

**SUPPLEMENTARY AND AMENDATORY DECLARATION  
TO  
THE RESTATED AND AMENDED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS OR  
THE BOULDERS PHASE 4  
AMENDED AND EXTENDED SUBDIVISION**

Sheffield Development, Inc., a Utah Corporation, Declarant by assignment under that certain Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision, dated December 7, 1993, and recorded on that same day as Entry No. 451526, in Book 777, at pages 719-740, and as amended by the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision recorded on May 25, 1994, as Entry No. 468304, in Book 822, at pages 866-867, on the official records of the Washington County Recorder's Office, and as amended by the Amendment to Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision recorded on September 13, 1994, as Entry No. 478566, in Book 850, at pages 151-157, on the Official Records of the Washington County Recorder's Office, and as amended by the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision affecting Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision affecting Phase III, recorded on April 23, 1996, as Entry No. 530336 in Book 995, at pages 225-229 on the Official Records of the Washington County Recorder's Office, and as amended by the Supplementary and Amendatory Declaration to the Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase IV Subdivision recorded June 9, 2000, as Entry No. 687737, in Book 1371, at Pages 629-632 on the Official Records of the Washington County Recorder's Office, hereby exercises its rights and privileges to supplement and amend such pursuant to Article XIII, Section I thereof as follows:

1. Declarant hereby annexes Phase 4 Amended and Extended into The Boulders Subdivision, described in Exhibit A attached here to and incorporated herein by this reference. This Phase shall be referred to as Phase 4A.
2. Declarant amends Article VI, Section 2, subpart (1) of the Restated and Amended Declaration to include the following:

**4. Building Heights:**

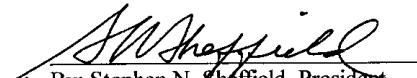
Lots 96 through 101, 106, 116, 119, 114, and 115 of Phase 4A shall not have a home constructed upon it having a height exceeding twenty-five (25) feet. Lot number 110 of Phase 4A shall not have a home constructed upon it having a height exceeding thirty (30) feet. Lots numbering 102 through 105, 107 through 109, 117, 118, 120, and 121 shall not have a home constructed upon it having a height exceeding thirty-five (35) feet. The calculation process and method shall be determined in the manner provided in the Supplemented recorded Covenants, Conditions and Restrictions for Phase III herein referred to.

- 3. Declarant continues to reserve all rights it is granted in the Restated and Amended Declaration of Covenants, Conditions and Restrictions of The Boulders Phase I Subdivision, as amended.
- 4. Except for the above amendments, this Supplementary and Amendatory Declaration does not alter or change the pre-existing language, terms and conditions of the Declaration of Covenants, Conditions and Restrictions as previously supplemented and amended, which shall remain in full force and effect.

DATED this 21<sup>st</sup> day of November, 2000.

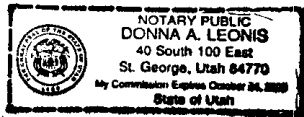
DECLARANT

SHEFFIELD DEVELOPMENT, INC.  
A Utah Corporation

  
By: Stephen N. Sheffield, President

State of Utah                    )  
  ) ss  
County of Washington        )

On this 21 day of November, 2000, personally appeared before me STEPHEN N. SHEFFIELD, President of Sheffield Development, Inc., a Utah Corporation, who, being by me duly sworn, did say that the foregoing instrument was signed by him by authority of said corporation's bylaws and resolution of its board of directors and it was signed for the purposes stated herein.



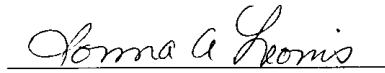
  
Notary Public

Exhibit A  
Legal Description of Phase IV Amended  
The Boulders Subdivision

Beginning at a point South  $00^{\circ}32'03''$  West 2211.92 feet along a line projected from the Section line between the northwest corner and the west quarter corner of Section 33 and North  $90^{\circ}00'00''$  East 778.50 feet from the west quarter corner of said Section 33, Township 42 South, Range 15 West, Salt Lake Base and Meridian, said point being on the northwest side of Boulder Springs Road, a 50 foot wide public street, said point also being the easterly corner of Lot 94 of "The Boulders" Phase 3 - Amended and on the boundary line of said Phase 3 - Amended; and running thence coincident with said boundary line in the following four (4) courses: North  $36^{\circ}57'08''$  West 198.59 feet; thence South  $53^{\circ}02'52''$  West 135.00 feet; thence South  $36^{\circ}57'08''$  East 13.22 feet; thence South  $53^{\circ}02'52''$  West 2.50 feet; thence leaving said boundary line North  $36^{\circ}57'08''$  West 13.22 feet to the point of curvature of a 302.50 foot radius curve concave to the east; thence northerly 214.32 feet along the arc of said curve through a central angle of  $40^{\circ}35'41''$  to the point of tangency; thence North  $03^{\circ}38'33''$  East 299.03 feet to a point on the northerly right-of-way line of 1450 South Street, an 80.00 foot wide roadway to be dedicated as a public street; thence along said northerly right-of-way line in the following three (3) courses: South  $86^{\circ}21'27''$  East 332.44 feet to the point of curvature of a 1345.00 foot radius curve concave to the south; thence easterly 441.42 feet along the arc of said curve through a central angle of  $18^{\circ}48'14''$  to the point of reverse curvature of an 11,960.00 foot radius curve concave to the north; thence easterly 74.66 feet along the arc of said curve through a central angle of  $0^{\circ}21'28''$  to a point on the west sixteenth line of said Section 33; thence leaving said northerly right-of-way line South  $00^{\circ}20'26''$  West 703.16 feet along said west sixteenth line; thence leaving said west sixteenth line South  $51^{\circ}46'27''$  West 290.28 feet to the easterly corner of Lot 74 of said Phase 3 - Amended and on the boundary line of said Phase 3 - Amended; thence coincident with said boundary line in the following five (5) courses: North  $36^{\circ}57'08''$  West 260.47 feet; thence South  $53^{\circ}02'52''$  West 1.80 feet; thence North  $36^{\circ}57'08''$  West 137.50 feet; thence North  $53^{\circ}02'52''$  East 15.00 feet; thence North  $36^{\circ}57'08''$  West 162.50 feet to the point of beginning. Containing 13.234 acres.