

WHEN RECORDED RETURN TO:  
Mr. Richard Sonntag  
Pivotal Promontory Development, L.L.C.  
8758 North Promontory Ranch Road  
Park City, UT 84098

00766178 Bk01766 Pg00652-00656

ALAN SPRIGGS, SUMMIT CO RECORDER  
2006 JAN 20 14:17 PM FEE \$34.00 BY GGB  
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

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

**PROMONTORY RIDGE PHASE 1 SUBDIVISION  
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 Promontory Ridge Phase 1 subdivision). The Promontory Ridge 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 PG0652



**EXHIBIT A**

**Legal Description  
Promontory Ridge Phase 1**

A parcel of land located in Section 1 and 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 along the Section Line 2326.76 feet and East 101.93 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Northeast Corner of said Section 2 and the Southwest Corner of said Section 35, both corners being found monuments), said point being on the Southerly right of way of Promontory Ranch Road (a.k.a Access Easement No. 1) and thence to a point on a curve having a 475.00 foot radius curve to the left, the center of which bears North 34°42'54" East, thence along the arc of said curve 323.45 feet through a central angle of 39°00'56"; thence South 03°56'19" East 149.69 feet; thence South 25°00'02" West 191.65 feet; thence North 89°48'30" West 128.53 feet; thence South 29°39'03" West 113.56 feet; thence South 81°42'57" West 154.61 feet; thence South 31°57'43" East 76.51 feet; thence South 58°02'17" West 534.36 feet; thence South 08°00'49" West 717.91 feet; thence South 07°37'10" East 22.81 feet; thence South 15°31'39" East 19.12 feet; thence South 29°12'24" East 64.07 feet; thence South 32°00'39" East 95.36 feet; thence South 84°47'01" West 231.75 feet; thence South 25°29'32" West 97.91 feet; thence South 84°47'01" West 246.45 feet; thence North 06°40'00" West 166.15 feet; thence North 46°56'53" East 229.76 feet to a point on a curve having a 75.00 foot radius that curves to the right, the center of which bears North 46°56'53" East, thence along the arc of said curve 62.35 feet through a central angle of 47°37'54" to a point of reverse curvature of a 150.00 foot radius curve to the left, the center of which bears North 85°25'13" West, thence along the arc of said curve 223.19 feet through a central angle of 85°15'15"; thence North 23°15'27" East 147.85 feet; thence South 77°35'30" East 199.51 feet to a point on a curve having a 475.00 foot radius curve to the left, the center of which bears North 81°59'11" West, thence along the arc of said curve 40.60 feet through a central angle of 04°53'49"; thence North 03°07'00" East 100.63 feet to a point of curvature of a 25.00 foot radius curve to the left, the center of which bears North 86°53'00" West, thence along the arc of said curve 38.15 feet through a central angle of 87°25'33" to a point of reverse curvature of a 325.00 foot radius curve to the right, the center of which bears North 05°41'27" East, thence along the arc of said curve 178.64 feet through a central angle of 31°29'39" to a point of reverse curvature of a 225.00 foot radius curve to the left, the center of which bears South 37°11'06" West, thence along the arc of said curve 80.37 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 175.00 foot radius curve to the right, the center of which bears North 16°43'04" East, thence along

the arc of said curve 401.00 feet through a central angle of  $131^{\circ}17'26''$ ; thence North  $58^{\circ}00'30''$  East 143.27 feet to a point of curvature of a 325.00 foot radius curve to the left, the center of which bears North  $31^{\circ}59'30''$  West, thence along the arc of said curve 186.08 feet through a central angle of  $32^{\circ}48'17''$ ; thence North  $25^{\circ}12'13''$  East 292.62 feet to a point of curvature of a 475.00 foot radius curve to the left, the center of which bears North  $64^{\circ}47'47''$  West, thence along the arc of said curve 221.45 feet through a central angle of  $26^{\circ}42'43''$ ; thence North  $01^{\circ}30'30''$  West 88.91 feet to a point of curvature of a 375.00 foot radius curve to the right, the center of which bears North  $88^{\circ}29'30''$  East, thence along the arc of said curve 207.19 feet through a central angle of  $31^{\circ}39'23''$ ; thence North  $30^{\circ}08'53''$  East 132.17 feet to a point of curvature of a 175.00 foot radius curve to the right, the center of which bears South  $59^{\circ}51'07''$  East, thence along the arc of said curve 439.64 feet through a central angle of  $143^{\circ}56'29''$  to a point of reverse curvature of a 75.00 foot radius curve to the left, the center of which bears North  $84^{\circ}05'22''$  East, thence along the arc of said curve 77.39 feet through a central angle of  $59^{\circ}07'05''$  to a point of compound curvature of a 50.00 foot radius curve to the left, the center of which bears North  $24^{\circ}58'17''$  East, thence along the arc of said curve 24.33 feet through a central angle of  $27^{\circ}53'07''$ ; thence North  $87^{\circ}05'10''$  East 20.84 feet to a point of curvature of a 306.37 foot radius curve to the left, the center of which bears North  $02^{\circ}54'50''$  West, said point being on a Questar Parcel Boundary, thence along the Questar Parcel Boundary the following three calls; along the arc of said curve 37.80 feet through a central angle of  $07^{\circ}04'10''$ ; thence North  $80^{\circ}01'00''$  East 14.15 feet to a point of curvature of a 25.00 foot radius curve to the left, the center of which bears North  $09^{\circ}58'60''$  West, thence along the arc of said curve 36.74 feet through a central angle of  $84^{\circ}12'47''$  to a point on a curve having a 475.00 foot radius that curves to the left, the center of which bears North  $85^{\circ}48'13''$  East, said point being on the Westerly right of way of Promontory Ranch Road (a.k.a Access Easement No. 1), thence leaving the Questar Parcel Boundary along the arc of said curve 95.23 feet, through a central angle of  $11^{\circ}29'14''$  along the Westerly right of way of Promontory Ranch Road to a point on a curve having a 25.00 foot radius curve to the left, the center of which bears South  $74^{\circ}18'60''$  West, said point being on the SBWRD Lift Station Boundary, thence along the SBWRD Lift Station Boundary the following two calls; along the arc of said curve 36.63 feet through a central angle of  $83^{\circ}56'34''$ ; thence South  $80^{\circ}22'26''$  West 15.16; thence leaving the SBWRD Lift Station Boundary South  $79^{\circ}59'43''$  West 36.93 feet to a point of curvature of a 125.00 foot radius curve to the right, the center of which bears North  $10^{\circ}00'17''$  West, thence along the arc of said curve 205.28 feet through a central angle of  $94^{\circ}05'40''$  to a point of reverse curvature of a 125.00 foot radius curve to the left, the center of which bears South  $84^{\circ}05'22''$  West, thence along the arc of said curve 314.03 feet through a central angle of  $143^{\circ}56'29''$ ; thence South  $30^{\circ}08'53''$  West 132.17 feet to a point of curvature of a 325.00 foot radius curve to the left, the center of which bears South  $59^{\circ}51'07''$  East, thence along the arc of said curve 179.57 feet through a central angle of  $31^{\circ}39'23''$ ; thence South  $01^{\circ}30'30''$  East 88.91 feet to a point of curvature of a 525.00 foot radius curve to the right, the center of which bears South  $88^{\circ}29'30''$  West, thence along the arc of said curve 244.76 feet through a central angle of  $26^{\circ}42'43''$ ; thence South  $25^{\circ}12'13''$  West 292.62 feet to a point of curvature of a 375.00 foot radius curve to the right, the center of

which bears North  $64^{\circ}47'47''$  West, thence along the arc of said curve 214.71 feet through a central angle of  $32^{\circ}48'17''$ ; thence South  $58^{\circ}00'30''$  West 143.27 feet to a point of curvature of a 125.00 foot radius curve to the left, the center of which bears South  $31^{\circ}59'30''$  East, thence along the arc of said curve 286.43 feet through a central angle of  $131^{\circ}17'26''$ ; thence South  $73^{\circ}16'56''$  East 143.98 feet to a point of curvature of a 275.00 foot radius curve to the right, the center of which bears South  $16^{\circ}43'04''$  West, thence along the arc of said curve 98.24 feet through a central angle of  $20^{\circ}28'02''$  to a point of reverse curvature of a 275.00 foot radius curve to the left, the center of which bears North  $37^{\circ}11'06''$  East, thence along the arc of said curve 146.21 feet through a central angle of  $30^{\circ}27'47''$  to a point of compound curvature of a 25.00 foot radius curve to the left, the center of which bears North  $06^{\circ}43'19''$  East, thence along the arc of said curve 40.84 feet through a central angle of  $93^{\circ}36'19''$ ; thence North  $03^{\circ}07'00''$  East 121.46 feet; thence North  $62^{\circ}29'20''$  West 256.09 feet; thence North  $30^{\circ}58'21''$  East 250.00 feet; thence North  $61^{\circ}58'00''$  East 844.16 feet; thence North  $34^{\circ}42'54''$  East 208.71 feet to the POINT OF BEGINNING.

Containing 22.19 acres more or less.