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Russell Shirts Washington County Recorder  
06/28/2007 03:57:31 PM Fee \$ 15.00  
By FIRST AMERICAN TITLE CO - SG



When Recorded Mail to:

Kolob Development, Inc.  
c/o Robert M. Anderson  
P.O. Box 11485  
Salt Lake City, Utah 84147-0485

SUPPLEMENTARY  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
KOLOB RANCH SUBDIVISIONS  
**PHASE 7A and PHASE 7B**  
WASHINGTON COUNTY, UTAH

THIS SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the "Supplementary Declaration") is made and entered into as of this 28 day of March, 2007, by Kolob Development, Inc., a Utah corporation, referred to herein as "Declarant".

RECITALS:

A. Declarant is the owner of all of the Lots in Kolob Ranch Subdivisions, Phases 7A and 7B, according to the Official Plats thereof to be filed in the Office of the County Recorder of Washington County, Utah (collectively, the "Subdivisions"). The legal descriptions of the property in Phase 7A and Phase 7B are set forth in the attached Exhibits A and B (collectively, the "Property").

B. Declarant intends to complete the development of a residential subdivision on the Property. Declarant will convey all of the Lots within the said Subdivisions subject to certain protective covenants, conditions and restrictions all as set forth in the Declaration of Covenants, Conditions and Restrictions for Kolob Ranch Subdivision Phase 7C (recorded with the Washington County Recorder on December 5, 2005, in Book 1821, Page 1401, Entry No. 00989269) (the "Declaration"), which Declaration provides in Article XI thereof for annexation and a Supplementary Declaration.

C. Declarant intends that the covenants, conditions and restrictions as set forth in the Declaration for Phase 7C shall be deemed to be covenants running with the land, mutually burdening and benefiting all of the Lots in said Phases 7A and 7B.

I.

DEFINITIONS

In addition to the definitions set forth in the Declaration, the following are added:

1. "Phase 7A Lots" shall mean Lots 338, 339, 340, 385, 386, 387, 388, 389, 390 and 391 as shown on the Plat of the Kolob Ranch Subdivision Phase 7A.
2. "Phase 7B Lots" shall mean Lots 341, 342, 343, 344, 345, 346, 347, 376, 377, 378, 379, 380, 381, 382, 383 and 384 as shown on the Plat of the Kolob Ranch Subdivision Phase 7B.
3. "Lot" or "Lots" shall mean and refer to any of the Phase 7A or 7B Lots.

II.

ANNEXATION OF PROPERTY

NOW, THEREFORE, for the foregoing purposes, Declarant declares that the Property described in Exhibits A and B attached to this Supplementary Declaration shall be annexed to and become subject to the Declaration, which upon recordation of this Supplementary Declaration shall constitute and effectuate the annexation of the Property described in Exhibits A and B attached to this Supplementary Declaration.

The Declarant hereby declares that all of the Lots in Phases 7A and 7B shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitudes of the Declaration, all of which are created for the mutual benefit of the owners of the Lots. It is the intention of the Declarant in imposing these covenants, conditions and restrictions to create a generally uniform pattern of development, to protect and enhance the Property values and aesthetic values in the development by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners of the Lots. The covenants, conditions and restrictions are intended to and shall in all cases run with the title of the land to be binding upon the Owners, their successors, assigns, heirs, lien holders, and any other person holding any interest in the Lots and shall inure to the benefit of all other Property in the Subdivisions. The covenants, conditions and restrictions shall be binding upon Declarant as well as its successors-in-interest and may be enforced by the Declarant or by any Owner.

Notwithstanding the foregoing, no provision of this Supplementary Declaration shall prevent the Declarant from the completion of the subdivision improvements or from using any Lot owned by the Declarant as a model home, temporary construction or sales office, nor limit Declarant's right to post signs or engage in other reasonable activities on the property incidental of sales or construction which are otherwise in compliance with applicable Washington County ordinances.

Executed effective the date stated above.

KOLOB DEVELOPMENT, INC.,  
a Utah Corporation

By:   
Its: President

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

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2007, by Robert M. Anderson, the President of Kolob Development, Inc., a Utah corporation.

*Katherine T. Katzdorn*  
NOTARY PUBLIC

