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When Recorded, Return to:

Parr Brown Gee & Loveless
Attention: Robert A. McConnell
185 S State St, Ste 800
Salt Lake City, UT 84111-1549

E 2625772 B 5395 P 178-181
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/07/2011 09:17 AM
FEE \$68.00 Pgs: 4
DEP RTT REC'D FOR CLEARFIELD CITY

Space Above for Recorder's Use

AFFECTS TAX PARCEL NOS.:

12-693-0001 -12-693-0031
12-712-0030 -12-712-0051

**SECOND AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
THE PARK VILLAGE**

This Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for The Park Village ("**Amendment**") is entered as of September __, 2011, by Park Village Homeowner's Association, Inc., a Utah non-profit corporation (the "**Association**").

BACKGROUND

A. The Association is the Association formed by the Declarant pursuant to the Declaration of Covenants, Conditions, Restrictions and Easements for The Park Village, recorded July 17, 2007, as Entry No. 2289215 in Book 4326 at Pages 751-794 in the official records of Davis County, Utah (as amended by that certain Article Seventeen, "Special Amendment" to The Declaration of Covenants, Conditions, Restrictions and Easements for the Park Village, recorded June 4, 2009 as Entry No. 2457024 in Book 4790 at Pages 459-460 in the official records of Davis County, Utah, the "**Declaration**"). Any capitalized term used but not defined in this Amendment will have the meaning attributed to it in the Declaration.

B. The Declaration encumbers the real property located in Davis County, Utah, and more particularly described on Exhibit B to the Declaration.

C. Under Section 12.02 of the Declaration, the Declaration may be amended by an affirmative vote of Voting Members representing at least 75% of the Units.

D. Pursuant to written ballots received on or before September 30, 2011, Voting Members representing at least 75% of the Units voted to amend the Declaration to reflect the Association's abandonment and removal of Parcel A, as shown on the official plat for the Park Village Phase 1 P.R.U.D., from the Common Area of the Development, consistent with that certain amended plat titled Park Village Phase 1 and Phase 2 Amended P.R.U.D. (the "**Amended Plat**").

E. Clearfiled City has approved the Amended Plat subject to the Association amending the Declaration to reflect the removal of Parcel A from the Common Area of the Development.

In light of the foregoing, Association hereby declares as follows:

AMENDMENT

1. **Removal of Parcel A.** Parcel A is hereby abandoned by the Association and upon recordation of this Amendment and the Amended Plat shall be removed from the Common Area of the Development, whereupon the Association shall have no responsibility for maintenance of Parcel A or the real property comprising the same nor ability to control or regulate such real property as Common Area of the Development. Following recordation of this Amendment and the Amended Plat and in furtherance of foregoing, the Association shall quitclaim to the owners of Lots 8-A to 13-A and Lots 41-A to 46-A, respectively, that portion of Parcel A that will, upon recordation of the Amended Plat, be within the exterior boundaries of the said Lots, as such Lots are amended and described on the face of the Amended Plat.

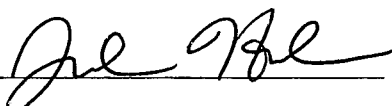
2. **Common Area.** The Association further confirms that the "Common Area" of the Development is comprised of those parcels identified on the official plats of the Development as Parcels B, C and D, together with the private roadways shown on such official plats as the same may be amended from time to time.

3. **Association.** All references in the Declaration to the "Association" or the "Community Association" shall be deemed to mean Park Village Homeowner's Association, Inc., a Utah non-profit corporation.

4. **Miscellaneous.** Except as modified by this Amendment, the Declaration will remain in full force and effect. If there is any conflict between a provision of this Amendment and a provision of the Declaration, the provision of this Amendment will control. The invalidity or unenforceability of any portion of this Amendment will not affect the validity or enforceability of the remainder.

The Association has executed this Amendment to be effective upon recordation thereof in the official records of Davis County, Utah.

Park Village Homeowners Association, Inc.
a Utah non-profit corporation

By: 

Jordan Hensley, President

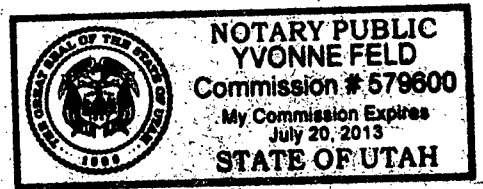
State of Utah)
 Davis JF) ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me on ^{October} September 5, 2011, by L. Scott Gardner, the President of Park Village Homeowners Association, Inc.



Notary Public

4826-7535-8986, v. 1



12-693-0001 → 0031

BOUNDARY DESCRIPTION

A parcel of land situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 4 North, Range 2 West Salt Lake Base & Meridian, in Davis County, Utah. The Boundaries of said parcel of land are described as follows:

Beginning in the westerly right of way line of 1000 West Street at a point 246.25 feet S.00°07'00"W. and 33.00 feet N.89°53'00"W. from the found Davis County brass cap marking the Northeast Corner of said Section 3, said point is also the southeast lot corner of Lot 1 of the Donald F. Brown Subdivision (Note: Basis of bearing is S.00°07'00"W. along the section line between the found brass cap monuments representing the Northeast Corner and the East Quarter Corner of said Section 3), and running thence S.00°07'00"W. 248.78 feet along said westerly right of way line; thence N.89°56'05"W. 266.99 feet; thence N.89°58'13"W. 210.04 feet to the northeast corner of Lot 11 of the Westwood Estates Subdivision No. 1; thence N.89°56'05"W. 330.50 feet along a northerly line of said subdivision to the southeast corner of Lot 6 of said Westwood Estates Subdivision No. 1; thence N.00°03'55"E. 211.00 feet along a easterly line of said Westwood Estates Subdivision No. 1; thence S.89°56'05"E. 124.93 feet; thence N.00°03'55"E. 27.13 feet; thence S.89°56'05"E. 295.05 feet; thence N.00°03'51"E. 2.96 feet; thence S.89°56'09"E. 120.79 feet; thence N.00°03'47"W. 7.82 feet; thence S.89°56'05"E. 266.99 feet to the point of beginning.

The above described parcel of land contains 192,119 square feet or 4.410 acres in area, more or less.

12-712-0030-0051

BOUNDARY DESCRIPTION

A parcel of land situate in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 4 North, Range 2 West Salt Lake Base & Meridian, in Davis County, Utah. The Boundaries of said parcel of land are described as follows.

Beginning in the northerly section line of said Section 3 at a point 299.99 feet N.89°56'05"W. along the said northerly section line from the found Davis County brass cap marking the Northeast Corner of said Section 3 (Note: Basis of bearing is S.00°07'00"W. along the section line between the found brass cap monuments representing the Northeast Corner and the East Quarter Corner of said Section 3), and running thence S.00°07'00"W. 246.22 feet along the westerly lot line of Lot 1 of the Donald F. Brown Subdivision to the southwest corner of said Lot 1; thence S.00°03'47"E. 7.82 feet; thence N.89°56'09"W. 120.79 feet; thence S.00°03'51"W. 2.96 feet; thence N.89°56'05"W. 295.05 feet; thence S.00°03'55"W. 27.13 feet; thence N.89°56'05"W. 124.93 feet to the easterly subdivision line of Westwood Estates Subdivision; thence N.00°03'55"E. 284.13 feet along said easterly subdivision line to said Northerly Section line; thence S.89°56'05"E. 540.98 feet along said northerly section line to the point of beginning.

The above described parcel of land contains 142,034 square feet or 3.261 acres in area, more or less.