

WHEN RECORDED RETURN TO:
Kelli S. Brown, General Manager
Promontory Development, LLC
8758 N. Promontory Ranch Road
Park City, Utah 84098

ENTRY NO. 01188746

05/09/2022 12:14:19 PM B: 2739 P: 1000

Declaration PAGE 1/3

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY PROMONTORY INVESTMENTS LLC



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

**NICKLAUS WEST PHASE 3 SUBDIVISION
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PROMONTORY is made as of this 5th day of May, 2022, by PROMONTORY DEVELOPMENT, LLC, an Arizona limited liability company, referred to below as "Declarant."

RECITALS:

A. Promontory Development, LLC is the successor 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 hereto. The Nicklaus West Phase 3 subdivision (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, which are deemed to be covenants running with the land mutually burdening and benefitting each of the Lots within Promontory, including the Subdivision.

D. The following terms are hereby incorporated as part of the Declaration and to the extent these terms modify or conflict with any provisions of the Declaration, these terms shall control. All other terms of the Declaration not modified shall remain the same.

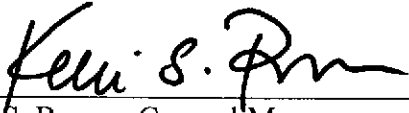
SUPPLEMENTAL DECLARATION:

DECLARANT HEREBY DECLARES that all of the Lots within the Subdivision, on the real property described on Exhibit A, shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions, rules, regulations, design guidelines, 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.

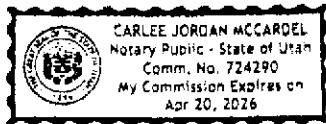
THIS SUPPLEMENTAL DECLARATION was executed as of the date stated above.

Promontory Development, LLC



Kelli S. Brown, General Manager

On this 5 day of May in the year 2022, personally appeared before me Kelli S. Brown, whose identity is personally known to me or proven on the basis of satisfactory evidence and who by me duly sworn, did say that she is the General Manager of Promontory Development, LLC and that this document was signed by her in behalf of said Company by Authority of its Operating Agreement or Resolution, and said Kelli S. Brown acknowledged to me that Promontory Development, LLC executed the same. Witness my hand and official seal



Notary Public

EXHIBIT A - SUBDIVISION BOUNDARY DESCRIPTION

A parcel of land located in the southeast quarter of Section 13 and northeast quarter of Section 24, Township 1 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah being more particularly described as follows:

Beginning at a point which bears North $00^{\circ}35'51''$ West along the east line of said Section 13 552.20 feet and West 1,922.91 feet from the Southeast Corner of Section 13, Township 1 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah, (Basis of bearing being South $00^{\circ}35'51''$ East 5,311.76 feet between the Northeast Corner of said Section 13 and Southeast Corner of said Section 13, Township 1 South, Range 4 East, Salt Lake Base and Meridian), and running thence South $23^{\circ}07'27''$ West 384.26 feet to a point of curvature of a 275.00 foot radius curve to the left, the center of which bears South $66^{\circ}52'33''$ East; thence southerly 90.25 feet along the arc of said curve through a central angle of $18^{\circ}48'13''$; thence South $04^{\circ}19'13''$ West 43.02 feet to a point of curvature of a 75.00 foot radius curve to the left, the center of which bears South $85^{\circ}40'47''$ East; thence southeasterly 103.71 feet along the arc of said curve through a central angle of $79^{\circ}13'47''$; thence South $74^{\circ}54'34''$ East 29.50 feet to a point of curvature of a 25.00 foot radius curve to the left, the center of which bears North $15^{\circ}08'05''$ East; thence northeasterly 36.99 feet along the arc of said curve through a central angle of $84^{\circ}47'02''$ to a point of curvature of a 525.00 foot radius non-tangent curve to the left; thence southerly 122.29 feet along the arc of said curve through a central angle of $13^{\circ}20'46''$ (chord bears South $13^{\circ}38'00''$ West 122.01 feet); thence South $06^{\circ}57'37''$ West 17.59 feet; thence South $63^{\circ}55'32''$ West 286.52 feet; thence North $22^{\circ}58'09''$ West 365.18 feet; thence North $22^{\circ}01'23''$ East 664.56 feet; thence North $09^{\circ}25'53''$ East 506.94 feet; thence North $14^{\circ}09'16''$ West 124.66 feet; thence South $80^{\circ}13'04''$ East 309.52 feet; thence South $12^{\circ}09'05''$ West 119.71 feet to a point of curvature of a 50.00 foot radius non-tangent curve to the right; thence southerly 112.80 feet along the arc of said curve through a central angle of $129^{\circ}15'23''$ (chord bears South $13^{\circ}13'14''$ East 90.35 feet) to a point of reverse curvature of a 25.00 foot curve to the left, the center of which bears South $38^{\circ}35'32''$ East; thence southwesterly 21.03 feet along the arc of said curve through a central angle of $48^{\circ}11'23''$; thence South $03^{\circ}13'05''$ West 69.50 feet to a point of curvature of a 1,225.00 foot radius curve to the right, the center of which bears North $86^{\circ}46'55''$ West; thence southerly 425.60 feet along the arc of said curve through a central angle of $19^{\circ}54'22''$ to the Point of Beginning.

Containing 440,179 square feet or 10.11 acres, more or less.

Basis of Bearing:

South $00^{\circ}35'51''$ East between the Northwest and Southeast Corners of Section 13, Township 1 South, Range 4 East, Salt Lake Base and Meridian.

SS-25-H