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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
11/02/2012 08:25 AM  
FEE \$64.00 Pgs: 11  
DEP RTT REC'D FOR D R HORTON INC

WHEN RECORDED, MAIL TO:  
D.R. Horton, Inc.  
12351 South Gateway Park, Suite D-100  
Draper, UT 84020  
Attention: Boyd A. Martin

**RETURNED**  
**NOV 02 2012**

**THIRD SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,  
AND RESERVATION OF EASEMENTS  
FOR  
COURTYARDS AT ANGEL STREET  
(AN EXPANDABLE UTAH TOWNHOME DEVELOPMENT)**

This Third Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street (this "Third Supplement") is made and executed by D.R. HORTON, INC., a Delaware corporation ("D.R. Horton"), and by COURTYARDS AT ANGEL STREET HOMEOWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "Association").

**RECITALS**

1. On August 9, 2009, Angel Street Partners, LLC, a Utah limited liability company (the "Original Declarant"), executed that certain document entitled Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street, an Expandable Utah Town Home Development (the "Original Declaration"), which Original Declaration was recorded in the Office of the Recorder of Davis County, Utah on November 9, 2009 as Entry No. 2492257 in Book 4898, at Pages 1071-1132. Capitalized terms that are defined in the Original Declaration shall have the same meanings when used in this Third Supplement, unless otherwise specifically provided herein.

2. The Original Declaration has subsequently been supplemented and amended by that certain First Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street (the "First Supplement"), which First Supplement was executed by Original Declarant on February 11, 2010, and which First Supplement was recorded in the Office of the Recorder of Davis County, Utah on February 19, 2010 as Entry No. 2512545 in Book 4965, at Pages 397-401.

3. The Original Declaration, as supplemented and amended by the First Supplement, was further supplemented and amended by that certain Second Supplement to Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Courtyards at Angel Street (the "Second Supplement"), which Second Supplement was executed by Original Declarant on March 9, 2011, and which Second Supplement was recorded in the Office of the

Recorder of Davis County, Utah on March 22, 2011 as Entry No. 2590340 in Book 5235, at Pages 158-162.

4. The Original Declaration, as supplemented and amended by the First Supplement and the Second Supplement, pertains to and affects that certain real property located in Davis County, Utah, more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").

5. The following three (3) plats pertaining to the Angel Street Townhomes have been recorded in the Office of the Recorder of Davis County, Utah: (1) Angel Street Townhomes Phase 1 Amendment recorded in the Office of the Recorder of Davis County, Utah on March 22, 2011 as Entry No. 2590330 in Book 5235, at Page 157 (the "Phase 1 Plat"); (2) Angel Street Townhomes Phase 2 recorded in the Office of the Recorder of Davis County, Utah on October 6, 2008 as Entry No. 2397166 in Book 4629, at Page 1181 (the "Phase 2 Plat"); and (3) Angel Street Townhomes Phase 3 recorded in the Office of the Recorder of Davis County, Utah on October 6, 2008 as Entry No. 2397167 in Book 4629, at Page 1182 (the "Phase 3 Plat").

6. D.R. Horton is the owner of twenty-two (22) of the Lots or Units within the Angel Street Townhomes, that are more particularly described on Exhibit "B" attached hereto and incorporated herein by this reference (referred to herein as the "D.R. Horton Units").

7. The Original Declarant executed, acknowledged and recorded in the Office of the Recorder of Davis County, Utah on September 6, 2012 as Entry No. 2685207 in Book 5600 at Pages 130 through 137 a document entitled Notice of Termination of Class B Control Period, Consent to Election of Members/Directors of the Management Committee/Board of Directors and Transfer of Control of Management and Withdrawal of Declarant for Courtyards at Angel Street Phases 1 and 2, pursuant to which the Original Declarant terminated its Class B Control Period and confirmed its withdrawal as the Declarant under the Original Declaration, effective as of March 21, 2012.

8. In light of the withdrawal of the Original Declarant as the Declarant under the Original Declaration, D.R. Horton, as the owner of the D.R. Horton Units, desires to subject the D.R. Horton Units to all of the terms and conditions of the Original Declaration, as supplemented and amended by the First Supplement and by the Second Supplement, and as further supplemented and amended by this Third Supplement, and to have the D.R. Horton Units deemed, for all purposes, to be a part of the Project.

9. At a meeting of the Members of the Association held on October 25, 2012, at which meeting the owners of the Units within the Project representing at least sixty-seven percent (67%) of the total ownership interests in the Association were either present or represented by proxy, the owners of Units within the Project representing at least sixty-seven percent (67%) of the total ownership interests in the Association adopted a resolution approving and consenting to the expansion of the Project, pursuant to Section 45 of the Original Declaration, as supplemented and amended by the First Supplement and by the Second Supplement, and as further supplemented and amended by this Third Supplement, to include all of the D.R. Horton Units.

## AGREEMENT

NOW, THEREFORE, for the reasons described in the foregoing Recitals, and for the benefit of the Project and the Unit Owners thereof, D.R. Horton and the Association hereby execute this Third Supplement and hereby covenant, agree and declare as follows:

1. D.R. Horton Units Added to the Project. D.R. Horton hereby declares that the D.R. Horton Units are hereby added to and included within the Project and shall be subject to the Original Declaration, as supplemented and amended by the First Supplement and by the Second Supplement, and as further supplemented and amended by this Third Supplement. For purposes of this Third Supplement, the term "Declaration" shall mean the Original Declaration, as supplemented and amended by the First Supplement, the Second Supplement and this Third Supplement. For purposes of this Third Supplement, the term "Project" shall mean all thirty-five (35) of the Units within the Angel Street Townhomes, as described, depicted and identified on the Phase 1 Plat, the Phase 2 Plat and the Phase 3 Plat. The recording of this Third Supplement in the Office of the Recorder of Davis County, Utah shall constitute and effectuate the expansion of the Project, making the D.R. Horton Units described in Exhibit "B" subject to the Declaration and subject to the powers, rights and jurisdiction of the Association as set forth in the Declaration. By executing this Third Supplement, the Association hereby evidences its consent and approval to the action taken by D.R. Horton to add the D.R. Horton Units to the Project and to subject the D.R. Horton Units to the Declaration.

2. Total Number of Townhomes Subject to the Declaration. As the result of the execution and recording of this Third Supplement, all of the thirty-five (35) Town Homes, Units or Lots that are depicted on the Phase 1 Plat, the Phase 2 Plat and the Phase 3 Plat are subject to the terms and conditions of the Declaration.

3. Percentage Interests Revised. Because of the addition to the Project of the D.R. Horton Units, it is necessary to adjust the undivided percentages of ownership interests of the Owners in the Association, as provided in Section 45(e) of the Declaration. Consequently, Exhibit "C" that is attached to the Original Declaration and that was subsequently amended by the First Supplement and by the Second Supplement, is hereby amended and restated in its entirety and is hereby replaced with the Revised Exhibit "C" attached to this Third Supplement and incorporated herein by this reference.

4. Certification of Action Taken by the Members of the Association. By executing this Third Supplement, the undersigned President and the undersigned Secretary of the Association hereby certify that at a meeting of the Members of the Association held on October 25, 2012 at which meeting the owners of the Units within the Project representing at least sixty-seven percent (67%) of the total ownership interests in the Association were either present or represented by proxy, the owners of Units within the Project representing at least sixty-seven percent (67%) of the total ownership interests in the Association adopted a resolution approving and consenting to the expansion of the Project, pursuant to Section 45 of the Declaration, to include all of the D.R. Horton Units.

5. Declaration Otherwise Unmodified. Except as herein expressly provided, the Declaration shall in all respects remain unmodified and shall continue in full force and effect.

IN WITNESS WHEREOF, D.R. Horton and the Association have caused this Third Supplement to be executed by persons duly authorized to execute the same with a reference date of October 25, 2012.

D.R. HORTON, INC., a Delaware corporation

By: [Signature]  
Boyd A. Martin  
Title: Vice President  
Date: \_\_\_\_\_

COURTYARDS AT ANGEL STREET  
HOMEOWNERS ASSOCIATION, INC., a Utah  
nonprofit corporation

By: [Signature]  
Title: President  
Date: 11/11/2012

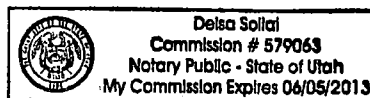
By: [Signature]  
Title: Secretary  
Date: 11/11/12

STATE OF UTAH )  
COUNTY OF Utah : ss.)

The foregoing instrument was acknowledged before me this 1st day of November, 2012, by Boyd A. Martin, the Vice President of D.R. Horton, Inc., a Delaware corporation.

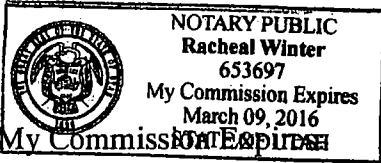
[Signature]  
NOTARY PUBLIC  
Residing at: Utah Canyon DR. Horton, Inc.  
12251 S. Gateway Park Pl. #206  
Draper, UT 84020

My Commission Expires:  
June 9, 2013



STATE OF UTAH )  
 : ss.  
COUNTY OF Davis )

The foregoing instrument was acknowledged before me this 1 day of November, 2012, by Matthew Charles Griffin, as the President of Courtyards at Angel Street Homeowners Association, Inc., a Utah nonprofit corporation.



March 09, 2016

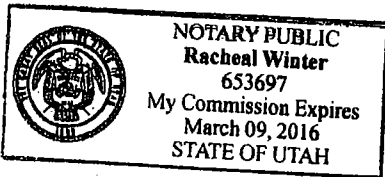
Racheal Winter  
NOTARY PUBLIC  
Residing at: Zions Bank  
1781 W. Antelope dr.  
Layton UT 84041

STATE OF UTAH )  
 : ss.  
COUNTY OF Davis )

The foregoing instrument was acknowledged before me this 1 day of November, 2012, by Jonathan Staker Thornley, as the Secretary of Courtyards at Angel Street Homeowners Association, Inc., a Utah nonprofit corporation.

My Commission Expires:

March 09, 2016



Racheal Winter  
NOTARY PUBLIC  
Residing at: Zions Bank  
1781 W. Antelope dr.  
Layton UT 84041

**EXHIBIT "A"**  
**TO**  
**THIRD SUPPLEMENT TO**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,**  
**AND RESERVATION OF EASEMENTS**  
**FOR**  
**COURTYARDS AT ANGEL STREET**  
**(AN EXPANDABLE UTAH TOWN HOME DEVELOPMENT)**

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**Legal Description of the Property that is Subject to the Original Declaration, as  
Supplemented and Amended by the First Supplement and the Second Supplement**

That certain real property located in Davis County, Utah more particularly described as follows:

UNITS 1, 2, 3, AND 4 IN BUILDING 3, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 2, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON OCTOBER 6, 2008 AS ENTRY NO. 2397166 IN BOOK 4629, AT PAGE 1181.

UNITS 1, 2, 3, 4, 5, AND 6 IN BUILDING 1, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 1 AMENDMENT, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON MARCH 22, 2011 AS ENTRY NO. 2590330 IN BOOK 5235, AT PAGE 157.

UNITS 1, 2, AND 3 IN BUILDING 2, CONTAINED WITHIN ANGEL STREET TOWNHOMES PHASE 1 AMENDMENT, AS IDENTIFIED ON THE OFFICIAL PLAT THEREOF THAT WAS RECORDED IN THE OFFICE OF THE RECORDER OF DAVIS COUNTY, UTAH ON MARCH 22, 2011 AS ENTRY NO. 2590330 IN BOOK 5235, AT PAGE 157.

Together with the right and easement of use and enjoyment in and to the common areas as set forth on said Plats.

Serial Numbers:	10-284-001	10-283-004
	10-284-002	10-283-005
	10-284-003	10-283-006
	10-284-004	10-283-007
	10-283-001	10-283-008
	10-283-002	10-283-009
	10-283-003	

**EXHIBIT "B"**  
**TO**  
**THIRD SUPPLEMENT TO**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,**  
**AND RESERVATION OF EASEMENTS**  
**FOR**  
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**Legal Description of the D.R. Horton Units**

Units 1, 2, 3, 4, 5 and 6, in Building 4, contained within ANGEL STREET TOWNHOMES, PHASE 2, as identified on the official Plat thereof that was recorded in the Office of Recorder of Davis County, Utah, on October 6, 2008 as Entry No. 2397166, in Book 4629, at Page 1181.

TOGETHER WITH a nonexclusive right and easement of use and enjoyment in and to the Common Areas described and as provided for on said Plat.

Units 1, 2, 3, 4, 5 and 6, in Building 5, contained within ANGEL STREET TOWNHOMES, PHASE 2, as identified on the official Plat thereof that was recorded in the Office of Recorder of Davis County, Utah, on October 6, 2008, as Entry No. 2397166, in Book 4629, at Page 1181.

TOGETHER WITH a nonexclusive right and easement of use and enjoyment in and to the Common Areas described and as provided for on said Plat

Units 1, 2, 3 and 4, in Building 6, contained within ANGEL STREET TOWNHOMES, PHASE 3, as identified on the official Plat thereof that was recorded in the Office of Recorder of Davis County, Utah, on October 6, 2008, as Entry No. 2397167, in Book 4629, at Page 1182.

TOGETHER WITH a nonexclusive right and easement of use and enjoyment in and to the Common Areas described and as provided for on said Plat.

Units 1, 2, 3, 4, 5 and 6, in Building 7, contained within ANGEL STREET TOWNHOMES, PHASE 3, as identified on the official Plat thereof that was recorded in the Office of Recorder of Davis County, Utah, on October 6, 2008, as Entry No. 2397167, in Book 4629, at Page 1182.

TOGETHER WITH a nonexclusive right and easement of use and enjoyment in and to the Common Areas described and as provided for on said Plat.

**SERIAL NUMBERS:**

**Units Identified on Phase 2 Plat:**

Unit 1, Bldg 4  
Serial No. 10-284-0005

Unit 2, Bldg 4  
Serial No. 10-284-0006

Unit 3, Bldg 4  
Serial No. 10-284-0007

Unit 4, Bldg 4  
Serial No. 10-284-0008

Unit 5, Bldg 4  
Serial No. 10-284-0009

Unit 6, Bldg 4  
Serial No. 10-284-0010

Unit 1, Bldg 5  
Serial No. 10-284-0011

Unit 2, Bldg 5  
Serial No. 10-284-0012

Unit 3, Bldg 5  
Serial No. 10-284-0013

Unit 4, Bldg 5  
Serial No. 10-284-0014

Unit 5, Bldg 5  
Serial No. 10-284-0015

Unit 6, Bldg 5  
Serial No. 10-284-0016

**Units Identified on Phase 3 Plat:**

Unit 1, Bldg 6  
Serial No. 10-285 0001

Unit 2, Bldg 6  
Serial No. 10 285 0002

Unit 3, Bldg 6  
Serial No. 10-285-0003

Unit 4, Bldg 6  
Serial No. 10-285-0004



Unit 1, Bldg 7  
Serial No. 10-285-0005

Unit 2, Bldg 7  
Serial No. 10-285-0006

Unit 3, Bldg 7  
Serial No. 10-285-0007

Unit 4, Bldg 7  
Serial No. 10-285-0008

Unit 5, Bldg 7  
Serial No. 10-285-0009

Unit 6, Bldg 7  
Serial No. 10-285-0010

**REVISED EXHIBIT "C"**  
**TO**  
**THIRD SUPPLEMENT TO**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS,**  
**AND RESERVATION OF EASEMENTS**  
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Percentages of Undivided Ownership Interests

<u>Plat</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
Phase 1 Plat	1	1	2.8571%
Phase 1 Plat	1	2	2.8571%
Phase 1 Plat	1	3	2.8571%
Phase 1 Plat	1	4	2.8571%
Phase 1 Plat	1	5	2.8571%
Phase 1 Plat	1	6	2.8571%
Phase 1 Plat	2	1	2.8571%
Phase 1 Plat	2	2	2.8571%
Phase 1 Plat	2	3	2.8571%
Phase 2 Plat	3	1	2.8571%
Phase 2 Plat	3	2	2.8571%
Phase 2 Plat	3	3	2.8571%
Phase 2 Plat	3	4	2.8571%
Phase 2 Plat	4	1	2.8571%
Phase 2 Plat	4	2	2.8571%
Phase 2 Plat	4	3	2.8571%
Phase 2 Plat	4	4	2.8571%
Phase 2 Plat	4	5	2.8571%
Phase 2 Plat	4	6	2.8571%
Phase 2 Plat	5	1	2.8571%
Phase 2 Plat	5	2	2.8571%
Phase 2 Plat	5	3	2.8571%
Phase 2 Plat	5	4	2.8571%
Phase 2 Plat	5	5	2.8571%
Phase 2 Plat	5	6	2.8571%
Phase 3 Plat	6	1	2.8571%
Phase 3 Plat	6	2	2.8571%
Phase 3 Plat	6	3	2.8571%
Phase 3 Plat	6	4	2.8571%
Phase 3 Plat	7	1	2.8571%
Phase 3 Plat	7	2	2.8571%
Phase 3 Plat	7	3	2.8571%

<u>Plat</u>	<u>Building No.</u>	<u>Unit No.</u>	<u>Percentage of Ownership Interest</u>
Phase 3 Plat	7	4	2.8571%
Phase 3 Plat	7	5	2.8571%
Phase 3 Plat	7	6	2.8571%