

WHEN RECORDED, MAIL TO:

Tuscany Village PUD  
1463 W Center St  
Orem, UT 84057

07-272-0001 → 0023  
07-272-0024 → 0046  
07-272-0049, 07-272-0047

RETURNED  
DEC 23 2015

**SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS OF THE TUSCANY VILLAGE SUBDIVISION**

THIS SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE TUSCANY VILLAGE PUD HOA (this "Amendment") is made and effective as of this 30th day of November 2015, by the Board of Directors, as defined in Article I of that certain Declaration of Covenants, Conditions and Restrictions of the Tuscany Village Subdivision, recorded on February 26, 2009 as Entry No. 2427621 in the offices of the Davis County Recorder, and as amended by that certain Amendment of Declaration of Covenants, Conditions, and Restrictions of the Tuscany Village Subdivision, recorded on February 23, 2010 as Entry No. 2513127 in the offices of the Davis County Recorder (collectively, the "CC&R's") on behalf of itself and all property owners in the subdivision. Except as otherwise provided in this Amendment, all capitalized terms used but not defined in this Amendmnet shall have the meanings given to them in the Original Declaration.

**RECITALS**

A. Pursuant to the Assignment of Declarant Status and Rights for Tuscany Village Subdivision, recorded on April 15, 2011 as Entry No. 2594241 in the offices of the Davis County Recorder, SCP Land Holdings I, LLC ("Previous Declarant") was designated as the Declarant;

B. Pursuant to the, the Community Association Act, declarant transferred and otherwise relinquished any rights or interest as Declarant under the Original Declaration to the Board of Directors ("Board") on February 18, 2014;

C. The Board maintains certain real property located in Farmington City, Davis County, State of Utah, more particularly described as:

*"All of Lots 1-22, 24-43, and Parcels A, B, C, and D in the Tuscany Village P.U.D. Subdivision ("The Property")."*

**AMENDMENT**

NOW, THEREFORE, the Board hereby amends and modifies the CC&R's as follows:

**ARTICLE I – DEFINITION:**

The definition of "Covered Property" in the CC&R's is hereby amended as follows:

*"All of Lots 1-22, 24-43, and Parcels A, B, C, and D in the Tuscany Village P.U.D. Subdivision."*

As such, from the date of this Amendment, Parcels A, B, C, and D (collectively, the "**Parcels**") are subject to the CC&R's, as amended and shall be included within the legal description of the property


This Amendment, together with the CC&R's, is being recorded to establish and continue the general plan for the use of the Property. All of the property is declared to be held, sold, encumbered, and conveyed subject to this Amendment and the CC&R's. By acceptance of a deed or by acquiring any interest in any of the Property subject to this Amendment and the CC&R's, each person or entity binds himself/herself or itself, and his/her/its heirs, personal representatives, successors, transferees and assigns, to all of the provisions, restrictions, covenants, conditions, rules, and regulations now or hereafter imposed by the CC&R's, as amended hereby and any further amendments thereto.

As modified hereby, the CC&R's is hereby affirmed and deemed to continue in full force and effect.

This Amendment shall be governed by, and construed in accordance with, the law of the State of Utah without giving effect to any choice of law rule that would cause the application of the laws of any jurisdiction other than the internal laws of the State of Utah.

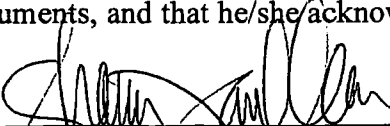
IN WITNESS WHEREOF, the Board has executed, delivered and recorded this Amendment as of the date and year first above written.

BOARD OF DIRECTORS:

By:   
Name: Chad Vanderlinden  
Title: President

STATE OF UTAH )  
 : ss.  
COUNTY OF DAVIS )

On this 21 day of December, 2015, personally appeared before me Chad Vanderlinden whose identity is personally known to me or proved to me on the basis of satisfactory evidence and who by me duly sworn, did say that he/she is the President of the Board of Directors and that said document was signed by him/her by authority of its governing documents, and that he/she acknowledged to me that said Company executed the same.

  
NOTARY PUBLIC

