTERN ACRES TOWNHOMES PHASE 1, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY 581587; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: 1) SOUTH 52°00'26" EAST 29.00 FEET; 2) SOUTHEASTERLY 46.06 FEET ALONG THE ARC OF A 29.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 06°31'03" EAST 41.37 FEET); 3)

SOUTH 52°00'26" EAST 8.00 FEET; THENCE SOUTH 37°56'00" WEST 7.50 FEET; THENCE SOUTH 52°00'16" EAST 75.99 FEET; THENCE SOUTH 37°59'34" WEST 545.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.817 ACRES, MORE OR LESS.

44 UNITS