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**THIRD SUPPLEMENT AND AMMENDMENT TO  
AMENDED AND RESTATED  
DECLARATION OF EASEMENTS, COVENANTS,  
CONDITIONS AND RESTRICTIONS OF THE  
FAIRWAYS AT WOLF CREEK PRUD**

THIS THIRD SUPPLEMENT TO DECLARATION is made and executed this 9 day of February, 2010, by FAIRWAYS AT WOLF CREEK, L.L.C., a Utah limited liability company (hereinafter referred to as "Declarant") and THE FAIRWAYS AT WOLF CREEK OWNERS ASSOCIATION, INC., a Utah non-profit corporation (the "Association")

**RECITALS**

- A. Declarant is the Declarant as identified and set forth in that certain Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions of the Fairways at Wolf Creek, PRUD dated September 21, 2005 and recorded in the office of the Weber County Recorder on September 21, 2005 as Entry No. 2130306 (the "Declaration"). The Declaration referred to a total of eighteen (18) Lots within the project.
- B. On or about the 21<sup>st</sup> day of September, 2005, Declarant made and executed that certain First Supplement and Amendment to Amended and Restated Declaration of Easements, Covenants, Conditions and restrictions of the Fairways at Wolf Creek, PRUD (Phase II) (herein the "First Supplement"), which First Supplement was recorded in the office of the County Recorder of Weber County, State of Utah, on the 21<sup>st</sup> day of September, 2005, as Entry No.2130307. The First Supplement added Phase II to the project.
- C. On or about the 17th day of July, 2006, Declarant made and executed that certain Second Supplement and Amendment to Amended and Restated Declaration of Easements, Covenants, Conditions and restrictions of the Fairways at Wolf Creek, PRUD (Phase III) (herein the "Second Supplement"), which Second Supplement was recorded in the office of the County Recorder of Weber County, State of Utah, on the 17th day of July, 2006, as Entry No. 2194029. The Second Supplement added Phase III to the project.
- D. By amended plat dated September 9, 2004, and recorded in the office of the Weber County Recorder on November 30, 2004, as Entry No. 2071218, in Book 22, beginning at page 221, the plat for Phase I of the project was amended to decrease the number of Lots from eighteen (18) to seventeen (17).
- E. The real property described in the Declaration, the First Supplement and the Second Supplement is set forth on Exhibit "A" attached hereto.
- F. The Declarant and Association desire to further amend the Declaration and prior amendments to correct an error which incorrectly identified the total number of lots in prior phases and to modify the apportionment of expenses assessed to Owners in a manner which reflects the prior and current method of assessment.

**NOW, THEREFORE**, in consideration of the recitals set forth herein above, the Declarant hereby declares and certifies as follows:

- 1. Amendment to Section 3.01. The first two (2) sentences of Section 3.01 of the Declaration are deleted in their entirety with the following substituted in place thereof:

**3.01 Description of Lots, Buildings and Living Units.** Prior to the addition of any portion of the Additional Land, there are seventeen (17) separate Lots in the Development numbered 1 through 15, 17 & 18.

2. Amendment to Section 3. b. of the First Supplement is deleted in its entirety with the following substituted in place thereof:

3. b. By annexation of the real property described in paragraph 1, the total number of Lots, including those of prior phases, will equal forty-one (41)

3. Amendment to Section 3. b. of the Second Supplement is deleted in its entirety with the following substituted in place thereof:

3. b. By annexation of the real property described in paragraph 1, the total number of Lots, including those of prior phases, will equal fifty-nine (59)

4. Amendment to Section 7.03. Section 7.03 of the Declaration is deleted in its entirety with the following substituted in place thereof:

**7.03 Rate and Date of Assessment.** The Common Expenses shall be apportioned and assessed to all Owners on a uniform pro rata basis, meaning a fraction, expressed as a percentage, where the numerator is one (1) and the denominator is the total number of Lots within the Development. The fraction shall be adjusted as Additional Land is added to the Development.

5. **Representations of Declarant and Association.** With respect to the amendment identified in Paragraphs 1 through 4 above, Declarant and Association represent that the Association has obtained the vote and/or consent of Owners holding at least seventy five percent (75%) or more of the vote allocated to the Lots.

6. **Effective Date.** This Supplement and Amendment to the Declaration shall take effect upon its being filed for record in the office of the County recorder of Weber County, Utah

EXECUTED the day and year first above written.

Declarant:

**FAIRWAYS AT WOLF CREEK, L.L.C.,**  
a Utah limited liability company

By:

  
Russell K. Watts, Manager

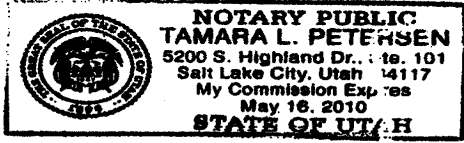
**THE FAIRWAYS AT WOLF CREEK OWNERS ASSOCIATION, INC.,** a Utah non-profit corporation

By:

  
Name: Chuck Kobayashi  
Title: President

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

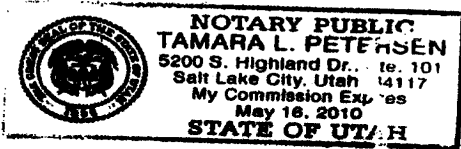
On the 9 day of February, 2010, personally appeared before me Russell K. Watts, who being by me duly sworn did say that he is a Manager of FAIRWAYS AT WOLF CREEK, L.L.C., a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of said limited liability company by authority of a resolution of its Members and said Russell K. Watts duly acknowledged to me that said limited liability company executed the same.



*Tamara L Petersen*  
NOTARY PUBLIC

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

On the 9 day of February, 2010, personally appeared before me Chuck Kelsoy, who being by me duly sworn did say that he is the President of THE FAIRWAYS AT WOLF CREEK OWNERS ASSOCIATION, INC., a Utah nonprofit corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of its bylaws or a resolution of its Board of Trustees, and said President duly acknowledged to me that said corporation executed the same.



*Tamara L Petersen*  
NOTARY PUBLIC

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Real property located in Weber County, State of Utah, more particularly described as follows:

Phase I:

A part of the Northwest 1/4 of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian.

Beginning at a point on the right-of-way of SR-158 (Powder Mtn. Road), said point being North 89 12'43" West 476/76 feet from the North 1/4 corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian (Basis of bearing: North 89 12'43" West from said corner to the Northwest corner of Section 22); thence

22-22/-000 TH. 0218

Southeasterly 80.11 feet along a curve to the left along Wolf Creek Drive (R=540.37, Δ=08 29'40", T=40.13, CH=80.04, CHB=S 01 03'03" E); to a non-tangent line; thence  
 North 89 12'43" West 418.28 feet to a tangent curve to the left; thence  
 Southwesterly 175.95 feet along said curve (R=310.00, Δ=32 31'15", T=90.42, CH=173.60, CHB=S 74 31'40" W); thence  
 South 58 16'02" West 217.75 feet; thence  
 South 31 43'58" East 178.00 feet to the Northwest Corner of Lot 27 of Wolf Creek Subdivision No. 2; thence  
 South 15 07'47" West 110.86 feet along the West line of said lot; thence  
 South 87 05'36" West 111.81 feet; thence  
 South 29 38'50" West 508.65 feet; thence  
 North 73 28'19" West 183.10 feet; thence  
 North 16 31'41" East 23.72 feet to a tangent curve to the left; thence  
 Northwesterly 302.54 feet along said curve (R=168.00, Δ=103 10'48", T=211.89, CH=263.28, CHB=N 35 03'43" W), to a non-tangent line; thence  
 North 03 20'53" East 166.90 feet to a non-tangent curve to the left; thence  
 Northeasterly 377.80 feet along said curve (R=640.00, Δ=33 49'21", T=194.58, CH=372.34, CHB=N 75 10'43" E); thence  
 North 58 16'02" East 231.20 feet; thence  
 North 31 43'58" West 80.00 feet; thence  
 North 58 16'02" East 279.23 feet to a tangent curve to the right; thence  
 Northeasterly 221.36 feet along said curve (R=390.00, Δ=32 31'15", T=113.75, CH=218.40, CHB=N 74 31'40" E); thence  
 South 89 12'43" East 415.71 feet to Wolf Creek Drive to the point of beginning.

Phase 2:

A part of the Northwest 1/4 Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian. Beginning at a point North 89°12'43" West along the section line 1,544.73 feet and 955.94 feet South from the North 1/4 corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian, said point being the Southeast corner of the Fairways at Wolf Creek - Phase I (Basis of bearing: North 89°12'43" West from said corner to the Northwest corner of Section 22); thence

South 29°38'50" West 85.15 feet along the West property line of Wolf Creek Golf Course, Hole #16; thence  
South 12°41'49" East 133.82 feet along the West property line of Wolf Creek Golf Course, Hole #16; thence  
South 65°25'06" East 341.23 feet along the South property line of Wolf Creek Golf Course, Hole #16; thence  
South 57°02'55" West 232.05 feet; thence  
North 83°12'17" West 50.00 feet; thence  
South 50°55'27" West 594.24 feet; thence  
South 40°17'28" West 79.19 feet; thence  
South 54°51'15" West 50.00 feet; thence  
South 65°51'50" West 66.51 feet; thence  
South 48°02'27" West 44.82 feet; thence  
South 42°38'59" East 61.42 feet; thence  
South 59°48'33" East 60.03 feet; thence  
South 07°27'21" West 41.92 feet; thence  
North 80°24'49" West 116.46 feet along the North property line of Wolf Creek Golf Course, Hole #14; thence  
North 16°10'15" West 207.24 feet; thence  
North 35°17'41" East 669.63 feet along the East property line of Wolf Creek Golf Course, Hole #15; thence  
North 16°31'41" East 408.65 feet along the East property line of Wolf Creek Golf Course, Hole #15; thence  
South 73°28'19" East 183.10 feet along the South property line of the Fairways at Wolf Creek, PRUD, Phase I to the point of beginning.

22. 241 - 0001 TH. 0016  
22. 242 - 0001 TH. 0009

Contains 7,608 acres / 331,415 sq. ft.

**Phase 3:**

A part of the Northwest 1/4 of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian. Beginning at a point North 89°12'43" West along the section line 1,247.11 feet and 1,298.57 feet South from the North 1/4 corner of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian, said point being the Southeast corner of the Fairways at Wolf Creek - Phase 2 (Basis of bearing: North 89°12'43" West from said corner to the Northwest corner of Section 22); thence

27-262-0001 Th. 0019

**COURSES:**

South 11°35'26" West 678.68 feet along the West property line of Wolf Creek Golf Course, Hole #17; thence  
South 54°01'25" West 284.52 feet along the West property line of Wolf Creek Golf Course; thence  
North 80°24'49" West 443.32 feet along the North property line of Wolf Creek Golf Course, Hole #14 to the South property line of the Fairways, Phase 2; thence along the East boundary of said Phase 2 for the following 10 courses:  
North 07°27'21" East 41.92 feet; thence  
North 59°48'33" West 60.03 feet; thence  
North 42°38'59" West 61.42 feet; thence  
North 48°02'27" East 44.82 feet; thence  
North 65°51'50" East 66.51 feet; thence  
North 54°51'15" East 50.00 feet; thence  
North 40°17'28" East 79.19 feet; thence  
North 50°55'27" East 594.24 feet; thence  
South 83°12'17" East 50.00 feet; thence  
North 57°02'55" East 232.05 feet to the point of beginning.

Contains 8,209 acres / 357,375 sq. ft.