

SUPPLEMENTAL DECLARATION AND AMENDMENT TO ADD ADDITIONAL LAND  
TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR SUNCREST, A PLANNED COMMUNITY

THIS SUPPLEMENTAL DECLARATION AND AMENDMENT TO ADD ADDITIONAL LAND TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUNCREST, A PLANNED COMMUNITY (this "Supplemental Declaration"), dated as of the 20<sup>th</sup> day of October, 2000, by DAE/Westbrook, L.L.C., (the "Declarant"), amends that certain Declaration of Covenants, Conditions and Restrictions for SunCrest, a Planned Community, dated December 21, 1999, and recorded December 28, 1999, in the real property records of the Recorder in and for Salt Lake County, Utah, at Entry No. 7543075, Book 8332, Page 4708 (the "Original Declaration"). The Original Declaration, as amended and supplemented pursuant to this Supplemental Declaration, is collectively referred to as the "Declaration", which term, shall for all purposes thereof or of any related document, mean and refer to the Declaration as so amended, supplemented, or otherwise modified. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

WITNESSETH:

WHEREAS, the Declarant subjected certain real property located in Salt Lake County, Utah to the Declaration; and

WHEREAS, the Declaration established an association know as the SunCrest Owners Association, Inc., a Utah non-profit corporation (the "Association"), which is responsible for governing SunCrest on matters of common concern as more particularly described in the Declaration; and

WHEREAS, Article XVI of the Declaration provides that Declarant shall have the absolute right and option, from time to time at any time to subject to the provisions of the Declaration and the jurisdiction of the Association, the Additional Land or portions thereof by the recordation of a Supplemental Declaration annexing such Additional Land which shall be effective upon filing for recordation, unless otherwise provided therein; and

WHEREAS, Declarant desires to subject to the provisions of the Declaration and the jurisdiction of the Association, that portion of the Additional Land, situate in Salt Lake County, Utah, consisting of all of the Lots located within DEER RIDGE NO. 1 AT SUNCREST as shown on the Official Plat recorded as Entry No. 7724216 in Book 2000P, Page 263 in the Official Records of Salt Lake County, Utah on September 22, 2000 and also recorded as Entry 81011-2000 in Book 37, Page 156 in the Official Records of Utah County, Utah on October 13, 2000 (hereinafter referred to as the "Annexation Property"); and

WHEREAS, Declarant owns all of the Annexation Property; and

WHEREAS, Declarant is executing and delivering this Supplemental Declaration for the purpose of subjecting the Annexation Property to the provisions of the Declaration and to the jurisdiction of the Association.

7746115

AC... MO...  
FIRST AMERICAN...  
REPRESENTATION...  
TITLE, NOR DOES IT ASSUME  
ANY RESPONSIBILITY FOR VALIDITY,  
SUFFICIENCY OR AFFECT OF DOCUMENT.

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NOW, THEREFORE, in consideration of the foregoing premises, the Declarant hereby declares and states as follows:

1. The Annexation Property is hereby subjected to the Declaration, pursuant to the provisions of Article XVI of the Declaration and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens of the Declaration, which provisions are hereby ratified, approved and confirmed, with the same force and effect as if fully set forth herein and made again as of the date hereof and subject to the jurisdiction of the Association.

2. The Land Use Classification, Neighborhood, and certain other restrictions affecting the Annexation Property are set forth on Exhibit A attached hereto and incorporated herein for all purposes.

3. The provisions of the Declaration shall run with the Annexation Property and shall be binding upon all parties having any right, title, or interest in the Annexation Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof.

4. This Supplemental Declaration shall be effective as of the date of its recordation in the real property records of the Recorder in and for Salt Lake County, Utah.

IN WITNESS WHEREOF, the Declarant has executed and delivered this Supplemental Declaration as of the date and year first above written.

DAE/WESTBROOK, L.L.C.

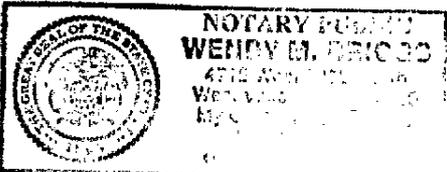
By: [Signature]  
Name: Edward L. Grampp Jr.  
Title: Assistant Vice President

STATE OF UTAH §  
  §  
COUNTY OF SALT LAKE §

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of October, 2000 by Edward L. Grampp Jr. as Asst. Vice Pres. of DAE/Westbrook, L.L.C.

Witness my hand and official seal.  
My Commission expires: 3/10/01  
[Signature]  
Notary Public

(SEAL)



NOTARY SEAL NOT LEGIBLE  
- CO RECORDER -

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**EXHIBIT "A"**

**Deer Ridge No. 1**

Land Use Classifications – All twenty (20) Lots designated for Single Family Residential Use.

Neighborhood Designation – All twenty (20) Lots in Deer Ridge No. 1 comprise a Residential Neighborhood.

Size Restrictions – No residence shall be constructed wherein the floor area of the main structure of the dwelling, exclusive of garages and open porches is less than 2,600 square feet for a single story dwelling and no less than 3,500 square feet for a two story dwelling not including basement area.

# 34-16-100-002, 34-16-100-001 & 11-010-0603

WHEN RECORDED RETURN TO:

SUNCREST DEVELOPMENT CORPORATION  
2222 EAST VILLAGE GREEN CIRCLE  
DRAPER UT 84020

7746115  
10/25/2000 02:53 PM 35.00  
Book - 8396 Pg - 6248-6251  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
BY: RDJ, DEPUTY - WI 4 P.

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