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Farmington
Ranches HOA

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
08/22/2014 08:40 AM
FEE \$18.00 Pes: 4
DEP RTT REC'D FOR FARMINGTON RANCH
ES HOA

WHEN RECORDED, PLEASE MAIL TO:

Farmington Ranches Homeowners Association
Attn: Lance Moore
1938 Comanche Circle
Farmington, Utah 84025

RETURNED
AUG 22 2014

THIRD AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR FARMINGTON RANCHES SUBDIVISION
(AFFECTING PARCELS GB, GC AND 4G)

THIS THIRD AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR FARMINGTON RANCHES SUBDIVISION (this "Amendment") is made and executed this 21 day of AUGUST, 2014, by FARMINGTON RANCHES HOMEOWNERS ASSOCIATION, a Utah non-profit corporation (referred to herein as the "Association")

RECITALS

A. The Association is a Community Association pursuant to the Utah Community Association Act (Utah Code Ann. §§ 57-81-101 et seq., the "Act"), the members of which are the owners of residential lots within Farmington Ranches Subdivision, located in Davis County, Utah, (the "Property").

B. The Property includes certain parcels commonly referred to as Parcel GB, Parcel GC, and Parcel 4G (collectively the "Affected Parcels") which are the subject of this Amendment, and which are more particularly described on Exhibit "A" attached hereto.

C. The Property is subject to a Declaration of Protective Covenants, Conditions and Restrictions for Farmington Ranches Subdivision (the "Original Declaration") recorded in the official records of Davis County, State of Utah on July 17, 2001, as Entry Number 1675524 in Book 2848 at Page 676, as amended by a First Amendment to Declaration of Protective Covenants, Conditions, and Restrictions for Farmington Ranches Subdivision (the "First Amendment") recorded in the official records of Davis County, State of Utah on October 29, 2001 as Entry Number 1698935 in Book 2914 at Page 348, and as further amended by a Second Amendment to Declaration of Protective Covenants, Conditions & Restrictions for Farmington Ranches Phase 2 (the "Second Amendment") recorded in the official records of Davis County, State of Utah on January 26, 2004 as Entry Number 1956307 in Book 3462 at Page 835. The Original Declaration, First Amendment, Second Amendment and all supplements thereto are collectively referred to herein as the "Declaration."

D. "Phase 3" of the Property originally consisted of the real property shown on the plat of a subdivision known as Farmington Ranches Phase 3 Subdivision (the "Original Phase 3

Plat”), recorded in the official records of Davis County, State of Utah, on June 12, 2002, as Entry Number 1761082 in Book 3063 at Page 385.

E. Parcel G of the Original Phase 3 Plat was vacated for the purpose of conveying a portion of Parcel G to Farmington City for the creation of a city park. The ordinance vacating such parcel was recorded in the official records of Davis County, State of Utah on April 28, 2008, as Entry Number 2360411 in Book 4521 at page 620. In conjunction with such ordinance, an amendment to the Phase 3 Plat was recorded dividing Parcel G into three separate parcels: Parcel GA, Parcel GB and Parcel GC. The amended plat was recorded as Farmington Ranches Phase 3 Subdivision Amended No 1 (the “Amended Phase 3 Plat”) in the official records of Davis County, State of Utah, on April 28, 2008, as Entry Number 2360412 in Book 4521 at Page 623. The Amended Phase 3 Plat indicates that Parcel GA was conveyed to Farmington City, while Parcel GB and Parcel GC were retained by the Association.

F. “Phase 4” of the Property originally consisted of the Property shown on the plat of subdivision known as Farmington Ranches Phase 4 Subdivision (the “Original Phase 4 Plat”), recorded in the official records of Davis County, State of Utah, on May 3, 2003, as Entry Number 1868726 in Book 3295 at Page 552.

G. Parcel 4A of the Original Phase 4 Plat was also vacated for the purpose of conveying a portion of Parcel 4A to Farmington City for the creation of a city park. The ordinance vacating such parcel was recorded in the official records of Davis County, State of Utah on April 28, 2008, as Entry Number 2360413 in Book 4521 at page 625. In conjunction with such ordinance, an amendment to the Phase 4 Plat was recorded dividing Parcel 4A into two separate Parcels: Parcel 4F and Parcel 4G. The amended plat was recorded as Farmington Ranches Phase 4 Subdivision Amended No 1 (the “Amended Phase 4 Plat”) in the official records of Davis County, State of Utah, on April 28, 2008, as Entry Number 2360414 in Book 4521 at page 628. The Amended Phase 4 Plat indicates that Parcel 4F was conveyed to Farmington City, while Parcel 4G was retained by the Association.

H. Although the Amended Phase 3 Plat and the Amended Phase 4 Plat indicate that Parcel GB, Parcel GC and Parcel 4G were all “retained by the HOA,” the amended plats do not specify whether such parcels continued to be owned by the Association as Common Area pursuant to the Declaration of the Association. As a result, there has been confusion regarding the taxable status of Parcel GB, Parcel GC and Parcel 4G. In order to eliminate such confusion, the Association desires to clarify by this Amendment that such parcels are indeed owned by the Association as Common Area under the Declaration.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Association declares and agrees as follows:

1. Parcel GB and Parcel GC of the Phase 3 Plat, as amended, are owned by the Association as Common Area pursuant and subject to the terms of the Declaration.

EXHIBIT A

LEGAL DESCRIPTION OF THE AFFECTED PARCELS

PARCEL GB

ALL OF PARCEL GB, FARMINGTON RANCHES PHASE 3 SUBDIVISION AMENDED NO. 1, CONTAINING 7.25 ACRES, MORE OR LESS.

SERIAL NO: 08-443-0002

PARCEL GC

ALL OF PARCEL GC, FARMINGTON RANCHES PHASE 3 SUBDIVISION AMENDED NO. 1, CONTAINING 0.16 ACRES, MORE OR LESS.

SERIAL NO. 08-443-0003

PARCEL 4G

ALL OF PERCEL 4G, FARMINGTON RANCHES PHASE 4 SUBDIVISION AMENDED NO. 1, CONTAINING 0.71 ACRE, MORE OR LESS.

SERIAL NO. 08-444-0002