

When recorded, return to:

SCP EAGLEWOOD VILLAGE, LLC
ATTN: CHAD BESSINGER
1148 W. LEGACY CROSSING BLVD., SUITE 400
CENTERVILLE, UTAH 84014

E 3253015 B 7517 P 246-250
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/20/2020 08:52 AM
FEE \$40.00 Pgs: 5
DEP RT REC'D FOR NORTH SALT LAKE C
ITY

**SECOND AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
AND RESERVATION OF EASEMENTS FOR
VIEWS AT EAGLEWOOD P.U.D.** D

01-513 - 0215

This SECOND AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR THE VIEWS AT EAGLEWOOD VILLAGE P.U.D. (this "Amendment") is made and executed this 14 day of May, 2020 by SCP Eaglewood Village, LLC, a Utah limited liability company ("Declarant"), to be effective when recorded with the Davis County Recorder's Office.

RECITALS

A. Declarant is a party to, and the successor declarant under, (a) that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for the Views at Eaglewood Village P.U.D. (the "Subdivision") recorded August 24, 2017 as Entry No. 3040852, BK 6835, PGS 1245-1287, in the Office of the Davis County Recorder (as amended, the "Declaration"), and (b) that certain Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for the Views at Eaglewood Village P.U.D., recorded May 2, 2019 as Entry No. 3157503, BK 7254 PGS 1398-1408, in the Office of the Davis County Recorder. A legal description of the property subject to the Declaration is attached hereto as Exhibit 3.

B. Declarant intends to record a plat amendment described as "The Views at Eaglewood Village, P.U.D. Phase 2, Amendment 1, Amending Lot 215 and 221," a copy of which is attached hereto as Exhibit 1 (the "Plat Amendment").

C. Declarant desires to amend the Declaration to combine Lot 215 and Lot 221 of the Subdivision, on file and of record in the Davis County Recorder's Office (the "Separate Lots") for the purpose of forming Lot 215A, as legally described on Exhibit 2 attached hereto and consistent with the Plat Amendment (the "Combined Lot").

D. Pursuant to Section XV(1) of the Declaration, the Declaration may be amended by Declarant without any additional approval required until after the earlier of (1) the date on which

all residences under the Declaration have been conveyed or (2) the Declarant executes and records a written waiver of its right of control (the "Period of Declarant Control").

E. The Period of Declarant Control has not yet ended.

F. Declarant desires to file this Amendment with the Davis County Recorder's Office to amend the Declaration to combine the Separate Lots to create the Combined Lot.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. **Certain Definitions.** Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Declaration.

2. **Amendment to the Declaration.** Declarant hereby amends the Declaration, including all exhibits to the Declaration, to the extent necessary to include the legal description of the Combined Lot as set forth on Exhibit 2, and to be consistent with the Plat Amendment as set forth on Exhibit 1. Declarant vacates the easement between the Separate Lots described on the Plat Amendment as the "10.0' Existing PUE & DE to be Vacated". All other easements referenced in the Declaration, including, without limitation, those set forth in Article IV and Section 12.9, shall remain fully enforceable. All provisions of the Declaration inconsistent with the Plat Amendment are hereby amended accordingly.

3. **Consent to Record.** Declarant hereby authorizes this Amendment to be recorded with the Office of the Davis County Recorder as an amendment to the Declaration.

4. **Effectiveness.** Except as expressly modified hereby, the Declaration shall remain in full force and effect. On or after the effective date of this Amendment, each reference in the Declaration to "this Declaration," "hereunder," "hereof," "herein," or words of like import shall mean and be a reference to the Declaration as amended by this Amendment.

5. **No Conflicts.** Any conflict between the Declaration and this Amendment shall be controlled by this Amendment.

[Remainder of page intentionally left blank; signature page to follow]

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed by its duly authorized president and secretary to be effective as of the day and year first written above.

DECLARANT

SCP EAGLEWOOD VILLAGE, LLC,
a Utah limited liability company

By: **JF CAPITAL, LLC,**
a Utah limited liability company

Its: Manager



By: Chad Bessinger

Its: Managing Director

STATE OF UTAH }
 } ss.
COUNTY OF DAVIS }

Chad Bessinger, known to me (or proved on the basis of sufficient identification) to be the person whose name appears above, personally appeared before me and acknowledged the foregoing instrument this 14th day of May, 2020 on behalf of the Declarant.

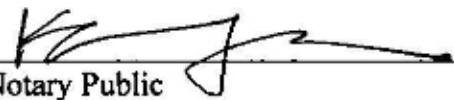
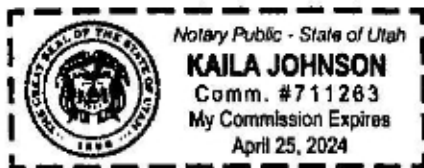

Notary Public

EXHIBIT 2

LEGAL DESCRIPTION OF LOT 215A

Commencing at the West Quarter Corner of Section 12, Township 1 North, Range 1 West, Salt Lake Base and Meridian and running thence 886.73 feet South and 557.23 feet East to the Northeast Corner of Lot 222 of The Views at Eaglewood Village P.U.D. Phase 2 recorded in Book 5868 at Page 911 in the Office of the Davis County Recorder, said point being the POINT OF BEGINNING; thence North 29°54'37" East 156.71 feet along a portion of the easterly line of Lots 220 and 219 and Lot 220 line extended to the northeasterly corner of Lot 219 of said P.U.D.; thence South 63°18'07" East 18.01 feet along southerly line of Lot 217 to the southeasterly corner of Lot 217; thence South 67°06'22" East 57.81 feet along the southerly line of Lot 216 to the southeasterly corner of Lot 216; thence South 70°00'30" East 31.00 to the southwesterly corner of Lot 214; thence South 73°10'50" East 58.18 feet along the southerly line of Lot 214 to the southeasterly corner of Lot 214; thence South 19°45'48" West 64.08 feet along the westerly line of Parcel 'A' Open Space of said P.U.D. to a corner of said Open Space; thence South 70°23'01" West 114.80 feet along the northerly line of said Open Space to a corner of Open Space; thence North 82°36'16" West 85.88 feet along the northerly line of said Open Space to a corner of Open Space; thence North 60°05'23" West 20.00 feet along the northerly line of said Open Space to the POINT OF BEGINNING.

Contains 21910 square feet or 0.503 acres, more or less.

