

When recorded, return to:
BREEN PROPERTIES, L.C.
432 E. Valley Drive
Park City, UT 84098

**Supplementary Declaration of
Covenants, Conditions and Restrictions for
Little Lake at Silver Springs, Plat D**

This Supplementary Declaration of Covenants, Conditions and Restrictions for Little Lake at Silver Springs Plat D is made this 16th day of January, 1997, by Breen Properties, L.C. hereinafter referred to as "Declarant."

RECITALS:

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

Lots 1 through 6, Little Lake at Silver Springs, Plat D, as shown on the official plat thereof recorded in the office of the Summit County Recorder, Summit County, Utah. Street addresses for each of the six lots are attached in Exhibit A.

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

B. Silver Springs Homeowner's 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 dated April 15, 1982, recorded on April 16, 1982 as Entry # 190493 in Book M217, Pages 482-517.

C. Article II, Section 2 (renumbered to Section 1 by the Amended Declaration recorded on January 16, 1986 as Entry No. 244975 of book M370 and pages 267-275) of the Amended Declaration referenced in item B above provides that any real property may be annexed to and become subject to the Amended Declaration and part of the Association upon approval in writing of the Association, pursuant to a two-thirds vote of those present at a meeting for this purpose that has been duly called, and the Declarant of Subject Real Property may file of record a Supplementary Declaration, as described in Section 3 (renumbered to Section 2 by the Amended Declaration recorded on January 16, 1986 as Entry No. 244975 of book M370 and pages 267-275) of the Amended Declaration.

D. Declarant desires the Subject Real Property to be annexed to and become subject to the Amended Declaration and subject to the jurisdiction and a part of the Association. By reference, the Subject Real Property is made subject to the Covenants, Conditions and Restrictions for Silver Springs Development Subdivisions and Amendments, as specifically identified below:

	Recording Date	Entry #	Book	Page
Declaration	July 16, 1979	157620	M137	104-121
Amended Declaration	April 16, 1982	190493	M217	482-517
Amendment to the Amended Declaration	July 6, 1982	193368	M225	194-197

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ALAN SPRIGGS, SUMMIT COUNTY RECORDER
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REQUEST: PARK CITY TITLE

Amended Declaration Amendment to the Amended Declaration	January 16, 1986	244975	M370	267-275
Amended Declaration Amendment to the Amended Declaration	June 26, 1989	309692	M525	672-676
Amended Declaration Amendment to the Amended Declaration	May 2, 1991	340160	M606	314-316
Amended Declaration Amendment to the Amended Declaration	May 23, 1994	405079	M807	765-766
Amended Declaration Amendment to the Amended Declaration	November 17, 1994	419440	M851	334-339

E. The architectural guidelines specified herein shall take precedence over those which are existing in the Silver Springs Single Family Homeowners Association "Architectural Committee Rules" latest revision 1993 (SSSFHA-Arch Rules), and the above referenced Declarations, or as subsequently and duly revised in the future by the Silver Springs Single Family Homeowners Association. Where not specified directly herein, the restrictions specified in the previously listed and existing SSSFHA-Arch Rules shall be applicable.

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 and restrictions 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 482-5117. Written approval of said annexation by the Association is included herein as Appendix B.

Section 2. Effect. The recordation of this Supplemental Declaration constitutes and shall effectuate the annexation of the Subject Real Property to the Amended Declaration, and subject to the functions, powers, and jurisdictions of the Association. Hereafter, all of the owners of the lots in the Subject Real Property shall immediately and automatically be members of the Association.

Section 3. 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
ARCHITECTURAL GUIDELINES

In order to promote harmonious community development and protect the character of the neighborhood, the following guidelines are provided for dwelling design and construction, fence, and landscaping requirements:

(1) No home design or floor plan may be used on more than one lot, even if the plan is reversed and the exterior lines modified. Each lot shall have a custom home designed specifically for it.

(2) Designs shall be consistent with the mountain themes within the surrounding subdivisions. The following styles are not permitted: Tudor, Spanish, Octagonal, Geodesic dome.

(3) One story homes shall be a minimum of 1800 square feet of living space, not including garage, porches, decks, balconies or any basement area. Two story homes shall be a minimum of 2400 square feet of living space, exclusive of garage, porches, decks, balconies or any basement area. The ratio of coverage of the second story over the footprint (main level and garage) shall not exceed 60%. Split level homes where the upper level is a maximum of one-half story or less above the main level shall be considered a single story home and subject to those minimum size restrictions.

(4) Exterior wall projections and recesses, and variations in roof lines that create visual interest are encouraged. Continuous vertical walls of two stories are discouraged and should, wherever possible, be broken by intermediate roofs, such as recessing the upper wall inward from the lower wall, or by using decks and balconies, or by using cantilevered protrusions and bays. No unbroken vertical wall may exceed 2 stories in total height. No exterior wall at the front of the home may exceed 1 story in height without setback of the upper story exterior wall from the lower wall, high clerestory walls with windows are excepted. Unbroken vertical walls of 2 stories in any event shall not exceed 25% of the total lineal footage of exterior walls as measured at the base of the wall. No exterior wall at any level may exceed 30' in length without a change in direction.

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(5) Setbacks shall be maintained in accordance with the final approved Subdivision plat. Minimum setbacks, as measured from lot line inward to setback line, shall be 25 feet in the front yard, 15 feet in the rear yard, and 10 feet on both side yards. The home including any overhangs and decks must be placed within the footprint these setbacks delineate. No other restrictions shall apply.

(6) Basements are discouraged. However, if a basement is desired, any and all appropriate mitigation measures shall be taken by the homeowner to ensure against water and moisture infiltration. It is the responsibility of the homeowner to obtain appropriate soils tests and engineering for basements, and all appropriate approvals.

(7) Foundation depth must meet minimum frost depth as required by the County Building Department and shall be excavated to a depth as required to obtain proper bearing soils in accordance with their structural engineer's footing designs.

(8) The maximum height of any structure may not exceed 30'0" as measured from the ridge of the roof to the existing grade (unmodified by construction) directly below.

(9) Exterior construction materials will be limited to cedar, redwood, stone, logs, and sawn wood shingles. Siding may be beveled, shiplap, board-and-batten, split log, or shingles. No masonite, metal, plywood, simulated wood, stucco, synthetic or cultured stone products, or other man-made materials are permitted. Linear siding material may be placed consistently vertically or horizontally, but it may not be mixed, or diagonally placed. Siding color must be earth tones indigenous to the area and approved by the Architectural Committee. Transparent or semi-transparent stains shall be used on siding (rather than paint). Solid body stains or paint may be used for trim, doors, or windows. Stone wainscot is encouraged but not required to be used at the base of exterior walls. No more than three different materials may be used on the exterior wall surfaces (example: stone wainscot, horizontal wood siding to upper wall line, and sawn shingle sided gable). No reflective finish other than glass and surfaces of hardware fixtures shall be used on exterior surfaces, including but without limitation, the exterior surfaces of any of the following: retaining walls, doors, trim, fences, pipes, equipment, and mailboxes. Mailboxes must be approved by the Architectural Committee.

(10) Windows shall be vinyl or wood/clad. Aluminum or other metal windows may not be used. Dual glazing is required. Window frame colors may be white, dark green, or earthtones. Other window frame colors in muted tones may be used but must be approved by the Architectural Committee. Bright or neon colors, or colors that stand out excessively from the siding and trim colors will not be approved. No reflective (mirrored exterior) tints shall be allowed.

(11) Roof design shall be limited to a minimum of a 5/12 pitch, with the exception of porch roofs which may be a minimum of a 4/12 pitch. Multiple roof pitches shall not be allowed, except for porch roofs as per the foregoing. Roofs shall be constructed so that no reflective surfaces, other than roof valleys or flashing, are visible by other property owners. Roof overhangs shall be a minimum of 24" measured horizontally from the outside wall. No curved, shed, gambrel, fake mansard, mansard, joined shed or domed roofs will be permitted.

(12) Roofing materials may be cedar shake #1 medium or an asphalt composition architectural grade shingle comparable to Celotex Presidential Shake or equal with a minimum weight of 360 pounds per 100 square feet and carrying a 40-year warranty. Roof color must be of approved earth tones or wood tones. Individual bay window roofs are excepted and may utilize weathered copper roofs as an alternative.

(13) Materials for soffit, fascia, and exterior trim may be natural cedar or redwood. No masonite, metal, or other man made materials will be permitted. Fascias shall be comprised of one 12" fascia board and one 4" trim board as a minimum. Colors may be earth tones or other muted colors as approved by the Homeowners Association. No neon or bright colors will be permitted.

(14) Deck railings may be logs, rough sawn cedar, fir, or redwood. Vertical posts shall be a minimum of 8" diameter if round and 8"x8" if square. Horizontal railings shall be a minimum of 6" diameter if round and 4"x4" if square. Vertical pickets, if used, shall be a minimum of 2" diameter if round, and 1"x4" if square. All foregoing sizes are nominal and actual sizes may be up to 1/2" smaller in either direction.

(15) Driveways may be concrete slabs of appropriate thickness and reinforcing. Asphalt driveways will be permitted only if the edges are rimmed with 6" concrete curbs. Driveways must be large enough to park two cars side by side.

(16) Landscaping and irrigation plan must be submitted with the building plans. Each plan shall include at least 4 trees. Drought resistant sod is encouraged. Mounding and tree/shrub/flower planters are also encouraged. Drainage shall not be directed or allowed to flow onto neighboring lots. All landscaping work must be completed within one year of completion or occupancy of the home, whichever is sooner.

(17) Open style fencing of round log or split rail is permitted on the side and rear of the home but shall not extend beyond the front face of the home. Such fencing shall not exceed four feet in height. Solid fencing is not allowed, except for dog runs. Fencing for dog runs is allowed only if it is not visible when viewed from the street while looking directly down the related side wall of the house, and it is made of wood that blends with the siding of the house. No chain link fencing is permitted for this or any other use.

(18) Chimneys must be enclosed in an approved siding material with a chase cover and cap. No exposed metal flues or spark arrester tops are permitted. Chimneys and caps shall be consistent in design on any one residence. Vent stacks should be combined to the extent possible to minimize the number of roof penetrations. All chimney caps and other metal vents must be painted or anodized to an earth tone color.

(19) All antennas must be enclosed within the residence. Large satellite dishes must be located and screened in a manner approved in advance by the Committee so that they are not directly visible to any adjoining lot. Small satellite dishes which are 18" nominally or smaller shall not require screening. Solar panels will be permitted only with the consent of the Committee, and if permitted at all, must lie flat against the roof and may not differ in pitch or color from the roof surface on which they are mounted.

Approved By: _____

Martin J. Breen
Managing Member, Breen Properties, LC.

Date: _____

2/7/97

Notarized By:

STATE OF UTAH)
 ss:
COUNTY OF SUMMIT)

On the 7th day of February, 1997, personally appeared before me MARTIN J. BREEN, who being by me duly sworn, did say that he is the Managing Member of BREEN PROPERTIES, L.C., a Utah Limited Liability Company, and that the within and foregoing instrument was signed on behalf of said Limited Liability Company by authority of its Articles of Organization and said MARTIN J. BREEN duly acknowledged to me that said Limited Liability Company executed the same.

Commission expires: 1/6/2000
Residing at: Wallsburg, Utah

Nari Jepperson
NOTARY PUBLIC

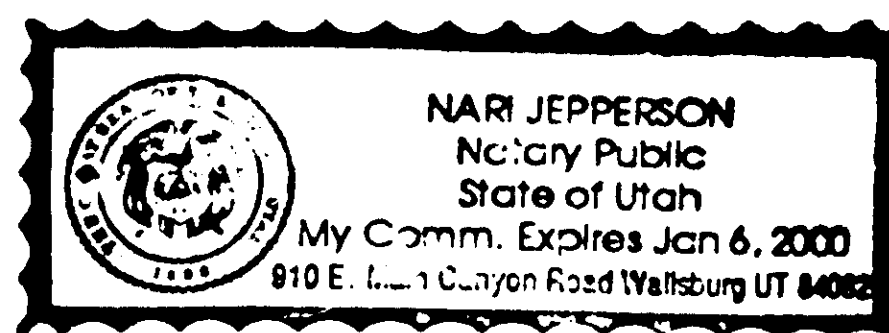


EXHIBIT A

The following are the approved street address numbers for the lots in the Little Lake at Silver Springs Plat D subdivision.

LOT #1	4859 Silver Springs Road
LOT #2	4851 Silver Springs Road
LOT #3	4843 Silver Springs Road
LOT #4	4839 Silver Springs Road
LOT #5	4831 Silver Springs Road
LOT #6	4825 Silver Springs Road

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Silver Springs Single Family Homeowners Association
4574 No. Silver Springs Dr. #13
Park City, Ut 84098

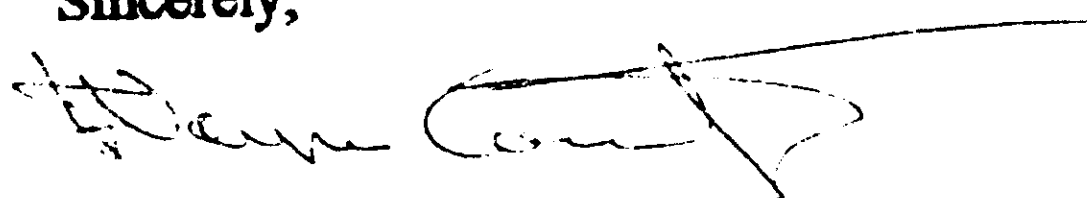
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Attn: Marty Breen
Breen Properties, LC
432 E. Valley Dr.
Park City, UT 84098

Dear Marty,

On Monday January 13th, 1997, the Silver Springs Single Family Homeowners Association met pursuant to the bylaws to consider your application to join our association. By unanimous vote, the Association approved the annexation of Little Lake at Silver Springs Plat D as a member, with the attached Supplementary Declaration of Covenants, Conditions, and Restrictions for Little Lake at Silver Springs Plat D.

Sincerely,



Wayne Courtney
President, SSSFHA

cc: File

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