

**WHEN RECORDED, MAIL TO:**

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Salt Lake City, UT 84111

**AMENDMENT**  
**TO**  
**DECLARATION OF**  
**COVENANTS, CONDITIONS AND RESTRICTIONS**  
**CONCERNING THE OLD FARM COMMUNITY**  
**PHASE II**

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions Concerning the Old Farm Community, Phase II, is made as of the 6th day of July, 2006, by the Old Farm Homeowners Association, a Utah corporation (the "Association").

**RECITALS**

A. On December 31, 1976, Prowswood, Inc., formerly Richard Prows, Inc., a Utah corporation ("Prowswood") filed for record in the office of the County Recorder of Salt Lake County, Utah, that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions Concerning the Old Farm Community, Phase II" (the "Declaration") subjecting the real property therein described and condominium projects within the Entire Tract, which is described in Exhibit A attached hereto, to the covenants, conditions, easements and restrictions therein set forth. The Declaration was recorded in said office in Book 4432 at pages 1371-97 as Entry Number 2893199.

B. Section 5 of Article X of the Declaration reserves to the members of the Association the right to amend the Declaration. Section 5 states that sixty percent (60%) of all of the votes of the Class A membership shall constitute a quorum for purposes of amending the Declaration and that the affirmative vote of at least two-thirds of such quorum is required to amend the Declaration.

C. Pursuant to the requirements of Section 5 of Article X of the Declaration the Association mailed a notice to each of the members of the Association on June 24, 2006 that called for a special meeting of the members to take place on July 6, 2006 at 7:00 p.m. at the Community Center. Such notice summarized the purpose of the meeting, which included a vote to amend portions of the Declaration.

D. As of July 6, 2006, the members of the Association held [●] votes of the Class A membership that were entitled to vote at the special meeting. On July 6, 2006 at 7:00 P.M. a special meeting of members of the Association was held at the Community Center. Members holding [●] votes of the Class A membership were present in person or by proxy at the special meeting of members, which constituted a quorum for purposes of Section 5 of Article X of the Declaration.

Accommodation

6-6

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**EXHIBIT A  
(PHASE II)**

Parcel A (Lake Area):

Beginning at a point South 1751.97 feet and West 850.50 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning also being 21.79 feet South and West 611.10 feet from the Northeast corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence South 64°30' East 41.80 feet; thence South 87°59'36" East 155.48 feet to a point of a curve to the right, the radius point of which is South 53°04'40" West 200.00 feet; thence Southeasterly along the arc of said curve 66.11 feet to a point of tangency; thence South 18°00' East 44.00 feet; thence South 20°44'10" East 30.335 feet; thence South 87°59'36" East 10.00 feet; thence South 6°33'40" East 53.83 feet; thence South 5°30' West 53.00 feet; thence South 11°00' West 24.50 feet; thence South 38°00' West 46.00 feet to the point of a 300.00 foot radius curve to the right; thence Southwesterly along the arc of said curve 141.37 feet to a point of tangency; thence South 65°00' West 58.53 feet to the point of a 20.00 foot radius curve to the left, thence Southwesterly along the arc of said curve 21.29 feet to a point of tangency; thence South 4°00' West 129.85 feet; thence North 86°00' West 37.54 feet; thence North 4°00' East 135.00 feet; thence North 25°00' West 43.00 feet; thence South 87°00' West 258.00 feet; thence South 3°00' East 42.00 feet; thence South 87°00' West 140.98 feet; thence North 25°00' East 113.59 feet; thence North 43°00' East 33.00 feet; thence North 66°00' East 45.00 feet; thence North 75°00' East 77.00 feet; thence North 55°00' East 45.00 feet; thence North 45°00' East 115.00 feet; thence North 12°00' East 41.33 feet; thence North 30°00' East 174.10 feet to the point of beginning.

Excepting therefrom the following: Beginning at a point North 89°58'25" West 62.00 feet and South 0°14'13" West 1781.74 feet and North 87°59'36" West 288.11 feet and South 0°13' West 141.00 feet and North 87°59'36" West 362.80 feet from the Northeast corner Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning described in old deeds as being South 0°13' West 187.09 feet and North 87°59'36" West 362.80 feet from the Northeast corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North 87°59'36" West 55.00 feet; thence South 3°48'04" West 81.27 feet; thence South 69°00' East 66.50; thence North 5°30' East 49.00 feet; thence North 6°45'21" West 54.60 feet to the point of beginning.

Parcel B (Old Farm Road):

Beginning at a point on the West right of way line of 700 East Street, said point being North 89°58'25" West 62.00 feet and South 0°14'13" West 1796.065 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning also being South 66.38 feet and East 169.975 feet from the Northeast corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North 87°59'36" West 743.80 feet; thence North 64°30' West 349.80 feet; thence North 77°15' West 122.25 feet; thence West 232.18 feet; thence South 45°00' West 46.58 feet; thence North 0°03'15" West 132.00 feet; thence South 45°00' East 46.76 feet; thence East 251.83 feet; thence South 64°30' East 420.02 feet; thence South 71°23'16" East 40.05 feet; thence South 87°59'36" East 742.26 feet to the

West right of way line of 700 East Street; thence along said right of way line South 0°14'13" West 50.02 feet to the point of beginning.

Parcel C (Community Center and Tennis Courts):

Beginning at a point which is South 1731.46 feet and West 512.365 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey, said point of beginning also being South 1.83 feet and West 272.96 feet from the Northeast corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence North 87°59'36" West 298.84 feet; thence North 71°23'16" West 40.05 feet; thence North 1°00' West 190.00 feet; thence North 53°00' East 124.00 feet; thence South 67°35' East 309.93 feet to a point of a curve to the right, the radius point of which is South 64°26'31" West 63.50 feet; thence Southeasterly along the arc of said curve 70.44 feet to a point of a reverse curve to the left, the radius point of which is South 52°00' East 182.00 feet; thence Southeasterly along the arc of said curve 111.83 feet to the point of beginning.

Parcel D (Old Farm Lane):

Beginning at a point North 89°58'25" West 401.96 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A", Big Field Survey and running thence South 0°09'36" West 272.66 feet; thence North 89°58'49" West 21.69 feet to a 185.00 foot radius curve to the right, the radius point of which is North 69°37' 52" West 185.00 feet; thence Southwesterly along the arc of said curve 54.51 feet to a point of a reverse curve to the left, the radius point of which is South 52°45' East 371.00 feet; thence Southwesterly along the arc of said curve 180.76 feet to a point of a compound curve to the left, the radius point of which is South 80°40' East 913.72 feet; thence Southwesterly along the arc of said curve 180.74 feet to a point of tangency; thence South 2°00' East 108.63 feet to a 1035.00 foot radius curve to the left, the radius point of which is North 88°00' East 1035.00 feet; thence Southeasterly along the arc of said curve 198.70 feet to a point of a compound curve to the left, the radius point of which is North 77°00' East 215.00 feet; thence Southeasterly along the arc of said curve 45.65 feet to a point of a reverse curve to the right, the radius point of which is South 64°50' West 265.00 feet; thence Southeasterly along the arc of said curve 116.40 feet to a point of tangency; thence South 272.95 feet to a 254.80 foot radius curve to the left, the radius point of which is East 254.80 feet; thence Southeasterly along the arc of said curve 137.86 feet to a point of a reverse curve to the right, the radius point of which is South 59°00' West 113.50 feet; thence Southwesterly along the arc of said curve 136.68 feet to a point of a reverse curve to the left, the radius point of which is South 52°00' East 132.00 feet; thence Southwesterly along the arc of said curve 80.42 feet; thence North 87°59'36" West 50.01 feet to a 182.00 foot radius curve to the right, the radius point of which is South 87°12'23" East 182.00 feet; thence Northeasterly along the arc of said curve 111.83 feet to a point of a reverse curve to the left, the radius point of which is North 52°00' West 63.50 feet; thence Northeasterly along the arc of said curve 76.47 feet to a point of a reverse curve to the right, the radius point of which is North 59°00' East 304.80 feet; thence Northwesterly along the arc of said curve 304.80 feet to a point of tangency; thence North 272.95 feet to a 215.00 foot radius curve to the left, the radius point of which is West 215.00 feet; thence Northwesterly along the arc of said curve 94.44 feet to a point of a reverse curve to the right, the radius point of which is North 64°50' East 265.00 feet; thence Northwesterly along the arc of said curve 56.27 feet to a

point of a compound curve to the right, the radius point of which is North 77°00' East 1085.00 feet; thence Northwesterly along the arc of said curve 208.30 feet to a point of tangency; thence North 2°00' West 108.63 feet to a 963.72 foot radius curve to the right, the radius point of which is North 88°00' East 963.72 feet; thence Northeasterly along the arc of said curve 190.63 feet to a point of compound curve to the right, the radius point of which is South 80°40' East 421.00 feet; thence Northeasterly along the arc of said curve 205.13 feet to a point of a reverse curve to the left, the radius point of which is North 52°45' West 135.00 feet; thence Northeasterly along the arc of said curve 20.66 feet; thence South 89°58'49" East 6.01 feet; thence North 0°08'46" East 272.67 feet; thence South 89°58'25" East 70.52 feet to the point of beginning.

Description of Maintenance Yard:

Beginning at a point which is South 733.08 feet and West 891.29 feet from the Northeast corner of Lot 10, Block 6, Ten Acre Plat "A" Big Field Survey, said point of beginning also being North 997.10 feet and West 651.88 feet from the Northeast corner of Section 6, Township 2 South, Range 1 East, Salt Lake Base and Meridian and running thence South 0°01'07" West 100.00 feet; thence North 89°58'53" West 100.00 feet; thence North 0°01'07" East 100.00 feet; thence South 89°58'53" East 100.00 feet to the point of beginning.

EXCLUDING all presently existing or to be constructed or installed gas lines, electrical conduits, telephone lines, and related facilities which are located within the above-described Parcel.

RESERVING UNTO DEVELOPER, however, such easements and rights of ingress and egress over, across, through, and under the above-described Parcels and any improvements now or hereafter constructed thereon as may be reasonably necessary for Developer (in a manner which is reasonable and not inconsistent with the provisions of this Declaration, of any Map, or of any Declaration of Condominium related to a Map): (a) To construct Condominium Project(s) and to improve portions of the property within each Project with such structures and facilities designed for the use and enjoyment of Owners of Units within such Project as Developer may reasonably determine to be appropriate; (b) To improve the above-described Parcels with such structures and facilities (including, but not limited to, exercise paths and arterial roads) as Developer may reasonably determine to be appropriate; and (c) To develop and improve, as Developer may in its sole discretion determine to be appropriate, each and every portion of the Entire Tract, irrespective of whether or not the particular portion developed or improved constitutes or is to constitute a Parcel or a Project. If, pursuant to the foregoing reservations, the above-described Parcels or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for such improvement or utility line shall exist. With the exception of such perpetual easements, the foregoing reservations shall, unless sooner terminated in accordance with their terms expire 30 years after which this Declaration is filed for record in the office of the County Recorder of Salt Lake County, Utah.

ALSO RESERVING such rights of ingress and egress over any roads comprising a part of the above-described Parcels as may be necessary to enable access to each and every portion of the Entire Tract, irrespective of whether or not the particular portion constitutes or is to constitute a Parcel or a Project.

FURTHER RESERVING unto the Developer (its successors, assigns, tenants and licensees) the perpetual easement to ride horses stabled on the real property hereinafter described (the Stables Property) on, across and through any and all areas of the Parcels known, existing, created, designated, or referred to as the "bridle path." In connection with this reservation of easement, it is recognized that a reasonable assessment (mutually agreeable to the Association and the Developer) may be levied by the Association to clean the bridle paths made necessary by the presence of horses thereon. The Stable Property is particularly described as follows:

Beginning at a point at the Southwest corner of Lexington Village at Old Farm Project, said point being South 2576.90 feet and West 985.97 feet from the Northeast corner Lot 10, Block 6, 10 Acre Plat A, Big Field Survey, and running thence West 119.41 feet; thence North 1°18' West 257.49 feet; thence North 85°33' West 135.70 feet; thence North 3°00' West 93.35 feet; thence North 87°00' East 142.00 feet; thence North 3°00' West 42.00 feet; thence North 87°00' East 258.00 feet; thence South 25°00' East 43.00 feet; thence South 4°00' West 135.00 feet; thence North 86°00' West 10.00 feet; thence South 60°00' West 150.81 feet; thence South 175.705 feet to the point of beginning.

All of the foregoing is subject to: All liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authority; all instruments of record which affect the above-described Parcel or any portion thereof including all additions thereto, and also including, without limitation, any mortgage or deed of trust; all visible easements and rights-of-way; and all easements and rights-of-way of record.

Parcels 22-06-226-003  
22 06 226 005  
16 31 476 024  
16 31 476 019