

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

# 5

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

**THE GOLF CLUB CABINS  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this 17<sup>th</sup> day of June, 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 Golf Club Cabins subdivision). The Golf Club Cabins 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 the Golf Club Cabins subdivision.

00741115 BK01712 Pg00971-00973

ALAN SPRIGGS, SUMMIT CO RECORDER  
2005 JUN 30 16:42 PM FEE \$14.00 BY GGB  
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

BK1712 PG0971

**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.

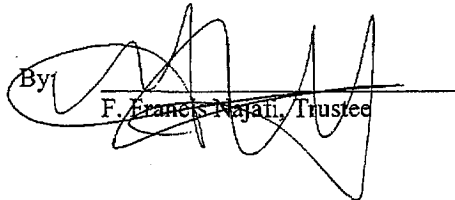
Nightly and weekly rental of units within the Subdivision is permitted, provided such rental is made available through a licensed real estate brokerage or property management company.

**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

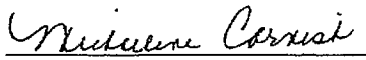
By: F. Francis Najafi as Trustee of the F. Francis Najafi  
Family Trust  
Its: Administrative Member

By:   
F. Francis Najafi, Trustee

State of Arizona )  
:ss  
County of Maricopa )

The foregoing was acknowledged before me this 20th day of June, 2005 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: Scottsdale, Az

**EXHIBIT A**

**POD 77, Golf Club Cabins  
Legal Description**

A parcel of land located in Sections 12, 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 89°11'05" East 495.54 feet and 2112.60 feet North from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between Southwest Corner and Southeast Corner of said Section 12, both corners being found monuments), and running thence North 47°52'16" West 62.86 feet; thence North 36°29'19" West 193.80 feet; thence North 48°14'11" West 480.27 feet; thence North 13°47'19" East 554.10 feet; thence North 45°38'06" East 183.97 feet; thence South 50°32'40" East 177.82 feet; thence South 40°31'42" East 218.73 feet; thence South 40°28'11" East 141.64 feet; thence South 31°40'17" East 391.45 feet; thence South 03°15'42" East 18.26 feet; thence South 31°40'17" East 164.11 feet; thence South 34°13'13" West 403.68 feet; thence South 13°35'38" West 68.19 feet; thence North 48°14'11" West 38.44 feet to a point of curvature of a 125.00 radius curve to the right, the center of which bears North 22°20'21" East; thence Northerly along the arc of said curve 84.76 feet through a central angle of 38°50'56"; thence North 48°14'11" West 59.75 feet; thence South 47°00'12" West 40.03 feet to the POINT OF BEGINNING.

Containing 618,242 sq. ft. or 14.19 acres more or less.

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

BK1712 PG0973