

**WHEN RECORDED, MAIL TO**  
D.R. Horton, Inc.  
12351 S. Gateway Park Place, Suite D-100  
Draper, UT 84020  
Attn: Rob Hartshorn

13787704  
9/30/2021 3:30:00 PM \$398.00  
Book - 11247 Pg - 5891-5901  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
INGEO SYSTEMS  
BY: eCASH, DEPUTY - EF 11 P.

14-32-376-003

14-32-376-009

**FIRST AMENDMENT TO NOTICE OF REINVESTMENT FEE COVENANT  
GATEWAY TO LITTLE VALLEY**

This First Amendment to Notice of Reinvestment Fee Covenant Gateway to Little Valley (this "First Amendment") is executed to be effective as of the 29th day of September, 2021 by LITTLE VALLEY OWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "Association"), and by FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation ("Declarant").

**RECITALS**

A. Declarant and the Association previously executed that Notice of Reinvestment Fee Covenant Gateway to Little Valley (the "Notice"), which was recorded in the Office of the Recorder of Salt Lake County, Utah on January 22, 2021 as Entry No. 13541243 in Book 11104, beginning at Page 76.

B. Attached as Exhibit A to the Notice is the legal description of certain real property located in Salt Lake County, Utah (the "Property").

C. Declarant and the Association desire to amend the legal description of the Property described in Exhibit A to the Notice.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant and the Association hereby amend and restate in its entirety the legal description of Property, which is subject to the Notice, to be the following described parcel of real property located in Salt Lake County, Utah:

**LEGAL DESCRIPTION OF THE PROPERTY**

A parcel of land situate in the East Half of Section 31 and the West Half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the Intersection of the Southwest line of the Denver & Rio Grande Western Railroad Right-of-Way and the West line of 8400 West Street (SR-111), said point also being South 00°01'06" West 154.21 feet along the Quarter Section line and West 71.00 feet from the Center of Section of Section 32, Township 1 South, Range



2 West, Salt Lake Base and Meridian; and running thence South 00°01'06" West 1,775.11 feet along the said Westerly Right-of-Way of 8400 South Street; thence North 89°40'50" West 353.32 feet; thence North 124.83 feet; thence West 496.00 feet; thence South 459.00 feet; thence South 89°45'36" East 310.90 feet; thence South 00°01'06" West 233.00 feet; thence South 89°40'50" East 165.00 feet; thence South 00°01'06" West 140.00 feet to a point on the South Section line of Section 32; thence North 89°40'50" West 1,280.27 feet along said South line to a line that is 25 feet perpendicularly distant Northeasterly from the Center of Tracks of the Bingham & Garfield Railroad; thence North 43°48'26" West 237.28 feet along said line 25 feet perpendicularly distant from the Center of said Tracks; thence North 46°10'42" East 797.63 feet; thence Northeasterly 636.53 feet along the arc of a 1,150.00 foot radius curve to the left (center bears North 43°49'18" West and the chord bears North 30°19'17" East 628.44 feet with a central angle of 31°42'49"); thence North 14°27'53" East 204.34 feet; thence Northwesterly 1,095.55 feet along the arc of a 2,833.00 foot radius curve to the right (center bears North 14°27'53" East and the chord bears North 64°27'24" West 1,088.74 feet with a central angle of 22°09'25"); thence North 53°22'42" West 895.56 feet; thence South 36°37'18" West 946.68 feet; thence North 21°56'38" West 29.63 feet; thence North 11°38'14" West 457.04 feet; thence North 02°29'50" West 369.19 feet; thence North 11°16'48" West 268.52 feet; thence North 16°31'39" West 269.99 feet; thence North 20°55'36" West 184.93 feet; thence North 31°54'21" West 229.96 feet; thence North 50°15'57" West 158.95 feet; thence North 50°14'34" West 266.00 feet; thence North 89°44'49" East 1,117.41 feet to a point on the Southwesterly Right-of-Way of said Denver & Rio Grande Western Railroad; thence Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3,155.76 feet with a central angle of 42°33'50") along said Southwesterly Right-of-Way to the point of beginning.

Contains 6,074,813 square feet or 139.459 acres.

## LESS AND EXCEPTING THEREFROM

### Seminary Parcel

A parcel of land situate in the Southwest Quarter of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being South 00°01'06" West 910.95 feet along the section line and West 1,528.15 feet from the Center of said



Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence Northwesterly 207.84 feet along the arc of a 2,803.00 foot radius curve to the right (center bears North 27°24'23" East and the chord bears North 60°28'10" West 207.79 feet with a central angle of 04°14'54"); thence Northwesterly 23.77 feet along the arc of a 15.00 foot radius curve to the right (center bears North 31°39'17" East and the chord bears North 12°56'22" West 21.36 feet with a central angle of 90°48'43"); thence North 32°27'59" East 82.15 feet; thence Northeasterly 9.07 feet along the arc of a 125.00 foot radius curve to the right (center bears South 57°32'01" East and the chord bears North 34°32'39" East 9.06 feet with a central angle of 04°09'19"); thence North 36°37'18" East 86.11 feet; thence Northeasterly 22.21 feet along the arc of a 15.00 foot radius curve to the right (center bears South 53°22'42" East and the chord bears North 79°02'02" East 20.23 feet with a central angle of 84°49'27"); thence Southeasterly 182.87 feet along the arc of a 2,597.00 foot radius curve to the left (center bears North 31°26'45" East and the chord bears South 60°34'17" East 182.83 feet with a central angle of 04°02'04"); thence South 27°12'09" West 205.92 feet to the point of beginning.

Contains 43,496 Square Feet or 0.999 Acres

## ALSO LESS AND EXCEPTING THEREFROM

### Ascend to Little Valley Parcel

A parcel of land all and part of two entire tracts described as Parcel 2 in that certain Special Warranty Deed, recorded as Entry No. 13698960 in Book 11195 at Page 6442 and also described as Parcel 2 in that certain Special Warranty Deed, recorded as Entry No. 13571525 in Book 11121 at Page 2647 in the Office of the Salt Lake County Recorder. Said parcel of land being situated in the Southwest Quarter of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of 8400 West Street (SR-111), said point being South 00°01'06" West 1,275.16 feet along the section line and North 89°58'54" West 71.00 feet from the Center of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 00°01'06" West 654.19 feet along the Westerly right-of-way line of said 8400 West Street (SR-111); thence North 89°40'50" West 371.62 feet; thence North 00°19'22" East 96.50 feet; thence North 89°40'50" West 478.25 feet; thence North 25.35 feet; thence South 89°52'32" West 83.60 feet; thence Northwesterly 148.55 feet along the arc of



a 175.00 foot radius curve to the left (center bears South 82°29'28" West and the chord bears North 31°49'39" West 144.13 feet with a central angle of 48°38'13"); thence Northwesterly 22.47 feet along the arc of a 15.00 foot radius curve to the right (center bears North 33°51'14" East and the chord bears North 13°14'06" West 20.43 feet with a central angle of 85°49'20"); thence Northeasterly 313.28 feet along the arc of a 1,180.00 foot radius curve to the left (center bears North 60°19'26" West and the chord bears North 22°04'14" East 312.36 feet with a central angle of 15°12'41"); thence North 14°27'52" East 150.19 feet; thence Northeasterly 23.15 feet along the arc of a 15.00 foot radius curve to the right (center bears South 75°32'08" East and the chord bears North 58°40'08" East 20.92 feet with a central angle of 88°24'31"); thence Southeasterly 450.96 feet along the arc of a 2,010.00 foot radius curve to the left (center bears North 12°52'23" East and the chord bears South 83°33'16" East 450.02 feet with a central angle of 12°51'18"); thence South 89°58'54" East 372.93 feet; thence Southeasterly 23.83 feet along the arc of a 27.50 foot radius curve to the right (center bears South 00°01'06" West and the chord bears South 65°09'26" East 23.09 feet with a central angle of 49°38'56") to the point of beginning.

Contains 572,955 Square Feet or 13.153 Acres

Except as herein provided, the Notice shall remain in all other respects unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant and the Association have caused this First Amendment to be executed by persons duly authorized to execute the same.

LITTLE VALLEY OWNERS ASSOCIATION,  
INC., a Utah nonprofit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

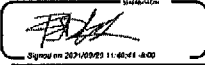


STATE OF UTAH )  
 )  
 ) SS.  
 )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged to me this \_\_\_\_ day of September, 2021, by \_\_\_\_\_, in such person's capacity as \_\_\_\_\_ of Little Valley Owners Association, Inc., a Utah nonprofit corporation.

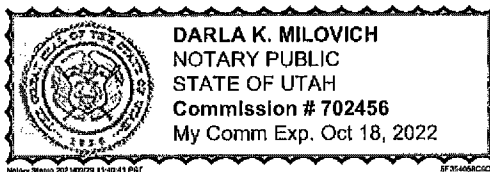
\_\_\_\_\_  
NOTARY PUBLIC

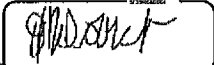
FORESTAR (USA) REAL ESTATE  
GROUP INC., a Delaware corporation

By:   
Name: Brian Konderik  
Title: Regional Vice President & Division President

STATE OF UTAH )  
 )  
 ) SS.  
 )  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged to me this 29th day of September, 2021, by Brian Konderik, in such person's capacity as Regional Vice President & Division President of Forestar (USA) Real Estate Group Inc., a Delaware corporation. This act was performed via remote online audio-visual communication.



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





**First Amendment to Notice of Reinvestment Fee Covenant - Gateway to Little Valley.pdf**

DocVerify ID: 91595FDC-1B9B-4B82-9134-7BB3EFCA2165  
Created: September 29, 2021 10:40:04 -8:00  
Pages: 5  
Remote Notary: Yes / State: UT

This document is a DocVerify VeriVaulted protected version of the document named above. It was created by a notary or on the behalf of a notary, and it is also a DocVerify E-Sign document, which means this document was created for the purposes of Electronic Signatures and/or Electronic Notary. Tampered or altered documents can be easily verified and validated with the DocVerify veriCheck system. This remote online notarization involved the use of communication technology.

Go to [www.docverify.com](http://www.docverify.com) at any time to verify or validate the authenticity and integrity of this or any other DocVerify VeriVaulted document.

**E-Signature Summary**

**E-Signature 1: Briand David Konderik (BDK)**  
September 29, 2021 11:40:41 -8:00 [3585AB498C06] [174.246.131.143]  
briankonderik@forestar.com (Principal) (ID Verified)

**E-Signature Notary: Darla K Milovich (DKM)**  
September 29, 2021 11:40:41 -8:00 [5F354058C6C4] [69.27.10.22]  
darla@cottonwoodtitle.com  
I, Darla K Milovich, did witness the participants named above electronically sign this document.



DocVerify documents cannot be altered or tampered with in any way once they are protected by the DocVerify VeriVault System. Best viewed with Adobe Reader or Adobe Acrobat. All visible electronic signatures contained in this document are symbolic representations of the persons signature, and not intended to be an accurate depiction of the persons actual signature as defined by various Acts and/or Laws.



**WHEN RECORDED, MAIL TO**  
D.R. Horton, Inc.  
12351 S. Gateway Park Place, Suite D-100  
Draper, UT 84020  
Attn: Rob Hartshorn

**FIRST AMENDMENT TO NOTICE OF REINVESTMENT FEE COVENANT  
GATEWAY TO LITTLE VALLEY**

This First Amendment to Notice of Reinvestment Fee Covenant Gateway to Little Valley (this "First Amendment") is executed to be effective as of the 29 day of September, 2021 by LITTLE VALLEY OWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "Association"), and by FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation ("Declarant").

**RECITALS**

A. Declarant and the Association previously executed that Notice of Reinvestment Fee Covenant Gateway to Little Valley (the "Notice"), which was recorded in the Office of the Recorder of Salt Lake County, Utah on January 22, 2021 as Entry No. 13541243 in Book 11104, beginning at Page 76.

B. Attached as Exhibit A to the Notice is the legal description of certain real property located in Salt Lake County, Utah (the "Property").

C. Declarant and the Association desire to amend the legal description of the Property described in Exhibit A to the Notice.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant and the Association hereby amend and restate in its entirety the legal description of Property, which is subject to the Notice, to be the following described parcel of real property located in Salt Lake County, Utah:

**LEGAL DESCRIPTION OF THE PROPERTY**

A parcel of land situate in the East Half of Section 31 and the West Half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the Intersection of the Southwest line of the Denver & Rio Grande Western Railroad Right-of-Way and the West line of 8400 West Street (SR-111), said point also being South 00°01'06" West 154.21 feet along the Quarter Section line and West 71.00 feet from the Center of Section of Section 32, Township 1 South, Range

2 West, Salt Lake Base and Meridian; and running thence South 00°01'06" West 1,775.11 feet along the said Westerly Right-of-Way of 8400 South Street; thence North 89°40'50" West 353.32 feet; thence North 124.83 feet; thence West 496.00 feet; thence South 459.00 feet; thence South 89°45'36" East 310.90 feet; thence South 00°01'06" West 233.00 feet; thence South 89°40'50" East 165.00 feet; thence South 00°01'06" West 140.00 feet to a point on the South Section line of Section 32; thence North 89°40'50" West 1,280.27 feet along said South line to a line that is 25 feet perpendicularly distant Northeasterly from the Center of Tracks of the Bingham & Garfield Railroad; thence North 43°48'26" West 237.28 feet along said line 25 feet perpendicularly distant from the Center of said Tracks; thence North 46°10'42" East 797.63 feet; thence Northeasterly 636.53 feet along the arc of a 1,150.00 foot radius curve to the left (center bears North 43°49'18" West and the chord bears North 30°19'17" East 628.44 feet with a central angle of 31°42'49"); thence North 14°27'53" East 204.34 feet; thence Northwesterly 1,095.55 feet along the arc of a 2,833.00 foot radius curve to the right (center bears North 14°27'53" East and the chord bears North 64°27'24" West 1,088.74 feet with a central angle of 22°09'25"); thence North 53°22'42" West 895.56 feet; thence South 36°37'18" West 946.68 feet; thence North 21°56'38" West 29.63 feet; thence North 11°38'14" West 457.04 feet; thence North 02°29'50" West 369.19 feet; thence North 11°16'48" West 268.52 feet; thence North 16°31'39" West 269.99 feet; thence North 20°55'36" West 184.93 feet; thence North 31°54'21" West 229.96 feet; thence North 50°15'57" West 158.95 feet; thence North 50°14'34" West 266.00 feet; thence North 89°44'49" East 1,117.41 feet to a point on the Southwesterly Right-of-Way of said Denver & Rio Grande Western Railroad; thence Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3,155.76 feet with a central angle of 42°33'50") along said Southwesterly Right-of-Way to the point of beginning.

Contains 6,074,813 square feet or 139.459 acres.

## **LESS AND EXCEPTING THEREFROM**

### **Seminary Parcel**

A parcel of land situate in the Southwest Quarter of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being South 00°01'06" West 910.95 feet along the section line and West 1,528.15 feet from the Center of said



Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence Northwesterly 207.84 feet along the arc of a 2,803.00 foot radius curve to the right (center bears North 27°24'23" East and the chord bears North 60°28'10" West 207.79 feet with a central angle of 04°14'54"); thence Northwesterly 23.77 feet along the arc of a 15.00 foot radius curve to the right (center bears North 31°39'17" East and the chord bears North 12°56'22" West 21.36 feet with a central angle of 90°48'43"); thence North 32°27'59" East 82.15 feet; thence Northeasterly 9.07 feet along the arc of a 125.00 foot radius curve to the right (center bears South 57°32'01" East and the chord bears North 34°32'39" East 9.06 feet with a central angle of 04°09'19"); thence North 36°37'18" East 86.11 feet; thence Northeasterly 22.21 feet along the arc of a 15.00 foot radius curve to the right (center bears South 53°22'42" East and the chord bears North 79°02'02" East 20.23 feet with a central angle of 84°49'27"); thence Southeasterly 182.87 feet along the arc of a 2,597.00 foot radius curve to the left (center bears North 31°26'45" East and the chord bears South 60°34'17" East 182.83 feet with a central angle of 04°02'04"); thence South 27°12'09" West 205.92 feet to the point of beginning.

Contains 43,496 Square Feet or 0.999 Acres

#### **ALSO LESS AND EXCEPTING THEREFROM**

##### **Ascend to Little Valley Parcel**

A parcel of land all and part of two entire tracts described as Parcel 2 in that certain Special Warranty Deed, recorded as Entry No. 13698960 in Book 11195 at Page 6442 and also described as Parcel 2 in that certain Special Warranty Deed, recorded as Entry No. 13571525 in Book 11121 at Page 2647 in the Office of the Salt Lake County Recorder. Said parcel of land being situated in the Southwest Quarter of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of 8400 West Street (SR-111), said point being South 00°01'06" West 1,275.16 feet along the section line and North 89°58'54" West 71.00 feet from the Center of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 00°01'06" West 654.19 feet along the Westerly right-of-way line of said 8400 West Street (SR-111); thence North 89°40'50" West 371.62 feet; thence North 00°19'22" East 96.50 feet; thence North 89°40'50" West 478.25 feet; thence North 25.35 feet; thence South 89°52'32" West 83.60 feet; thence Northwesterly 148.55 feet along the arc of


a 175.00 foot radius curve to the left (center bears South 82°29'28" West and the chord bears North 31°49'39" West 144.13 feet with a central angle of 48°38'13"); thence Northwesterly 22.47 feet along the arc of a 15.00 foot radius curve to the right (center bears North 33°51'14" East and the chord bears North 13°14'06" West 20.43 feet with a central angle of 85°49'20"); thence Northeasterly 313.28 feet along the arc of a 1,180.00 foot radius curve to the left (center bears North 60°19'26" West and the chord bears North 22°04'14" East 312.36 feet with a central angle of 15°12'41"); thence North 14°27'52" East 150.19 feet; thence Northeasterly 23.15 feet along the arc of a 15.00 foot radius curve to the right (center bears South 75°32'08" East and the chord bears North 58°40'08" East 20.92 feet with a central angle of 88°24'31"); thence Southeasterly 450.96 feet along the arc of a 2,010.00 foot radius curve to the left (center bears North 12°52'23" East and the chord bears South 83°33'16" East 450.02 feet with a central angle of 12°51'18"); thence South 89°58'54" East 372.93 feet; thence Southeasterly 23.83 feet along the arc of a 27.50 foot radius curve to the right (center bears South 00°01'06" West and the chord bears South 65°09'26" East 23.09 feet with a central angle of 49°38'56") to the point of beginning.

Contains 572,955 Square Feet or 13.153 Acres

Except as herein provided, the Notice shall remain in all other respects unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant and the Association have caused this First Amendment to be executed by persons duly authorized to execute the same.

LITTLE VALLEY OWNERS ASSOCIATION,  
INC., a Utah nonprofit corporation

By:   
Name: Krisel Travis  
Title: President LVGA

