



When Recorded, Please Mail to:

Evans Ranch, LLC
c/o Bryan J. Flamm
1099 West South Jordan Parkway
South Jordan, UT 84095

ENT 126471:2016 PG 1 of 4
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Dec 16 10:19 am FEE 62.00 BY SW
RECORDED FOR EAGLE MOUNTAIN CITY

**CERTIFICATE OF AMENDMENT
FOR EVANS RANCH**

(Expansion of Evans Ranch to Add All of Evans Ranch South)

THIS CERTIFICATE OF AMENDMENT FOR EVANS RANCH (this "*Certificate of Amendment*") is made and executed effective as of the this 12 day of December, 2016, by Evans Ranch, LLC, a Utah limited liability company, with an address of 1099 West South Jordan Parkway, South Jordan, Utah 84095 ("*Declarant*").

RECITALS

A. Declarant previously recorded that certain Amended & Restated Declaration of Covenants, Conditions and Restrictions for Evans Ranch (the "*Amended Declaration*"), recorded with the Utah County Recorder February 22, 2016 as Entry No. 14297, as amended by that certain Certificate of Amendment for Evans Ranch (the "*First Amendment*," and together with the Amended Declaration, collectively the "*Master Declaration*") recorded July 22, 2016, as Entry No. 67937:2016 of the Official Records of the Utah County, Utah Recorder. The Declaration subjects the Evans Ranch development project to certain covenants, conditions and restrictions. Capitalized terms not otherwise defined in this Certificate of Amendment shall have the meaning ascribed to such terms in the Declaration.

B. Article X of the Declaration grants Declarant the right to expand Evans Ranch at any time and from time to time by adding to Evans Ranch additional land or a portion or portions thereof, by recording a Certificate of Amendment containing the information required under Section 10.4 of the Declaration. Furthermore, Section 10.3 of the Declaration grants Declarant the right to unilaterally amend the Declaration for certain purposes.

C. Declarant is the owner of all of that certain real property located in Eagle Mountain City, Utah County, Utah, more particularly described on Exhibit A attached hereto ("*Evans Ranch South*"). Pursuant to this Certificate of Amendment, Declarant is annexing Evans Ranch South into Evans Ranch, such that the provisions of the Declaration shall run with the land and be binding upon and inure to the benefit of all persons who hereafter become the Owner of any Lot, Parcel, Unit and/or other interest in Evans Ranch South. Accordingly, this Certificate of Amendment supplements the Declaration as contemplated in Section 10.4 of the Declaration.

DECLARATION

1. Annexation of Evans Ranch South. Declarant for itself, its successors, and assigns, hereby confirms that all of the real property, residential dwellings, utilities, streets and other improvements (now existing or hereafter constructed or installed) located on or providing any access and service to Evans Ranch South be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, and that the provisions of the Declaration and this Certificate of Amendment shall run with the land and be binding upon all persons who hereafter become the Owner of any Lot, Parcel, Unit and/or other interest in Evans Ranch South. Furthermore, Owners of Lots, Parcels or Units within Evans Ranch South shall be Members of the Association.

2. Incorporation; Amendment. Declarant hereby incorporates by reference the covenants, conditions and restrictions in the Declaration, as if repeated and fully set forth herein. Furthermore, Declarant hereby amends the Declaration to the extent necessary to reflect the expansion of Evans Ranch to include Evans Ranch South.

3. Severability. Any determination by any court of competent jurisdiction that any provision of this Certificate of Amendment is invalid or unenforceable shall not affect the validity or enforceability of any of the other provisions hereof.

IN WITNESS WHEREOF, Declarant has executed this Certificate of Amendment effective as of the date stated above.

EVANS RANCH, LLC, a Utah limited liability company

By: DAI Managers, LLC, its Manager

By: 

Bryan J. Flamm, Manager

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 12 day of December, 2016, by Bryan J. Flamm, a Manager of DAI Managers, LLC, a Utah limited liability company, the Manager of Evans Ranch, LLC, a Utah limited liability company.

Mindy Dansie
Notary Public

My Commission Expires:

1395629 12-12-2020



EXHIBIT A**(Legal Description of the Property)**

The following real property located in Eagle Mountain City, Utah County, State of Utah:

EVANS RANCH COTTAGE LOTS AND TOWNHOMES BOUNDARY (PARCEL "A")

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N0°37'03"E 970.25 FEET; THENCE N67°36'59"E 56.93 FEET; THENCE ALONG THE ARC OF A 26.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 12.79 FEET (RADIUS BEARS: N70°22'01"E) THROUGH A CENTRAL ANGLE OF 27°39'28" (CHORD: N5°48'14"W 12.67 FEET); THENCE N78°10'16"E 69.18 FEET; THENCE ALONG THE ARC OF A 456.50 FOOT RADIUS CURVE TO THE RIGHT 101.47 FEET THROUGH A CENTRAL ANGLE OF 12°44'07" (CHORD: N84°32'19"E 101.26 FEET); THENCE ALONG THE ARC OF A 977.00 FOOT RADIUS CURVE TO THE RIGHT 571.96 FEET THROUGH A CENTRAL ANGLE OF 33°32'32" (CHORD: S72°19'21"E 563.83 FEET); THENCE ALONG THE ARC OF A 890.10 FOOT RADIUS CURVE TO THE LEFT 119.50 FEET THROUGH A CENTRAL ANGLE OF 7°41'32" (CHORD: S59°23'52"E 119.41 FEET); THENCE S26°45'22"W 37.22 FEET; THENCE ALONG THE ARC OF A 326.50 FOOT RADIUS CURVE TO THE LEFT 209.79 FEET THROUGH A CENTRAL ANGLE OF 36°48'56" (CHORD: S8°20'54"W 206.20 FEET); THENCE ALONG THE ARC OF A 573.50 FOOT RADIUS CURVE TO THE RIGHT 100.69 FEET THROUGH A CENTRAL ANGLE OF 10°03'34" (CHORD: S5°01'47"E 100.56 FEET); THENCE SOUTH 469.47 FEET; THENCE N89°16'15"W 832.50 FEET TO THE POINT OF BEGINNING

CONTAINS: ±18.55 ACRES

EVANS RANCH COTTAGE LOTS AND TOWNHOMES BOUNDARY (PARCEL "B")

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N0°37'03"E 978.89 FEET AND EAST 740.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S75°34'04"E 59.00 FEET; THENCE ALONG THE ARC OF A 519.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (RADIUS BEARS: N75°34'05"W) 35.34 FEET THROUGH A CENTRAL ANGLE OF 3°53'53" (CHORD: S16°22'52"W 35.34 FEET); THENCE ALONG THE ARC OF A 13.00 FOOT RADIUS CURVE TO THE LEFT 6.84 FEET THROUGH A CENTRAL ANGLE OF 30°09'25" (CHORD: S3°15'05"W 6.76 FEET); THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: N61°17'16"E) 7.11 FEET THROUGH A CENTRAL ANGLE OF 27°10'25" (CHORD: S42°17'57"E 7.05 FEET); THENCE ALONG THE ARC OF A 1047.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: S34°06'51"W) 84.82 FEET THROUGH A CENTRAL ANGLE OF 4°38'30" (CHORD: N58°12'24"W 84.80 FEET); THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: N29°28'21"E) 13.79 FEET THROUGH A CENTRAL ANGLE OF 52°40'36" (CHORD: S86°51'57"E 13.31 FEET); THENCE ALONG THE ARC OF A 13.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS N37°27'18"W) 8.36 FEET THROUGH A CENTRAL ANGLE OF 36°50'52" (CHORD: N34°07'16"E 8.22 FEET); THENCE ALONG THE ARC OF A 460.50 FOOT RADIUS CURVE TO THE LEFT 10.17 FEET THROUGH A CENTRAL ANGLE OF 1°15'55" (CHORD: N15°03'53"E 10.17 FEET) TO THE POINT OF BEGINNING.

CONTAINS: ±0.05 ACRES

Old Tax Serial No. 58-040-0417

New Tax Serial No. 58-040-0444 & 58-040-0445