

WHEN RECORDED RETURN TO:

Mr. Richard Sonntag
Pivotal Promontory Development, L.L.C.
8758 North Promontory Ranch Road
Park City, UT 84098

00789948 Bk01815 Pg00199-00205

ALAN SPRIGGS, SUMMIT CO RECORDER
2006 SEP 05 10:09 AM FEE \$62.00 BY GGB
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

**SUPPLEMENTAL MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
PROMONTORY**

**BUFFALO JUMP
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this ___ day of _____, 2006, by PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., an Arizona limited liability company, referred to below as "Declarant."

RECITALS:

A. Pivotal Promontory Development, L.L.C. is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions for Promontory dated January 2, 2002 and recorded January 3, 2002 as Entry Number 00607465 in Book 01426 at Page 522 of the Official Records of the Summit County Recorder (the "Declaration"). All capitalized terms contained herein shall have the definitions set forth herein or in the Declaration.

B. Declarant is the owner of certain real property located in Summit County, Utah, which is more particularly described in Exhibit A (the Buffalo Jump subdivision). The Buffalo Jump subdivision (hereinafter the "Subdivision") is included within the Initial Property.

C. Declarant intends to develop the Subdivision as a residential subdivision subject to the Promontory SPA Plan, dated January 16, 2001, as amended, and subject to certain protective covenants, conditions and restrictions all as set forth in the Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots within Promontory, including those within the Subdivision.

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SUPPLEMENTAL DECLARATION:

DECLARANT HEREBY DECLARES that all of the Lots within the Subdivision shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitudes set forth in the Declaration, the terms of which Declaration are deemed incorporated herein by this reference. The covenants, conditions and restrictions of the Declaration are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Lots within the Subdivision, and shall inure to the benefit of all other Lots in Promontory which are subject to the Declaration. The covenants, conditions and restrictions of the Declaration shall be binding upon the Declarant as well as its successors in interest, and may be enforced by the Declarant or by any Owner of a benefited Lot to the extent provided in the Declaration.

THIS SUPPLEMENTAL DECLARATION was executed as of the date stated above.

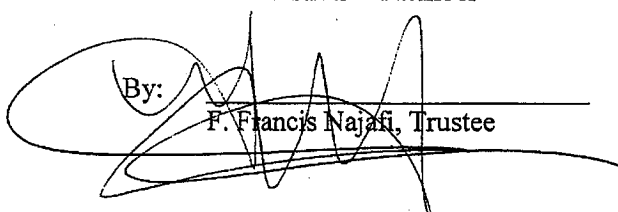
PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., an
Arizona limited liability company

By: Pivotal Group X, LLC, an Arizona limited liability
company

Its: Administrative Member

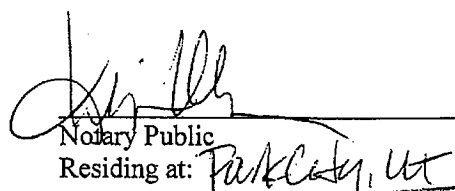
By: F. Francis Najafi as Trustee of the F. Francis Najafi
Family Trust

Its: Administrative Member

By: 
F. Francis Najafi, Trustee

State of Utah)
County of Summit)
:SS

The foregoing was acknowledged before me this 16th day of August, 2006 by F. Francis Najafi, Trustee of the F. Francis Najafi Family Trust, Administrative Member of Pivotal Group X, LLC, Administrative Member of Pivotal Promontory Development, LLC.


Notary Public
Residing at: Park City, Ut

RECORDERS NOTE
DUE TO THE COLOR OF THE INK
OF THE NOTARY SEAL AFFIXED
TO THIS DOCUMENT, THE
SEAL MAY BE UNSATISFACTORY
FOR COPYING.

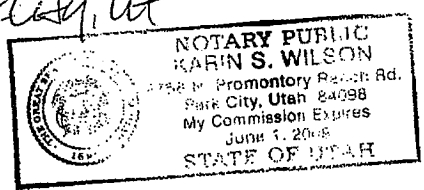


EXHIBIT A

Buffalo Jump Parcel "A"

A parcel of land located in Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at a point which bears South 01°28'53" East 1919.17 feet and 603.95 feet West from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 01°28'53" East 4900.52 feet between the Northeast Corner of Section 2 and the Southeast Corner of said Section 2, the Northeast corner being a found monument), and said point on the Westerly Right of Way of Mountain Crest Road; running thence along the Westerly Right of Way of Mountain Crest Road the following two calls: 1) South 30°08'53" West 75.75 feet; 2) to a point of curvature of a 375.00 foot radius curve to the left, the center of which bears South 59°51'07" East, thence along the arc of said curve 38.17 feet through a central angle of 5°49'53"; thence leaving the Westerly Right of Way of Mountain Crest Road to a point of reverse curvature of a 25.00 foot radius curve to the right, the center of which bears North 65°41'00" West, thence along the arc of said curve 42.93 feet through a central angle of 98°22'48" to a point of compound curvature of a 125.00 foot radius curve to the right, the center of which bears North 32°41'48" East, thence along the arc of said curve 45.43 feet through a central angle of 20°49'26" to a point of reverse curvature of a 175.00 foot radius curve to the left, the center of which bears South 53°31'15" West, thence along the arc of said curve 160.34 feet through a central angle of 52°29'40"; thence North 88°58'25" West 70.66 feet to a point of curvature of a 150.00 foot radius curve to the right, the center of which bears North 01°01'35" East, thence along the arc of said curve 260.41 feet through a central angle of 99°28'15"; thence North 10°29'50" East 466.66 feet to a point of curvature of a 1525.00 foot radius curve to the left, the center of which bears North 79°30'10" West, thence along the arc of said curve 219.45 feet through a central angle of 8°14'42"; thence North 02°15'08" East 277.84 feet to a point of curvature of a 155.00 foot radius curve to the left, the center of which bears North 87°44'52" West, thence along the arc of said curve 383.44 feet through a central angle of 141°44'21"; thence South 40°30'47" West 194.36 feet to a point of curvature of a 725.00 foot radius curve to the right, the center of which bears North 49°29'13" West, thence along the arc of said curve 295.55 feet through a central angle

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of 23°21'24"; thence South 63°52'11" West 224.55 feet; thence North 02°21'14" East 215.94 feet; thence North 58°41'27" East 225.42 feet; thence North 48°53'01" East 79.20 feet; thence North 40°30'47" East 249.09 feet; thence North 59°35'08" East 250.60 feet; thence South 62°22'35" East 367.27 feet; thence South 01°52'49" West 542.30 feet; thence South 04°18'49" West 206.29 feet; thence South 33°36'40" West 136.25 feet; thence South 56°23'20" East 90.00 feet; thence South 33°36'40" West 154.29 feet; thence South 15°17'26" East 162.85 feet; thence South 74°03'46" East 127.28 feet; thence South 59°51'07" East 207.43 feet to the POINT OF BEGINNING.

Containing 9.60 acres more or less.

Subject to and together with any and all easements, reservations or patents, restrictions, conditions and/or instruments of record.

This description was prepared from available Public information, recorded and unrecorded, and as such, may be subject to verification by a Record of Boundary Survey.

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Buffalo Jump Parcel "B"

A parcel of land located in Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at a point which bears South 01°28'53" East 3228.00 feet and 686.87 feet West from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 01°28'53" East 4900.52 feet between the Northeast Corner of Section 2 and the Southeast Corner of said Section 2, the Northeast corner being a found monument), and said point on the Westerly Right of Way of Promontory Ridge Drive; running thence along the Westerly Right of Way of Promontory Ridge Drive South 03°07'00" West 121.46 feet; thence leaving the Westerly Right of Way of Promontory Ridge Drive to a point of curvature of a 25.00 foot radius curve to the right, the center of which bears North 86°53'00" West, said point also being on the Northerly Right of Way of Mountain Crest Road; thence along the Northerly Right of Way of Mountain Crest Road the following five calls: 1) along the arc of said curve 40.84 feet through a central angle of 93°36'19"; 2) to a point of compound curvature of a 275.00 foot radius curve to the right, the center of which bears North 06°43'19" East, thence along the arc of said curve 146.21 feet through a central angle of 30°27'47"; 3) to a point of reverse curvature of a 275.00 foot radius curve to the left, the center of which bears South 37°11'06" West, thence along the arc of said curve 98.24 feet through a central angle of 20°28'02"; 4) thence North 73°16'56" West 143.98 feet; 5) to a point of curvature of a 125.00 foot radius curve to the right, the center of which bears North 16°43'04" East, thence along the arc of said curve 286.43 feet through a central angle of 131°17'27"; thence leaving the Easterly Right of Way of Mountain Crest Road and thence South 62°29'20" East 477.81 feet to the POINT OF BEGINNING.

Containing 1.97 acres more or less.

Subject to and together with any and all easements, reservations or patents, restrictions, conditions and/or instruments of record.

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Buffalo Jump Parcel "C"

A parcel of land located in Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and being more particularly described as follows:

Beginning at a point which bears South 01°28'53" East 3590.27 feet and 717.70 feet West from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 01°28'53" East 4900.52 feet between the Northeast Corner of Section 2 and the Southeast Corner of said Section 2, the Northeast corner being a found monument), and running thence North 77°35'30" West 199.51 feet; thence North 67°43'01" West 324.41 feet; thence North 49°26'53" West 203.16 feet; thence North 74°07'06" West 264.18 feet; thence North 63°49'39" West 302.15 feet; thence North 21°48'45" West 427.93 feet; thence North 07°42'16" West 167.34 feet; thence North 22°06'04" East 314.12 feet; thence North 31°56'44" West 203.81 feet; thence North 12°17'36" West 622.60 feet; thence North 84°55'28" East 178.99 feet to a point of curvature of a 325.00 foot radius curve to the left, the center of which bears North 84°55'28" East, thence along the arc of said curve 40.94 feet through a central angle of 7°13'04"; thence South 12°17'36" East 350.96 feet to a point of curvature of a 1025.00 foot radius curve to the left, the center of which bears North 77°42'24" East, thence along the arc of said curve 331.42 feet through a central angle of 18°31'33"; thence South 30°49'09" East 55.72 feet to a point of curvature of a 125.00 foot radius curve to the right, the center of which bears South 59°10'51" West, thence along the arc of said curve 155.31 feet through a central angle of 71°11'26"; thence South 40°22'17" West 87.00 feet to a point of curvature of a 225.00 foot radius curve to the left, the center of which bears South 49°37'43" East, thence along the arc of said curve 244.20 feet through a central angle of 62°11'02"; thence South 21°48'45" East 234.81 feet to a point of curvature of a 375.00 foot radius curve to the left, the center of which bears North 68°11'15" East, thence along the arc of said curve 398.21 feet through a central angle of 60°50'31" to a point of compound curvature of a 225.00 foot radius curve to the left, the center of which bears North 07°20'44" East, thence along the arc of said curve 116.42 feet through a central angle of 29°38'45" to a point of reverse curvature of a 75.00 foot radius curve to the right, the center of which bears South 22°18'01" East, thence along the arc of said curve 69.05 feet through a central angle of 52°44'57" to

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a point of reverse curvature of a 225.00 foot radius curve to the left, the center of which bears North 30°26'56" East, thence along the arc of said curve 57.00 feet through a central angle of 14°30'53"; thence South 74°03'57" East 26.83 feet to a point of curvature of a 25.00 foot radius curve to the right, the center of which bears South 15°56'03" West, thence along the arc of said curve 32.95 feet through a central angle of 75°31'21" to a point of reverse curvature of a 175.00 foot radius curve to the left, the center of which bears South 88°32'36" East, said point also being on the Westerly Right of Way of Mountain Crest Road; thence along the Westerly Right of Way of Mountain Crest Road the following five calls: 1) along the arc of said curve 228.28 feet through a central angle of 74°44'20"; 2) thence South 73°16'56" East 143.98 feet; 3) to a point of curvature of a 225.00 foot radius curve to the right, the center of which bears South 16°43'04" West, thence along the arc of said curve 80.37 feet through a central angle of 20°28'02"; 4) to a point of reverse curvature of a 325.00 foot radius curve to the left, the center of which bears North 37°11'06" East, thence along the arc of said curve 178.64 feet through a central angle of 31°29'39"; 5) to a point of reverse curvature of a 25.00 foot radius curve to the right, the center of which bears South 05°41'27" West, thence along the arc of said curve 38.15 feet through a central angle of 87°25'33"; thence leaving the Southerly Right of Way of Mountain Crest Road and said point also being on the Westerly Right of Way of Promontory Ridge Drive; thence along the Westerly Right of Way of Promontory Ridge Drive the following two calls: 1) South 03°07'00" West 100.63 feet; 2) to a point of curvature of a 475.00 foot radius curve to the right, the center of which bears North 86°53'00" West, thence along the arc of said curve 40.60 feet through a central angle of 4°53'49" to the POINT OF BEGINNING.

Containing 11.91 acres more or less.

Subject to and together with any and all easements, reservations or patents, restrictions, conditions and/or instruments of record.

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