

8779731

**WHEN RECORDED RETURN TO:**  
IVORY HOMES, LTD.  
Chris Gamvroulas  
970 Woodoak Lane  
Salt Lake City, Utah 84117  
(801) 268-0700

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08/19/2003 01:32 PM 53.00  
Book - 8865 Pg - 3308-3313  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
IVORY HOMES LTD  
CHRIS GAMVROULAS  
970 WOODOAK LN  
SLC UT 84117  
BY: ZJM, DEPUTY - WI 6 P.

**SECOND SUPPLEMENT TO THE  
DECLARATION OF PROTECTIVE COVENANTS  
FOR RIVERTON FARMS NO. 3  
(an expandable project)**

This SECOND SUPPLEMENT to the DECLARATION OF PROTECTIVE COVENANTS for RIVERTON FARMS, an expandable project, is made and executed by IVORY HOMES, LTD., of 970 Woodoak Lane, Salt Lake City, Utah 84117 (the "Declarant").

**RECITALS**

Whereas, the original Declaration of Protective Covenants for RIVERTON FARMS was recorded in the office of the County Recorder of Salt Lake County, Utah on the 3rd day of March, 2003 as Entry No. 8550648 in Book 8748 at Page(s) 5867-5883 of the Official Records of the County Recorder of Salt Lake County, Utah (the "Declaration").

Whereas, the related Plat Map(s) for Phase I of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, the First Supplement to the Declaration of Protective Covenants for TWIN PEAKS was recorded in the office of the County Recorder of Salt Lake County, Utah on the , as Entry No. in Book at Page(s) of the Official Records of the County Recorder of Salt Lake County, Utah (the "First Supplement").

Whereas, the related Plat Map(s) for Phase II of the Project has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

Whereas, under Section 3 of the Declaration, Declarant reserved the right to expand the Project.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-2" attached hereto and incorporated herein by this reference (the "Phase III Property").

Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration and the Project.

Whereas, Declarant desires to expand the Project by creating on the Phase II Property residential lots.

**BK 8865 PG 3308**

Whereas, Declarant now intends that the Phase II Property shall become subject to the Declaration.

## A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, Declarant hereby executes this SECOND SUPPLEMENT to the DECLARATION OF PROTECTIVE COVENANTS FOR TWIN PEAKS.

1. Supplement to Definitions. Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

A. Second Supplement to the Declaration shall mean and refer to this SECOND SUPPLEMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR TWIN PEAKS.

B. Second Supplemental Map or Supplemental Phase II Map shall mean and refer to the Plat Map for Phase II of the Project, prepared and certified to by Ralph E. Goff, a duly registered Utah Land Surveyor holding Certificate No. 144147, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Second Supplement to the Declaration.

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

2. Legal Description. The real property described in Exhibit A-3 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject thereto, as it may be amended, modified or supplemented from time to time.

3. Annexation. Declarant hereby declares that the Phase III Property shall be annexed to and become subject to the Declaration, which upon recordation of this Second Supplement to the Declaration shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-3 subject to the functions, powers, rights, duties and jurisdiction of the Association.


4. Total Number of Lots Revised. As shown on the Phase II Map, thirty-five (35) new Lots are or will be added to the Project on the Phase III Property. The additional Lots are located within a portion of the Phase III Property. Upon the recordation of the Phase III Map and this Second Supplement to the Declaration, the total number of Lots in the Project will be fifty-five (55). The additional Lots are substantially similar in nature, design and quality to the Lots in the prior Phase.

5. Percentage Interest Revised. Pursuant to the Declaration, Declarant is required, with the additional Lots, to reallocate the undivided percentages of ownership interest in the Common Areas and Facilities (the "Percentage Interests"). Exhibit "C" (Percentages of Undivided Ownership Interests) to the Declaration is hereby deleted in its entirety and "Revised Exhibit 'C,'" attached hereto and incorporated herein by this reference, is substituted in lieu thereof.

6. Effective Date. The effective date of this Second Supplement to the Declaration and the Phase II Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Salt Lake County, Utah.


Dated the 26 day of ~~April~~<sup>March</sup>, 2003.

DEVELOPER:  
IVORY HOMES, LTD.  
By: VALUE, L.C.  
Its: General Partner

By:   
Name: Clark D. Ivory  
Title: Manager

STATE OF UTAH                    )  
  ss:  
COUNTY OF SALT LAKE    )

The foregoing instrument was acknowledged before me this 26 day of ~~January~~<sup>March</sup>, 2003 by Clark D. Ivory, the Manager of VALUE, L.C., the General Partner of IVORY HOMES, LTD., a Utah limited partnership, and said Clark D. Ivory duly acknowledged to me that said IVORY HOMES, LTD. executed the same.

  
NOTARY PUBLIC  
Residing at: SAC, UT  
My Commission Expires: 1/18/05

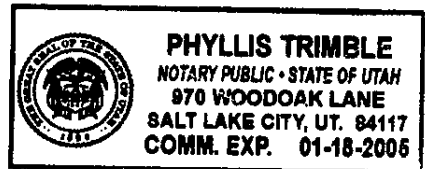


Exhibit "A-3"

RIVERTON FARMS NO. 3  
LEGAL DESCRIPTION

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

BOUNDARY DESCRIPTION

BEGINNING AT A POINT NORTH 331.66 FEET AND SOUTH 89°57'45" WEST 1121.28 FEET FROM THE CENTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING:  
THENCE SOUTH 78.96 FEET; THENCE 135.45 FEET ALONG THE ARC OF A 205.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 18°55'42" EAST, 133.00 FEET); THENCE 181.70 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 18°55'42" EAST, 178.41 FEET); THENCE SOUTH, 15.70 FEET; THENCE WEST, 5.00 FEET; THENCE SOUTH, 40.00 FEET; THENCE 23.55 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 44°58'34" EAST, 21.20 FEET) TO THE NORTH LINE OF RAVENWOOD SUBDIVISION PHASE 1 AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY NO. 5939627;

THENCE NORTH 89°57'09" WEST 500.39 FEET ALONG THE NORTH LINE OF SAID RAVENWOOD SUBDIVISION, PHASE 1 TO AND ALONG THE NORTH LINE OF RAVENWOOD SUBDIVISION, PHASE 2 AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY NO. 6145180 TO A POINT ON A DEED AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER IN BOOK 7144 PAGE 1911;

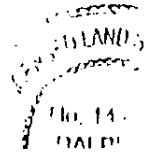
THENCE NORTH 148.36 FEET ALONG THE EAST LINE OF SAID DEED;  
THENCE EAST 169.98 FEET ALONG THE SOUTH LINE OF SAID DEED;  
THENCE NORTH 00°00'29" EAST 315.00 FEET ALONG THE EAST

LINE OF SAID DEED;

THENCE NORTH 89°57'10" EAST 219.36 FEET;

THENCE SOUTH 19.72 FEET TO THE POINT OF BEGINNING  
A DEED AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY

CONTAINS: 3.4328 ACRES - 9 LOTS



**REVISED EXHIBIT "C"**  
**PERCENTAGES OF UNDIVIDED OWNERSHIP INTEREST**

Phase	Lot No.	Percentage of Ownership Interest
1	101	1.818%
1	102	1.818%
1	103	1.818%
1	104	1.818%
1	105	1.818%
1	106	1.818%
1	107	1.818%
1	108	1.818%
1	109	1.818%
1	110	1.818%
1	111	1.818%
1	112	1.818%
2	201	1.818%
2	202	1.818%
2	203	1.818%
2	204	1.818%
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2	208	1.818%
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3	330	1.818%
3	331	1.818%
3	332	1.818%
3	333	1.818%
3	334	1.818%
3	335	1.818%

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TOTAL: 100.0%