

WHEN RECORDED RETURN TO:

Mr. Richard Sonntag  
Pivotal Promontory Development, L.L.C.  
8758 North Promontory Ranch Road  
P.O. Box 981810  
Park City, UT 84098

00766174 BK01766 Pg00642-00646

ALAN SPRIGGS, SUMMIT CO RECORDER  
2006 JAN 20 14:13 PM FEE \$51.00 BY GGB  
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

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

**DYE COURSE CABINS PHASE 1  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this \_\_\_ day of \_\_\_\_\_, 2005, 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 Dye Course Cabins Phase 1 subdivision). The Dye Course Cabins Phase 1 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.

BK1766 PG0642



**EXHIBIT A**

**Legal Description  
Pods 93 and 97: Dye Course Cabins Phase 1**

**Phase 1 North**

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  $01^{\circ}28'53''$  East 2219.58 feet and 699.40 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  $01^{\circ}28'53''$  East 2229.57 feet between the Northeast Corner of said Section 2 and the West Quarter Corner of Section 1, the Northeast corner being a found monument), and thence North  $75^{\circ}55'43''$  West 496.54 feet; thence North  $27^{\circ}44'31''$  West 321.09 feet; thence North  $10^{\circ}29'50''$  East 472.02 feet; thence North  $83^{\circ}53'31''$  East 182.62 feet; thence North  $65^{\circ}34'53''$  East 60.98 feet; thence South  $79^{\circ}30'10''$  East 139.19 feet; thence South  $33^{\circ}36'40''$  West 136.25 feet; thence South  $56^{\circ}23'20''$  East 90.00 feet; thence South  $33^{\circ}36'40''$  West 154.29 feet; thence South  $15^{\circ}17'26''$  East 162.85 feet; thence South  $74^{\circ}03'46''$  East 127.28 feet; thence South  $59^{\circ}51'07''$  East 207.43 feet; thence South  $30^{\circ}08'54''$  West 75.75 feet to a point of curvature of a 375.00 foot radius curve to the right, the center of which bears South  $59^{\circ}51'07''$  East, thence along the arc of said curve 207.19 feet through a central angle of  $31^{\circ}39'23''$ ; thence South  $01^{\circ}30'30''$  East 36.60 feet to the POINT OF BEGINNING.

Containing 8.60 acres more or less.

**Phase 1 South "1"**

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  $01^{\circ}28'53''$  East 998.43 feet and 686.87 feet West from the West Quarter Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South  $01^{\circ}28'53''$  East 2229.57 feet between the Northeast Corner of Section 2 and the West

Quarter Corner of said Section 1, the Northeast corner being a found monument), and thence South 03°07'00" West 121.46 feet 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, thence along the arc of said curve 40.84 feet through a central angle of 93°36'19" 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", thence along the arc of said curve 146.21 feet through a central angle of 30°27'47" 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"; thence North 73°16'56" West 143.98 feet 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 South 62°29'20" East 477.81 feet to the POINT OF BEGINNING.

Containing 1.97 acres more or less.

#### **Phase 1 South "2"**

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 1360.70 feet and 717.70 feet West from the West Quarter Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 01°28'53" East 2229.57 feet between the Northeast Corner of Section 2 and the West Quarter Corner of said Section 1, the Northeast corner being a found monument), and 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 South 79°44'37" East 186.01 feet; thence North 42°54'31" East 75.07 feet; thence North 81°09'17" East 202.42 feet; thence South 21°13'35" West 412.34 feet; thence South 21°48'45" East 299.24 feet; thence South 88°38'13" East 299.86 feet; thence South 37°54'34" East 160.27 feet to a point of curvature of a 175.00 foot radius curve to the left, the center of which bears South 37°54'34" East, thence along the arc of said curve 382.93 feet through a central angle of 125°22'23"; thence South 73°16'56" East 143.98 feet 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  $20^{\circ}28'02''$  to a point of reverse curvature of a 325.00 foot radius curve to the left, the center of which bears North  $37^{\circ}11'06''$  East, thence along the arc of said curve 178.64 feet through a central angle of  $31^{\circ}29'38''$  to a point of reverse curvature of a 25.00 foot radius curve to the right, the center of which bears South  $05^{\circ}41'28''$  West, thence along the arc of said curve 38.15 feet through a central angle of  $87^{\circ}25'33''$ ; thence South  $03^{\circ}07'00''$  West 100.63 feet to a point of curvature of a 475.00 foot radius curve to the right, the center of which bears North  $86^{\circ}52'60''$  West, thence along the arc of said curve 40.60 feet through a central angle of  $04^{\circ}53'49''$  to the POINT OF BEGINNING.

Containing 14.53 acres more or less.

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