

WHEN RECORDED RETURN TO:

Robin Milne  
Promontory Development, LLC  
8758 N. Promontory Ranch Road  
Park City, Utah 84098

**01088486 B: 2455 P: 0243**

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Mary Ann Trussell, Summit County Utah Recorder  
03/26/2018 10:55:07 AM Fee \$28.00

By Summit Escrow & Title

Electronically Recorded

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

**PROMONTORY NICKLAUS WEST PHASE 4  
SUMMIT COUNTY, UTAH**

THIS SUPPLEMENTAL MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PROMONTORY is made as of this 8th day of February, 2018, 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 Promontory Nicklaus West Phase 4 subdivision). The Promontory Nicklaus West Phase 4 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 Promontory Nicklaus West Phase 4 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 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

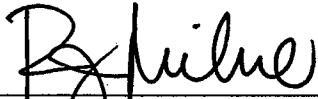
Subdivision and shall inure to the benefit of all other Lots in Promontory which are subject to the Declaration. The covenants, conditions and restrictions of the Declaration shall be binding upon the Declarant as well as its successors in interest and may be enforced by the Declarant or by any Owner of a benefited Lot to the extent provided in the Declaration

Those lots in the Subdivision designated by the symbol (R) are designated Resort Units under the Development Agreement and those lots designated with an (ID) are designated as Incentive Density units under the Development Agreement. Resort Units and Incentive Density Units in the Subdivision may be made available for overnight stay and short-term occupancy. Nightly and weekly rental of Resort and Incentive Density 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.

**PROMONTORY DEVELOPMENT, LLC, an Arizona limited liability company**

**By: Promontory Development, LLC:**



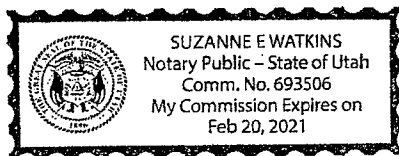
\_\_\_\_\_  
Robin Milne  
General Manager

STATE OF UTAH )

) : ss

COUNTY OF SUMMIT )

The foregoing SUPPLEMENTAL DECLARATION was acknowledged before me this 20th day of March, 2018, by Robin Milne, as General Manager of PROMONTORY DEVELOPMENT, LLC, an Arizona limited liability company.



  
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NOTARY SIGNATURE AND SEAL

NICKLAUS WEST PHASE 4 SUBDIVISION

NICKLAUSE WEST PHASE 4 BOUNDARY DESCRIPTION:

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

Beginning at a point which bears North 00°35'51" West along the east line of said Section 13 a distance of 1,145.30 feet and West 1,244.84 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°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 North 74°26'08" West 320.48 feet to a point of curvature of a 1,200.00 foot radius non-tangent curve to the left; thence southerly 17.00 feet along the arc of said curve through a central angle of 00°48'42", the center of which bears South 73°14'31" East (chord bears South 16°21'08" West curvature of a 50.00 foot radius non-tangent curve to the left; thence northeasterly 113.88 feet along the arc of said curve through a central angle of 130°29'34", the center of which bears North 12°30'26" (chord bears North 37°15'39" East 90.81 feet) to a point of reverse curvature of a 25.00 foot radius curve to the right, the center of which bears North 62°00'52" East; thence northerly 21.03 feet along the arc of said curve through a central angle of 48°11'23"; thence North 20°12'14" East 79.83 feet to a point of curvature of a 775.00 foot radius curve to the right, the center of which bears South 31°04'24" East; thence easterly 158.37 feet along the arc of said curve through a central angle of 60°29'40"; thence South 60°34'44" East 6.73 feet to a point of curvature of a 25.00 foot radius curve to the right, the center of which bears South 29°25'16" East 131.00 feet; thence South 60°34'44" East 300.56 feet; thence South 18°56'52" West 396.43 feet; thence South 20°38'16" West 424.53 feet to the Point of Beginning.

Containing 525,003 square feet or 12.05 acres, more or less.

Containing lots identified by the following tax identification numbers: PNW-4-33 through PNW-4-42 and PNW-4-51 through PNW-4-55