

WHEN RECORDED RETURN TO:

Mr. Richard Sonntag  
Promontory  
6531 North Landmark Drive  
Suite B  
Park City, UT 84060

00670891 Bk01564 Pg01987-01992  
ALAN SPRIGGS, SUMMIT CO RECORDER  
2003 AUG 28 11:51 AM FEE \$24.00 BY DNG  
REQUEST: PIVOTAL PROMONTORY DEVELOPMENT

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

**LOOK OUT RIDGE, SIGNAL HILL, PAINTED SKY, SUNSET RIDGE  
AND RANCH CLUB CABINS SUBDIVISIONS--PHASE 2  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR PROMONTORY is made as of this 28 day of  
AUGUST, 2003, 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 Look Out Ridge, Signal Hill, Painted Sky, Sunset Ridge AND Ranch Club Cabins subdivisions). The Look Out Ridge, Signal Hill, Painted Sky, Sunset Ridge and Ranch Club Cabins subdivisions (hereinafter the "Subdivisions") are included within the Initial Property.

C. Declarant intends to develop the Subdivisions as residential subdivisions subject to the Promontory APA Plan, dated January 16, 2001, 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 Look Out Ridge, Signal Hill, Painted Sky, Sunset Ridge and Ranch Club Cabins subdivision.

**SUPPLEMENTAL DECLARATION:**

DECLARANT HEREBY DECLARES that all of the Lots within the Subdivisions 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.

DECLARANT FURTHER DECLARES that in the Ranch Club Cabins subdivision, long-term leasing of homes for periods of three months or longer shall be permitted and, in addition, short term rental of units shall be allowed, subject to future regulation or prohibition by the Association. All parcels of land within the Ranch Club Cabins subdivision shall be subject to Supplemental Design Guidelines promulgated by the Architectural Review Committee.

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

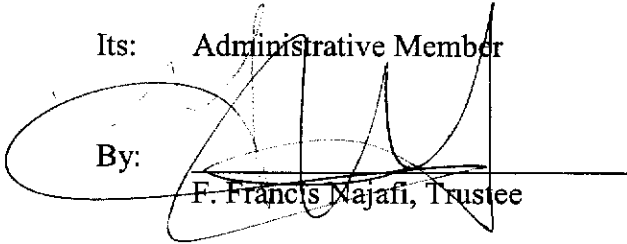
PIVOTAL PROMONTORY DEVELOPMENT, L.L.C.,  
an Arizona limited liability company

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 )  
 )  
:SS  
County of SUMMIT )

The foregoing was acknowledged before me this 14 day of AUGUST, 2003 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.



Karen Knighton  
Notary Public  
Residing at: PARK CITY, UTAH

My Commission Expires:

2 3 0 7

## Exhibit A

**Look Out Ridge:** Beginning at a point which is South 89°11'05" East, along the section line 645.35 feet and South 00°48'55" West, 2072.64 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 35°38'55" East, 196.16 feet; thence North 65°33'51" East, 25.01 feet; thence South 25°38'39" East, 24.74 feet; thence South 24°26'07" East, 40.26 feet to a point on a non-tangent 15.00 foot radius curve to the right; thence 23.56 feet along said curve through a central angle of 90°00'00" (chord bears North 20°33'53" East, 21.21 feet); thence North 65°33'53" East, 112.77 feet to a point on a 225.00 foot radius curve to the left; thence 10.17 feet along said curve through a central angle of 02°35'25" (chord bears North 64°16'11" East, 10.17 feet); thence South 54°48'50" East, 119.68 feet to a point on a non-tangent 525.00 foot radius curve to the left; thence 529.21 feet along said curve through a central angle of 57°45'20" (chord bears South 47°55'48" West, 507.09 feet); thence South 19°03'08" West, 160.57 feet to a point on a 575.00 foot radius curve to the right; thence 552.63 feet along said curve through a central angle of 55°04'02" (chord bears South 46°35'09" West, 531.61 feet); thence South 74°07'10" West, 231.93 feet to a point on a 625.00 foot radius curve to the left; thence 25.82 feet along said curve through a central angle of 02°22'01" (chord bears South 72°56'09" West, 25.82 feet); thence South 71°45'09" West, 198.60 feet to a point on a 575.00 foot radius curve to the right; thence 131.74 feet along said curve through a central angle of 13°07'37" (chord bears South 78°18'58" West, 131.45 feet); North 02°37'44" West, 43.82 feet to a point on a 425.00 foot radius curve to the left; thence 245.22 feet along said curve through a central angle of 33°03'30" (chord bears North 19°09'29" West, 241.83 feet); thence North 35°41'14" West, 284.64 feet to a point on a 475.00 foot radius curve to the right; thence 418.86 feet along said curve through a central angle of 50°31'25" (chord bears North 10°25'32" West, 405.42 feet); thence South 78°38'40" East, 392.39 feet; thence North 76°57'39" East, 589.38 feet; thence North 53°40'45" East, 447.35 feet to the point of beginning. Contains: 23.09 acres

**Signal Hill:** Beginning at a point which is North 89°11'05" West, along the section line 3952.89 feet and South 00°48'55" West, 310.13 feet from the South east Corner of Section 12, Township 1 South , Range 4 East, Salt Lake Base and Meridian; and running thence South 81°08'45" East, 229.89 feet; thence South 33°07'19" East, 159.64 feet; thence South 11°47'07" East, 213.72 feet; thence South 18°47'28" West, 267.78 feet; thence South 05°29'23" West, 257.38 feet; thence South 19°25'21" East, 209.08 feet; thence South 05°10'37" East, 170.97 feet; thence South 09°55'02" East, 233.81 feet; thence South 87°47'24" West, 296.79 feet; thence South 09°21'10" West, 239.32 feet; thence South 11°00'26" West, 238.36 feet to a point on a 525.00 foot radius curve to the left; thence along said curve 272.77 feet through a central angle of 29°46'07" (chord bears North 88°18'29" West, 269.71 feet); thence North 54°48'50" West, 119.68 feet to a point on a non-tangent, 225.00 foot radius curve to the right; thence along said curve 10.17 feet through a central angle of 02°35'25" (chord bears South 64°16'11" West, 10.17 feet); thence South 65°33'53" West, 112.77 feet to a point on a 15.00 foot radius curve to the left; thence along said curve 23.56 feet through a central angle of 90°00'00" (chord bears South 20°33'53" West, 21.21 feet); thence North 24°26'07" West, 40.26 feet; thence North 25°38'39" West, 24.74 feet; thence South 65°33'51" West, 25.01 feet; thence North 35°38'55" West, 196.16 feet; thence North 53°40'45" East, 126.33 feet; thence North 10°34'09" East, 170.78 feet; thence North 26°18'52" East, 448.43 feet; thence North 17°07'17" East, 245.09 feet; thence North 20°50'05" West, 272.83 feet; thence North 33°14'30" East, 547.53 feet; thence North 18°02'26" East, 169.83 feet to the point of beginning. Contains: 25.91 Acres

**Painted Sky:** Beginning at a point which is North 89°11'05" West, along the section line 4018.63 feet and North 00°48'55" East, 277.12 feet from the Southeast corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian and running thence South 36°36'17" West, 318.47 feet; thence South 84°02'02" West, 61.43 feet; thence South 65°18'03" West, 359.77 feet; thence South 81°52'23" West, 368.94 feet; thence South 52°30'44" West, 290.42 feet; thence South 80°37'06" West, 355.50 feet; thence South 69°23'13" West, 312.52 feet to a point on a non-tangent 1137.05 foot radius curve to

the right; thence along said curve 45.19 feet through a central angle of 02°16'37" (chord bears North 27°45'08" West, 45.18 feet); thence North 71°12'17" East, 251.30 feet; thence North 13°22'39" West, 594.27 feet; thence South 77°02'14" West, 279.15 feet; thence North 12°57'52" West, 416.21 feet to a point on a 1225.00 foot radius curve to the left; thence along said curve 300.30 feet through a central angle of 14°02'44" (chord bears North 19°59'08" West, 299.55 feet); thence North 27°00'30" West, 378.05 feet to a point on a 175.00 foot radius curve to the right; thence along said curve 428.56 feet through a central angle of 140°18'42" (chord bears North 43°08'51" East, 329.22 feet); thence South 66°41'48" East, 577.49 feet to a point on a 425.00 foot radius curve to the left; thence along said curve 595.27 feet through a central angle of 80°15'02" (chord bears North 73°10'41" East, 547.79 feet); thence North 33°03'10" East, 338.89 feet to a point on a 225.00 foot radius curve to the right; thence along said curve 244.12 feet through a central angle of 62°09'53" (chord bears North 64°08'07" East, 232.32 feet); thence South 26°33'22" East, 1572.75 feet to the point of beginning. Contains: 66.33 acres

**Sunset Ridge:** Beginning at a point which is North 89°11'05" West, along the section line 4204.86 feet and North 00°48'55" East, 18.78 feet from the Southeast corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian and running thence South 36°36'17" West, 276.21 feet; thence South 10°22'14" West, 431.40 feet; thence South 33°00'30" West, 238.70 feet; thence South 40°07'51" East, 269.12 feet; thence South 07°44'04" West, 22.27 feet; thence North 77°54'22" East, 135.19 feet; thence South 20°50'05" East, 50.59 feet; thence South 77°54'22" West, 160.91 feet; thence South 07°44'04" West, 128.99 feet; thence South 37°30'48" West, 600.60 feet; thence South 50°48'31" West, 588.76 feet; thence South 78°21'19" West, 505.35 feet; thence North 52°07'14" West, 105.86 feet to a point on a 425.00 foot radius curve to the left; thence along said curve 151.83 feet through a central angle of 20°28'07" (chord bears North 00°14'21" East, 151.02 feet); thence North 09°59'43" West, 73.64 feet to a point on a 475.00 foot radius curve to the right; thence along said curve 377.55 feet through a central angle of 45°32'30" (chord bears North 12°46'32" East, 367.69 feet); thence North 35°32'47" East, 171.83 feet to a point on a 525.00 foot radius curve to the left; thence along said curve 644.79 feet through a central angle of 70°22'09" (chord bears North 00°21'42" East, 605.02 feet); thence North 34°49'22" West, 189.81 feet to a point on a 1175.00 foot radius curve to the right; thence along said curve 122.07 feet through a central angle of 05°57'08" (chord bears North 31°50'48" West, 122.01 feet); thence North 69°23'13" East, 312.52 feet; thence North 80°37'06" East, 355.50 feet; thence North 52°30'44" East, 290.42 feet; thence North 81°52'23" East, 368.94 feet; thence North 65°18'03" East, 359.77 feet; thence North 84°02'02" East, 61.43 feet to the point of beginning. Contains: 47.19 acres

**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.