

WHEN RECORDED RETURN TO:

Mr. Richard Sonntag  
Promontory  
P.O. Box 981810  
Park City, UT 84060

00710401 BK01645 PG00983-00987  
ALAN SPRIGGS, SUMMIT CO RECORDER  
2004 SEP 20 11:44 AM FEE \$18.00 BY GCS  
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

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

**RANCH CLUB CABINS SUBDIVISION  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this 26th day of August, 2004, by PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., an Arizona limited liability company, and PIVOTAL PROMONTORY CABINS, L.L.C., an Arizona limited liability company, hereinafter referred to collectively as "Declarant."

**RECITALS:**

A. Pivotal Promontory Development, L.L.C. is the original 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"). Pivotal Promontory Cabins, L.L.C. is the successor owner/Declarant with respect to the individually platted lots in the Ranch Club Cabins Subdivision at Promontory and is the developer of the Ranch Club Cabins to be built on such lots. All capitalized terms contained herein shall have the definitions set forth herein or in the Declaration.

B. Declarant, pursuant to Section 3.1 of the Declaration, desires to allow owners of Ranch Club Cabins to engage in short term and nightly rentals of their Cabins, provided such rentals are conducted and managed by reputable, professional, licensed real estate brokers and rental management companies approved by Declarant.

**SUPPLEMENTAL DECLARATION:**

DECLARANT HEREBY DECLARES that all Cabins within the Ranch Club Cabins Subdivision described on Exhibit A may be leased or rented by their owners for nightly or

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short-term occupancy so long as such rentals are conducted and managed by reputable, professional, licensed real estate brokers and rental management companies approved by Declarant. Declarant shall prepare and maintain a list of such approved real estate brokers and management companies and may amend such list from-time-to-time based on its experience with such brokers and management companies and their reputation within the greater Park City community.

[signatures on following page]

**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~~

**PIVOTAL PROMONTORY CABINS, L.L.C., an  
Arizona limited liability company**

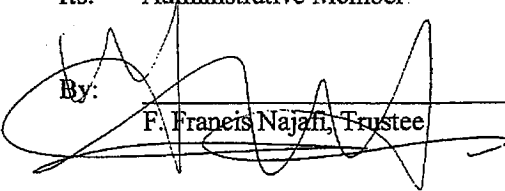
By: Pivotal Group X, LLC, an Arizona limited liability company

Its: Administrative Member

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

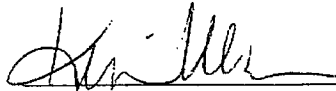
Its: Administrative Member

By:

  
~~F. Francis Najafi, Trustee~~

State of Utah )  
County of Summit ) :SS

The foregoing was acknowledged before me this 26<sup>th</sup> day of August, 2004 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, L.L.C.

  
Notary Public  
Residing at: Park City, UT




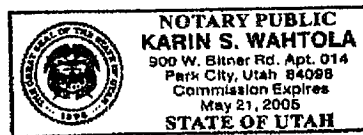
My Commission Expires:

5/21/05

State of Utah )  
County of Summit ) :SS

The foregoing was acknowledged before me this 26<sup>th</sup> day of August, 2004 by F. Francis Najafi, Trustee of the F. Francis Najafi Family Trust, Administrative Member of Pivotal Group X, LLC, Administrative Member of Pivotal Promontory Cabins, L.L.C.

  
Notary Public  
Residing at: Park City, UT



My Commission Expires:

5/21/05

## Exhibit A

**Ranch Club Cabins:** Beginning at a point located North 00°05'47" West along the Section line 2778.49 feet and West 2846.89 feet from the Southeast Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°11'05" West 5232.98 feet between said Southeast Corner and the Southwest Corner of said Section 12, both being found Brass Caps monuments), said point also being the Southerly corner of Lot 80 as shown on the Deer Crossing Plat as recorded in the Offices of the County Recorder, Summit County, Utah on January 3, 2002, as Entry No. 607459; and running thence the following three (3) courses along the Southerly line of said Deer Crossing 1) North 68°42'12" East 179.94; thence 2) South 21°17'48" East 128.44 feet to a point of curvature of a 25.00-foot radius curve to the right, the center of which bears South 68°42'12" West; thence 3) Southwesterly along the arc of said curve 39.27 feet through a central angle of 90°00'00" to a point on the Westerly line of Access Easement No. 1 (Promontory Ranch Road) as shown on the Wapiti Canyon - Phase I Plat recorded in the Offices of the County Recorder, Summit County, Utah on January 3, 2002, as Entry No. 607460; thence the following two (2) courses along said Westerly line 1) South 68°42'12" West 27.76 feet to a point of curvature of a 475.00-foot radius curve to the left, the center of which bears South 21°17'48" East; thence 2) Southwesterly along the arc of said curve 753.14 feet through a central angle of 90°50'43" to a point common to the Northerly line of Access Easement No. 2 (Ranch Club Trail) as shown on said Wapiti Canyon - Phase I Plat; thence the following two (2) courses along said Northerly line, 1) South 64°50'28" West 214.48 feet to a point of curvature of a 975.00-foot radius curve to the right, the center of which bears North 25°09'32" West; 2) thence Southwesterly along the arc of said curve 189.72 feet through a central angle of 11°08'56" to a point of curvature of a 25.00-foot non-tangent reverse curve to the left, the center of which bears North 14°00'36" West; thence Northeasterly along the arc of said curve 40.59 feet through a central angle of 93°01'01"; thence North 17°01'37" West 3.24 feet to a point of curvature of a 75.00-foot radius curve to the left, the center of which bears South 72°58'23" West; thence Northwesterly along the arc of said curve 21.51 feet through a central angle of 16°25'52"; thence North 33°27'29" West 135.85 feet to a point of curvature of a 125.00-foot radius curve to the right, the center of which bears North 56°32'31" East; thence Northwesterly along the arc of said curve 57.26 feet through a central angle of 26°14'53"; thence North 07°12'36" West 16.24 feet; thence South 82°47'24" West 69.31 feet; thence North 89°59'50" West 53.18 feet; thence North 58°07'46" West 207.20 feet; thence North 43°01'01" West 206.56 feet to a line common to the Club House and Golf Course Parcels; thence continuing North 43°01'01" West 123.02 feet; thence North 10°28'26" East 110.82 feet; thence North 52°03'49" East 681.91 feet to a point on the Westerly line of said Deer Crossing; thence South 65°47'21" East along said Westerly line 569.61 feet more or less to the POINT OF BEGINNING. Containing 760,327 square feet or 17.45 acres more or less.