

WHEN RECORDED RETURN TO:
Ivory Development, LLC
Christopher P. Gamvroulas
978 East Woodoak Lane
Salt Lake City, UT 84117
(801) 747-7440

13821199
11/10/2021 4:20:00 PM \$64.00
Book - 11267 Pg - 6469-6477
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 9 P.

**SECOND SUPPLEMENT
TO
MASTER DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS, AND RESERVATION OF EASEMENTS
FOR
HIDDEN OAKS POD 4 PHASE 3 AND HIDDEN OAKS POD 5**

This Second Supplement to the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for the Hidden Oaks Subdivision is made and executed by Ivory Development, LLC, a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the “Declarant”).

RECITALS

A. **WHEREAS**, the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for the Hidden Oaks Subdivision was recorded in the Office of the County Recorder of Salt Lake County, Utah on July 28, 2020 as Entry No. 13341837 (the “Initial Declaration”) together with the related plat map for the initial phase of the Project in conjunction with Declarant’s development of the Hidden Oaks subdivision (the “Project”).

C. **WHEREAS**, the related Plat Map for Hidden Oaks subdivision has also been recorded in the office of the County Recorder of Salt Lake County, Utah.

D. **WHEREAS**, Declarant is or will be the owner and developer of certain real property located in Salt Lake County, Utah and described with particularity on Exhibit “A” attached hereto and incorporated herein by reference (the “Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5”).

E. **WHEREAS**, Declarant desires to further expand the Project to include Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5.

F. **WHEREAS**, Declarant now intends that Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 and the lots thereon shall become part of the Project and subject to the Declaration, as it may be further amended and/or supplemented from time to time.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project, the Declarant and the Owners, Declarant hereby executes this Second

Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for the Hidden Oaks Subdivision.

SUPPLEMENT TO DECLARATION

1. Supplement to Definitions. Paragraph 1 of the Declaration, entitled “Definitions,” is hereby modified to include the following supplemental definitions:

“Second Supplement to Declaration” shall mean and refer to this Second Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hidden Oaks Subdivision.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. Legal Description. The legal description for the Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 is set forth in Exhibit A.

3. Annexation. Consistent with the rights and authority reserved to the Declarant to amend the Declaration and to expand the application of the Declaration, the Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 shall be and hereby is annexed into and made part of the Project and made part of the Hidden Oaks Homeowners Association, organized and operating as a Utah nonprofit corporation (the “Association”). Recordation of this Second Supplement to Declaration shall constitute and effectuate further expansion of the Project, making the real property described in Exhibit A and every Owner and Occupant of a lot within this phase subject to the Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. Description of the Project, as Supplemented by the Second Supplement to Declaration. As reflected on the Hidden Oaks Pod 4 Phase 3 Plat twenty-two (22) lots (301-322) and other improvements of a less significant nature are or will be constructed and/or created in the Project on Hidden Oaks Pod 4 Phase 3. As reflected on the Hidden Oaks Pod 5 Plat twenty-eight (28) lots (201-528) and other improvements of a less significant nature are or will be constructed and/or created in the Project on Hidden Oaks Pod 5. The additional Lots in the Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 and the homes constructed thereon shall conform to either the Ivory Homes Catalogue or other Ivory Homes’ product lines, unless approved in writing by the Declarant.

5. Covenants, Conditions and Restrictions to Run with the Land. The Covenants, Conditions and Restrictions for the Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 established by this Second Supplement to Declaration are binding on each Owner and assigns and successors in interest to the Unit and are intended to and shall run with the land.

6. Street Tree Plan. The Street Tree Plan attached to the Declaration shall be supplemented by the Street Tree Plan attached as Exhibit “B” to this Second Supplement to Declaration.

7. Severability. If any provision, paragraph, sentence, clause, phrase, or word of this instrument should under any circumstance be invalidated, such invalidity shall not affect the validity of the remainder of this instrument, and the application of any such provision, paragraph, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

8. Topical Headings and Conflict. The headings appearing in this Second Supplement to Declaration are only for convenience of reference and are not intended to define, restrict, or otherwise affect the content, meaning or intent of this instrument or any paragraph or provision hereof. In case any provisions hereof shall conflict with Utah law, Utah law shall be deemed to control.

9. Effective Date. The annexation of the Hidden Oaks Pod 4 Phase 3 and Hidden Oaks Pod 5 into the Project shall be effective upon recording of this instrument with the Office of Recorder of Salt Lake County, Utah.

[Signature Page to Follow]

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this 9TH
day of November, 2021.

DECLARANT:
IVORY DEVELOPMENT, LLC.

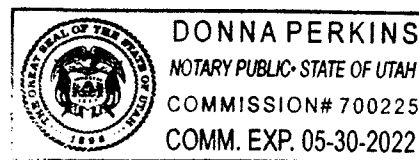
By: [Signature]
Name: Kevin Anglesey
Title: Secretary

STATE OF UTAH)
 ss:
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 9 day of Nov, 2021
by Kevin Anglesey, as Secretary of IVORY DEVELOPMENT, LLC, a Utah limited
liability company, personally known to me or proved on the basis of sufficient evidence,
and Kevin Anglesey duly acknowledged to me that said IVORY DEVELOPMENT, LLC
executed the same.

[Signature]
NOTARY PUBLIC

My Commission Expires: 5-30-2022



**EXHIBIT A
LEGAL DESCRIPTION
HIDDEN OAKS POD 4 PHASE 3**

BOUNDARY DESCRIPTION

A portion of an entire tract of land described in Deed Entry No. 12971505 of the Official Records of Salt Lake County, being located in the SW1/4 and SE1/4 of Section 34, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Herriman City, Utah, more particularly described as follows:

Beginning at a point located N89°53'28"W along the Section line 602.10 feet and North 1,695.33 feet from the South 1/4 Corner of Section 34, T3S, R2W, SLB&M, said point also being located along the Northerly line of Parcel A of the HIDDEN OAKS POD 4, PHASE 2 SUBDIVISION according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder as Entry No. 13584157 in Book 2121P at Page 058; thence along the said Subdivision N56°19'48"W 124.40 feet; thence N16°42'35"W 100.97 feet; thence N16°06'53"E 96.92 feet; thence N55°27'28"E 157.91 feet; thence N68°42'40"E 106.66 feet; thence N72°54'12"E 322.46 feet; thence N70°12'37"E 72.93 feet; thence N62°06'36"E 73.91 feet; thence N57°45'49"E 159.26 feet to the Northwest Corner of Lot 221 of said HIDDEN OAKS POD 4, PHASE 2 SUBDIVISION; thence along said Subdivision the following eleven (11) courses; 1) S33°22'51"E 107.47 feet; 2) Southwesterly along the arc of a non-tangent curve to the left having a radius of 326.50 feet (radius bears: S33°22'51"E) a distance of 3.31 feet through a central angle of 00°34'51" Chord: S56°19'44"W 3.31 feet; 3) S32°14'11"E 252.34 feet; 4) S77°49'52"W 197.56 feet; 5) S66°03'58"W 293.85 feet; 6) S76°06'14"W 118.62 feet; 7) S74°10'05"W 21.71 feet; 8) S72°48'42"W 70.00 feet; 9) S72°48'42"W 53.00 feet; 10) S17°11'18"E 10.71 feet; 11) S66°11'59"W 196.25 feet to the point of beginning.

Contains: 289,881 square feet or 6.65 acres+/-

Parcels: 26-34-328-003 through 014

26-34-329-001 through 006

26-34-404-005 through 006

26-34-405-004 through 006

(Continued on next page)

**LEGAL DESCRIPTION
HIDDEN OAKS POD 5**

BOUNDARY DESCRIPTION

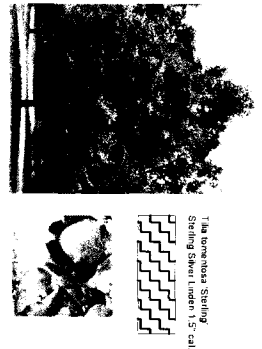
A portion of that Real Property described in Deed Entry No. 12971505 of the Official Records of Salt Lake County, located in the NE1/4 and SE1/4 of Section 34, Township 3 South, Range 2 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the easterly line of HIDDEN OAKS POD 4, PHASE 2 SUBDIVISION, according to the official plat thereof recorded March 2, 2021 as Entry No. 13584157 in Book 2021P at Page 58 in the office of the Salt Lake County Recorder, said point located N00°10'55"W 2,220.65 feet along the 1/4 Section line and East 637.56 feet from the South 1/4 Corner of Section 34, T3S, R2W, SLB&M (Basis of Bearing: N89°53'28"W along the Section line between the South 1/4 Corner and the Southwest Corner of said Section 34); running thence along said plat the following seven (7) courses: (1) North 5.62 feet; thence (2) N69°31'03"W 66.00 feet; thence (3) S11°03'47"W 31.49 feet; thence (4) N62°41'23"W 114.46 feet; thence (5) northeasterly along the arc of a non-tangent curve to the right having a radius of 266.00 feet (radius bears: S62°41'23"E) a distance of 39.43 feet through a central angle of 08°29'35" Chord: N31°33'24"E 39.39 feet; thence (6) N54°11'49"W 60.00 feet; thence (7) N51°06'46"W 93.37 feet; thence N35°29'17"E 71.31 feet; thence N49°47'46"E 77.44 feet; thence S34°26'04"E 102.58 feet; thence Northeasterly along the arc of a non-tangent curve to the right having a radius of 326.00 feet (radius bears: S33°12'14"E) a distance of 35.76 feet through a central angle of 06°17'07" Chord: N59°56'19"E 35.74 feet; thence N25°51'51"W 100.36 feet; thence N65°37'45"E 464.66 feet; thence North 191.03 feet; thence N16°36'09"W 71.00 feet; thence Easterly along the arc of a non-tangent curve to the left having a radius of 363.00 feet (radius bears: N16°36'09"W) a distance of 60.51 feet through a central angle of 09°33'05" Chord: N68°37'19"E 60.44 feet; thence N63°50'47"E 34.30 feet; thence along the arc of a curve to the right with a radius of 437.00 feet a distance of 163.26 feet through a central angle of 21°24'17" Chord: N74°32'55"E 162.31 feet; thence Northeasterly along the arc of a non-tangent curve to the left having a radius of 20.00 feet (radius bears: N37°13'17"W) a distance of 18.47 feet through a central angle of 52°54'17" Chord: N26°19'34"E 17.82 feet; thence N00°07'34"W 2.35 feet; thence N89°52'26"E 60.00 feet; thence Southeasterly along the arc of a non-tangent curve to the left having a radius of 20.00 feet (radius bears: N89°52'26"E) a distance of 20.28 feet through a central angle of 58°05'08" Chord: S29°10'08"E 19.42 feet; thence East 90.57 feet to the 1/16th (40 acre) line; thence along the 1/16th (40 acre) line S00°07'34"E 437.33 feet to the northerly line of WESTERN CREEK PLAT "B" Subdivision, according to the official plat thereof recorded July 3, 2012 as Entry No. 11429199 in Book 2012P at Page 92 in the office of the Salt Lake County Recorder; thence along said plat the following two (2) courses: (1) S79°59'39"W 6.09 feet; thence (2) S00°12'42"E 191.30 feet; thence N72°54'19"W 136.27 feet to a rebar and cap marking the northeasterly corner of Lot 4, COLTON SUBDIVISION, according to the official plat thereof recorded August 15, 1997 as Entry No. 6715025 in Book 97-8P at Page 248 in the office of the Salt Lake County Recorder; thence along said plat S65°33'33"W 609.90 feet to the point of beginning.

Contains: 9.39 acres--

Parcels: 26-34-251-011 through _____

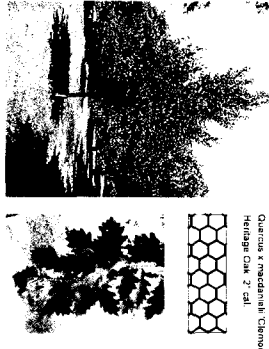
EXHIBIT B
SUPPLEMENTAL STREET TREE PLANS



1. Sycamore
Siding Street Linden 1.5' cal

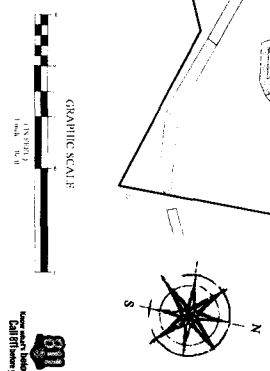
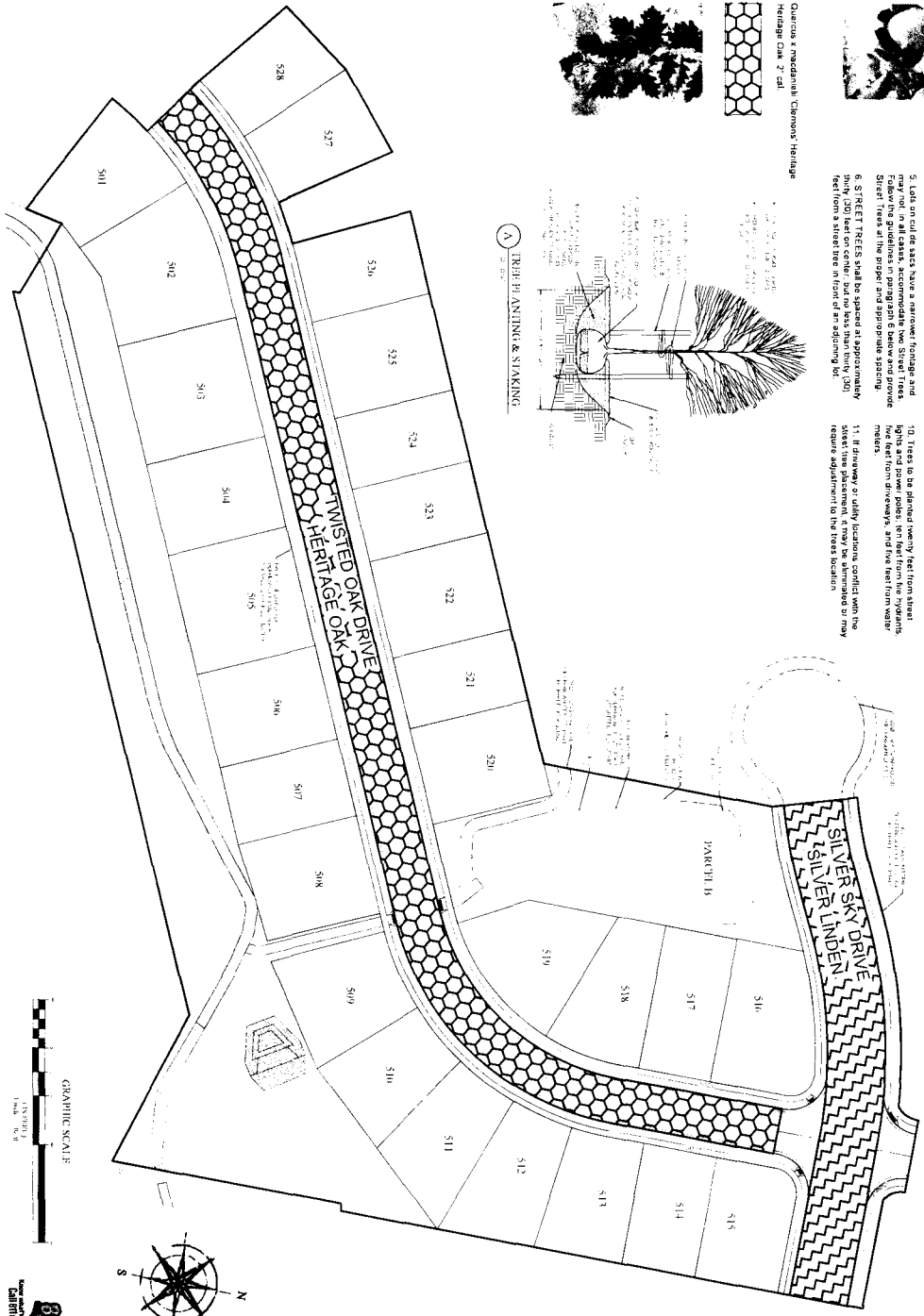
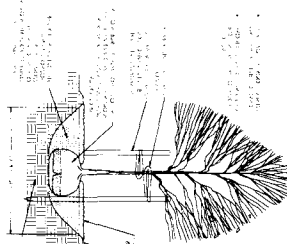


2. Quercus
Heritage Oak 2' cal



- GENERAL REQUIREMENTS**
1. Street Trees shall be planted by the homeowner in compliance with this plan.
 2. STREET TREES are to be planted in the parking in front of each lot. They are to be centered between the back of curb and the edge of the sidewalk.
 3. Two (2) Street Trees are to be planted per lot.
 4. Curb lots shall have two (2) Street Trees on each side of the driveway. (See diagram for lot 528). In most cases, this will be two different varieties of trees. Consult the Street Tree Plan carefully.
 5. Lots on cul-de-sacs have a narrower Heritage and may not, in all cases, accommodate two Street Trees. Follow the guidelines in paragraph 6 below and provide Street Trees at the proper and appropriate spacing.
 6. STREET TREES shall be spaced at approximately thirty (30) feet on center, but no less than thirty (30) feet from a street line or edge of adjoining lot.
 7. STREET TREES shall be planted twenty (20) feet from any street intersection. This is to be measured from the point of intersection between the street curb and the sidewalk.
 8. STREET TREES shall be a minimum (27') caliper in size when planted. (Caliper is the diameter of the trunk of the tree, measured 4' above the top of the root ball).
 9. Any damaged or diseased STREET TREES are to be removed by the homeowner at his own cost and expense.
 10. Trees to be planted twenty feet from street lights and power poles are to be planted from the trunk of the tree, and the tree shall be planted from the trunk.
 11. If driveway or utility locations conflict with the Street Tree placement, it may be alternated or may require adjustment to the trees location.

A. TRUNK ANILING & STAKING



SITE PLAN

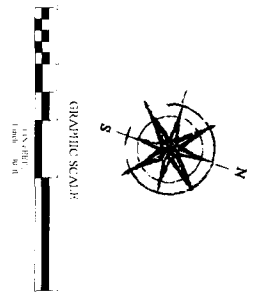
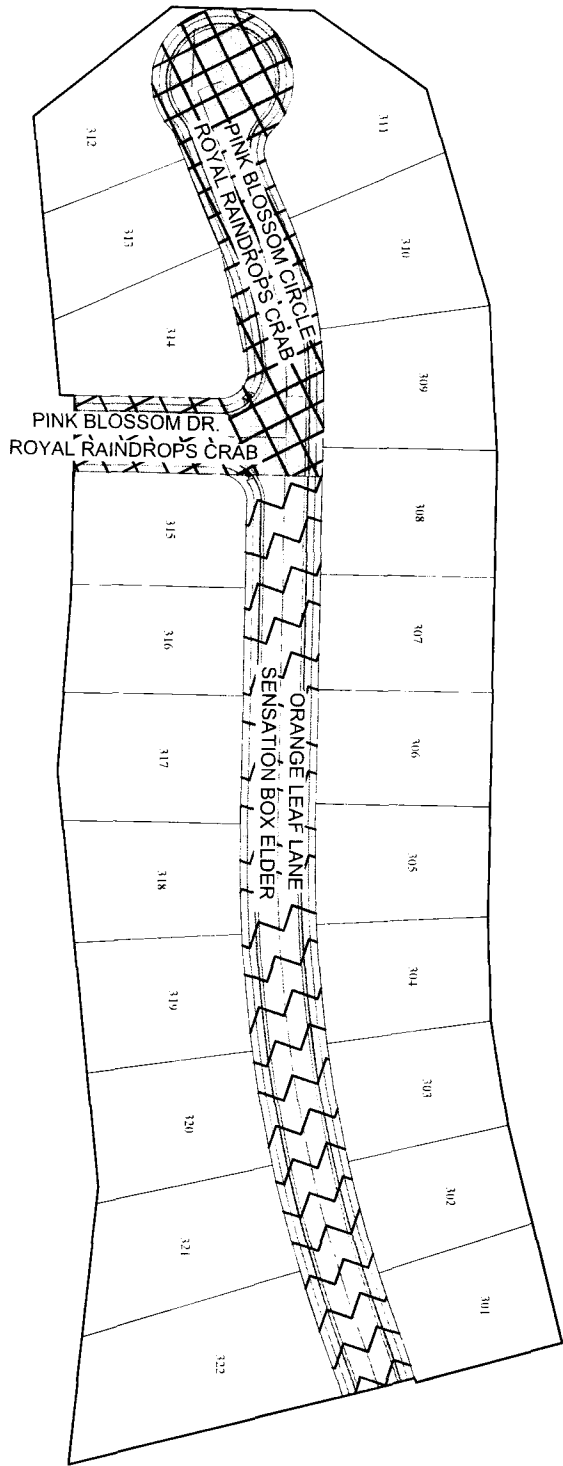
NO.	DATE	BY	CHKD.	APP.
1	11/11/11	J. L. L.	J. L. L.	J. L. L.
2	11/11/11	J. L. L.	J. L. L.	J. L. L.
3	11/11/11	J. L. L.	J. L. L.	J. L. L.

REVISION BLOCK

NO.	DATE	BY	CHKD.	APP.
1	11/11/11	J. L. L.	J. L. L.	J. L. L.
2	11/11/11	J. L. L.	J. L. L.	J. L. L.
3	11/11/11	J. L. L.	J. L. L.	J. L. L.

HIDDEN OAKS POD 5 HERRIMAN CITY STREET TREE PLAN

FOCUS
ENGINEERING AND SURVEYING, LLC
600 S. HIGH STREET, SUITE 100, HERRIMAN, UT 84003
PH: 801.223.1111 FAX: 801.223.1112
WWW.FOCUSUT.COM



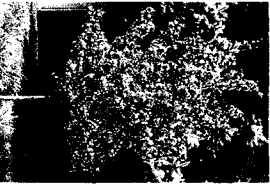
TREE LEGEND



Malus 'Royal Raindrops'
Royal Raindrops Flowering Crab 2" cal.

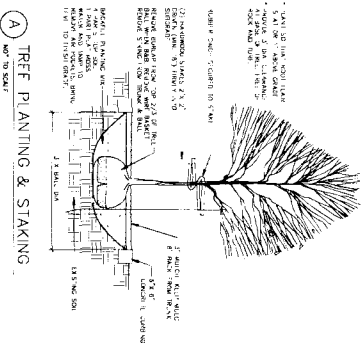


Acer negundo 'Sensation'
Sensation Box Elder Tree 2" cal.



GENERAL REQUIREMENTS

1. Street Trees initially are to be planted by the homeowner in compliance with this plan.
2. STREET TREES are to be planted in the center of the street, between the curb and the edge of the sidewalk.
3. Two (2) Street Trees are to be planted per lot.
4. Corner lots shall have two (2) Street Trees on each street fronting the lot - a total of four (4) trees. The trees shall be of two different varieties of trees. Consult the Street Tree Plan carefully.
5. Lots on cul-de-sacs have a narrower sidewalk and shall have one (1) Street Tree. Consult the Street Tree Plan carefully.
6. STREET TREES shall be spaced at approximately thirty (30) feet on center, but no less than thirty (30) feet from a street tree in front of an adjoining lot.
7. STREET TREES shall be planted twenty (20) feet from any street intersection. This is to be measured from the curb and the sidewalk.
8. STREET TREES shall be a minimum (7) caliper in size when planted. The trunk shall be measured twelve (12) inches above the top of the root ball.
9. Any damaged or diseased Street Trees shall be removed and replaced by the homeowner at his sole cost and expense.
10. Trees to be planted twenty feet from the street shall be planted ten feet from fire hydrants, five feet from driveways, and five feet from water mains.
11. If driveway or utility locations conflict with the street tree placement, it may be eliminated or may require adjustment to the trees location.



LANDSCAPE PLAN
L1

HIDDEN OAKS POD 4 PHASE 3
HERRIMAN, UT
LANDSCAPE PLAN

FOCUS
ENGINEERING AND SURVEYING, LLC
8440 S. HIGHTHORN DRIVE, SUITE 200
MIDVALLEY, UT 84047
www.focusutah.com