

SUPPLEMENTARY DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
SILVER SPRINGS DEVELOPMENT PHASE NO. 1-E

This Supplementary Declaration of Covenants, Conditions and Restrictions for Silver Springs Development Phase NO. 1-E is made this 1st day of September, 1982, by Alta Title Company, hereinafter referred to as "Declarant."

R E C I T A L S:

A. Declarant is the legal owner of the following described real property located in Summit County, Utah:

Lots 193 through 202, Silver Springs Development Phase No. 1-E as shown on the official plat thereof recorded in the office of the Summit County Recorder, Summit County, Utah

Hereinafter such real property is referred to as the "Subject Real Property."

B. Declarant executed an Amended Declaration to Covenants, Conditions and Restrictions for Silver Springs Development Subdivisions, dated April 15, 1982. Hereinafter, such Declaration is referred to as the "Amended Declaration."

C. The Amended Declaration is recorded in the office of the Summit County Recorder as Entry No. 190498 in Book M217 at pages 482 through 517.

BOOK M 232 PAGE 429

Entry No.	195828	Book	M232
RECORDED	9-10-82	at	4:14 PM Page 429-35
REQUEST of	ALTA TITLE CO.		
FEE	\$ 10.50	WANDA Y. SPRING, SUMMIT CO. RECORDER	
INDEXED	By <i>Wanda Y. Spring</i>		
		ABSTRACT	

D. Silver Springs Homeowners' Association, a non-profit corporation, referred to hereinafter as the "Association," was incorporated under the laws of the State of Utah for the purpose of exercising the powers and functions specified in the Amended Declaration.

E. Article II, Section 1 of the Amended Declaration provides that any real property may be annexed to and become subject to the Amended Declaration and part of the Association without the approval, assent or vote of the Association or its members, upon certain conditions, including the execution and recording of a Supplementary Declaration as described in Section 3 of such Article.

E. Declarant is the Successor in interest of Silver Springs Development with respect to the Subject Real Property.

F. Declarant desires the Real Property to be annexed to and become subject to the Amended Declaration and subject to the jurisdiction and a part of the Association.

NOW, THEREFORE, Declarant hereby covenants, agrees and declares that all of said lots and property described above shall be held, sold, and conveyed subject to the following covenants, conditions, restrictions and easements, which are hereby declared to be for the benefit of the whole tract and all of the property described herein and the owners thereof, their successors and assigns. These covenants, conditions, restrictions, and easements shall run with the Subject Real Property and shall be binding on all parties having or acquiring any right, title or interest in the Subject Real Property or any part thereof and

shall inure to the benefit of each owner thereof and are imposed upon the Subject Real Property and every part thereof as a servitude in favor of each and every parcel thereof as the dominant tenement or tenements.

ARTICLE I

ANNEXATION TO AMENDED DECLARATION

Section 1. Annexation. The Subject Real Property is hereby annexed to and shall be subject to the Amended Declaration of Covenants, Conditions and Restrictions for Silver Springs Development Subdivisions, recorded April 16, 1982, as Entry No. 190498 in Book M217, pages 482 through 517.

Section 2. Conveyance of Common Areas. Prior to conveying title to any improved lots within the Subject Real Property to the individual purchasers thereof, Declarant shall convey to the Association fee simple title or right-of-way to the common area within the Subject Real Property, free and clear of any and all liens and encumbrances, except current real property taxes, which taxes shall be prorated as of the date of transfer, and easements, covenants, conditions and restrictions then of record, including those set forth in this Supplementary Declaration and in the Amended Declaration.

Section 3. Effect. The recordation of this Supplementary Declaration constitutes and shall effectuate the annexation of the Subject Real Property to the Amended Declaration, and subject to the functions, powers and jurisdiction of the Association. Hereafter, all of the owners of lots in the Subject Real Property shall immediately and automatically be members of the Association.

Section 4. Modifications. The Amended Declaration is modified and amended to the extent of the provisions of this Supplementary Declaration, but such modifications and amendments shall only apply to the Subject Real Property. This Supplementary Declaration shall not revoke, modify, and shall not in any manner affect property previously subjected to the Amended Declaration.

ARTICLE II

USE RESTRICTIONS

In addition to the applicable objectives and intents stated in Article X of the Amended Declaration, the objective and intent of this Supplemental Declaration is to create a quality single family residential development on the Subject Real Property.

Section 1. Zoning Regulations. The lands within the properties shall never be occupied or used by or for any building or purpose or in any manner which is contrary to the planning and zoning ordinances and regulations applicable thereto validly enforced from time to time.

Section 2. Land Use and Building Type.

(a) No lot shall be used except for single family residential purposes. No buildings shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed two stories in height, except as may be designated on the Silver Springs Master Plan.

(b) No single story building shall be erected or placed on any lot in the subdivision with floor space

less than 1500 square feet on the ground level, excluding garage and patio.

(c) Two-story dwellings shall have at least 1100 square feet on the ground floor level, exclusive of garage and patio and at least 600 square feet on the second floor level in each unit of said building.

(d) All single family dwellings may include the following accessory buildings and structures not used for residential occupancy: an attached private garage for the storage of not more than four automobiles; greenhouses for private use only; and one small storage shed.

(e) Every single family dwelling must have a minimum of a two-car garage.

(f) Driveways for each unit must be large enough to accommodate two parked automobiles side by side.

(g) No fences shall be allowed in the front yards or in side yards of corner lots which face the street. Hedges and landscaping will be permitted if it does not interfere with driving visibility.

Section 3. Lot Area and Width. No single family dwelling or associated building shall be erected or placed on any lot having a width of less than 80 feet at the minimum building setback line.

Section 4. Building Location. No single family dwelling or associated building shall be located on any lot nearer than thirty (30) feet to the road right-of-way or nearer

than twelve (12) feet to the rear lot line, nor nearer than twelve (12) feet to any side lot line, except by approval of the Architectural Committee.

Section 5. Height Requirements. No single family dwelling shall be erected to a height greater than thirty (30) feet above a point representing the average grade of the lot.

Section 6. Other Requirements. Except as specifically provided herein, the provisions of the Amended Declaration with respect to Land Use and Building Type shall be and remain in full force and effect.

ARTICLE III

AMENDED DECLARATION

Section 1. Full Force. Except as specifically amended herein, the provisions of the Amended Declaration shall be of full force and effect with respect to the Subject Real Property.

Section 2. Conflict. In the event of any conflict between the provisions of the Amended Declaration and this Supplemental Declaration, the provisions of this Supplemental Declaration shall govern.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first hereinabove written.

ALTA TITLE COMPANY

By: Alta Title Company

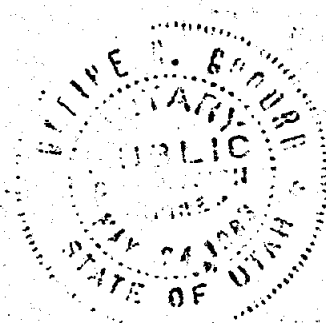
Its: VICE-PRESIDENT

STATE OF UTAH)
 :SS.
COUNTY OF SUMMIT)

On the 1st day of September, 1982, before me personally appeared Blake Hammond, and acknowledged that he did execute the same for said ALTA TITLE COMPANY.

Orine A. Gooden
NOTARY PUBLIC
Residing at: Coalville, Utah

My Commission Expires:
May 24, 1983



BOOKM232 PAGE 435