

**When Recorded Return to:  
Victoria C. Fitlow  
Wrona, Fitlow, Kozak & Easterly  
1816 Prospector Avenue  
Park City, UT 84060**

**ADDENDUM TO SUPPLEMENTAL DECLARATION  
OF PROTECTIVE COVENANTS AND RESTRICTIONS  
FOR THE COVE ESTATES**

THIS ADDENDUM TO THE SUPPLEMENTAL DECLARATION is made this \_\_\_\_ day of October, 2002, by the SunPeak Association, a Utah non-profit corporation.

**RECITALS**

- I. The SunPeak Association is the Master Association created pursuant to the Master Declaration of Covenants, Conditions and Restrictions for Sun Peak, Summit County, Utah (the “Original Master Declaration”) recorded in the official records of the Office of the Summit County Recorder at Book 668, beginning at Page 485.
- II. On August 5, 2002, at a regular meeting of the duly elected and acting Board of Trustees of the SunPeak Association, called pursuant to the authority of the Original Master Declaration, a quorum of the trustees was called to order and by vote of more than 75% of the trustees of the association the trustees adopted the following:

**ADDENDUM TO SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS  
FOR THE COVE ESTATES**

A. PURPOSE OF COVENANTS.

It is the intention of the SunPeak Association, expressed by its execution of this instrument, that the property within The Cove Estates consisting of 9 residential Lots and more specifically described in the Official Plat for “The Cove Estates” on file with the Office of the Summit County Recorder, shall be developed and maintained as a highly desirable residential area. To that end, The Cove Estates is subject to all of the terms and conditions of that certain Master Declaration of Covenants, Conditions and Restrictions for Sun Peak, Summit County, Utah executed by Summit Ranch, J.V. the 17<sup>th</sup> day of June, 1992, and recorded as Instrument No. 360955 in Book 668, beginning at page 485 of the Official Records of Summit County, State of Utah, (“Master Declaration”) and is additionally subject to the Supplemental Declaration of Protective Covenants and Restrictions for The Cove Estates (“Supplemental Declaration”) executed by The Cove at Sun Peak, L.L.C., the 7<sup>th</sup> day of June, 1996, and recorded as Instrument No. 456157 in Book 971, beginning at page 126 of the Official Records of Summit County, State of Utah, and shall be additionally subject to the terms and conditions of this Addendum to Supplemental Declaration of Protective Covenants and Restrictions for The Cove

Estates (“Addendum”). The Board of Trustees, pursuant to its authority under the Master Declaration, Paragraph 7.01, hereby declares that the property described herein and every part thereof is held and shall be held, conveyed, devised, leased, rented, encumbered, used, occupied, improved and otherwise affected in any manner subject to this Addendum in addition to the Master Declaration, and the Supplemental Declaration, each and all of which provisions are declared to be in furtherance of the general plan and scheme of ownership referred to herein and are further declared to be for the benefit of The Cove Estates and every part thereof and for the benefit of each Owner thereof. All provisions hereof shall be covenants running with the land and/or equitable servitudes and shall constitute benefits and burdens to the Owners, their successors and assigns, and to all parties hereafter owning any interest in The Cove Estates.

B. DEFINITIONS.

All of the defined terms set forth in the Master Declaration and the Supplemental Declaration shall have the same meaning when used in this Addendum, unless otherwise specified.

C. ADDENDUM TO SUPPLEMENTAL DECLARATION.

1. Article 1, Section 1.07, of the Supplemental Declaration, entitled “Roof Restrictions,” is hereby amended and restated in its entirety as follows:

Roof slopes for any buildings constructed in The Cove Estates shall be from 4/12 to 9/12 pitch and shall be in as simple a form as practicable. Roof slopes may exceed 9/12 pitch only upon approval by the Committee. The following roof shapes will not be permitted: mansard, fake mansard, gambrel, joined shed roof, or domed. All roofs shall have a minimum overhang of two feet (2') zero inches (0"). Special attention shall be taken with regard to overhangs on the south and west elevations to provide adequate sun control for the buildings. Only the following roofing materials will be allowed: (a) copper or metal roof in earth colors; (b) fire resistant concrete or slate tiles; and (c) asphalt shingles that are architectural grade, 3/8" thick, lifetime warranted, 3-ply, equal or superior to the product Certainteed Presidential TL. All roof metal, flashings, gutters, vents and chimney caps will be made of anodized aluminum or painted galvanized, in either case with a painted surface of earth tone; except if architectural grade asphalt shingles are used, copper flashing and drip edge must be used.

EXECUTED the day and year first above written.

**SUNPEAK ASSOCIATION**

\_\_\_\_\_  
BY: \_\_\_\_\_

ITS: President

**CERTIFICATION**

I, \_\_\_\_\_, President of the SunPeak Association, a Utah non-profit corporation, do hereby certify that the express provisions of the Master Declaration of Covenants, Conditions and Restrictions for Sun Peak, Summit County, Utah, and the Supplemental Declaration of Protective Covenants and Restrictions for The Cove Estates have been satisfied in the adoption of this Addendum to Supplemental Declaration of Protective Covenants and Restrictions for The Cove Estates. Specifically, this document was approved by more than 75% of the Board of Trustees at a regular meeting properly called and conducted.

\_\_\_\_\_  
BY: \_\_\_\_\_  
ITS: President

**STATE OF** \_\_\_\_\_ )  
 ) **ss.**  
**COUNTY OF** \_\_\_\_\_ )

On this \_\_\_\_ day of October, 2002, personally appeared before me \_\_\_\_\_, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn (or affirmed), did say that s/he is the President of the SunPeak Association, a Utah non-profit corporation, and that said document was signed by him/her in behalf of said corporation by authority of a Resolution of its Board of Trustees, and said \_\_\_\_\_ acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
NOTARY PUBLIC