

WHEN RECORDED, RETURN TO:

WOODSIDE HOMES CORPORATION  
Attn: Nate Pugsley  
39 East Eagleridge Drive, Suite 100  
North Salt Lake, UT 84054

E 1713127 B 2947 P 1006  
SHERYL L. WHITE, DAVIS CNTY RECORDER  
2001 DEC 18 2:51 PM FEE 145.00 DEP MEC  
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

---

(Space Above Line for Recorder's Use Only)

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS AND RESERVATION OF EASEMENTS  
FOR  
FOX POINTE**

THIS FIRST AMENDMENT TO DECLARATION, made as of this 17<sup>th</sup> day of December, 2001, by WOODSIDE HOMES CORPORATION, a Utah corporation ("Declarant"),

**WITNESSETH:**

**WHEREAS:**

A. Declarant has caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for FOX POINTE, recorded on July 10, 2001, as entry 1673848 in Book 2844, Page 565 recorded in the Official Records, Utah County Recorder, Davis County, Utah (the "Declaration"); and

B. Pursuant to Section 7.5 of the Declaration, the Declaration may be amended by recording a written document executed by the owners of at least three-fourths of the Lots, and Declarant currently owns more than three-fourths of the Lots subject to the Declaration.

**NOW, THEREFORE**, in consideration of the foregoing premises, and the provisions herein contained, Declarant hereby amends the Declaration as follows:

1. Section 3.2.1 of the Declaration is hereby amended to delete all references to Parcel "D" such that the provisions of Section 3.2.1 shall apply only to Parcels "C" and "E."

**ACCOMMODATION RECORDING ONLY.  
FIRST AMERICAN TITLE MAKES NO  
REPRESENTATION AS TO CONDITION OF  
TITLE, NOR DOES IT ASSUME  
ANY RESPONSIBILITY FOR VALIDITY,  
SUFFICIENCY OR AFFECT OF DOCUMENT.**

IN WITNESS WHEREOF, Declarant has executed this First Amendment to the Declaration the day and year first written above.

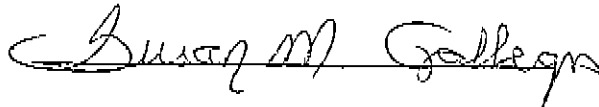
**DECLARANT:**  
**WOODSIDE HOMES CORPORATION,**  
a Utah corporation

  
\_\_\_\_\_  
By: Scott D. Nelson  
Its: President

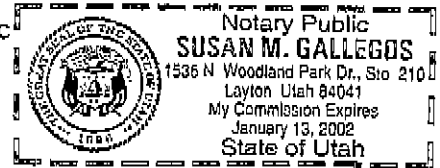
STATE OF UTAH    )  
                          ) ss.  
COUNTY OF DAVIS    )

This instrument was acknowledged before me on this 17<sup>th</sup> day of December, 2001, by Scott D. Nelson, as President of WOODSIDE HOMES CORPORATION, a Utah corporation.

My Commission Expires



Notary Public



## EXHIBIT A

Lots ~~Four Hundred One~~ (101) through ~~Four Hundred Thirty-one~~ (117), inclusive, of **Fox Pointe Plat "A"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1642672, Book 2759, Page 261, on March 2, 2001.

08-275-0101 thru 0117

Lots ~~Four Hundred One~~ (801) through ~~Four Hundred Thirty-one~~ (803), inclusive, of **Fox Pointe Plat "H"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1660666, Book 2807, Page 362, on May 14, 2001.

08-277-0801 thru 0803

Lots ~~Six Hundred One~~ (201) through ~~Six Hundred Twenty-five~~ (221), inclusive, of **Fox Pointe Plat "B"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1676256, Book 2850, Page 612, on July 19, 2001.

08-285-0201 thru 0221

Lots ~~Six Hundred One~~ (301) through ~~Six Hundred Twenty-five~~ (330), inclusive, of **Fox Pointe Plat "C"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1702113, Book 2921, Page 322, on November 7, 2001.

08-289-0301 thru 0330

Lots **Four Hundred One (401) through Four Hundred Thirty-one (431)**, inclusive, of **Fox Pointe Plat "D"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1709620, Book 2938, Page 362, on December 5, 2001.

08-291-0401 thru 0431

Lots **Six Hundred One (601) through Six Hundred Twenty-five (625)**, inclusive, of **Fox Pointe Plat "F"**, recorded in the official records of the Davis County, Utah, Recorder's Office, as Instrument Number 1709688, Book 2938, Page 870, on December 5, 2001.

08-292-601 thru 0625

EXHIBIT A

Parcel "E"

E 1713127 B 2947 P 1009

NE 10' 31" NW  
N10" 11' 31" NW  
08-026-0056, 0057  
08-031-0065

Boundary Description

Beginning at the Northeast corner of Lot 414 of Fox Pointe Subdivision Plat D in Kaysville City, Davis County, Utah, which point is N 0°01'57"W 1,112.16 ft. along the Section Line and West 87.36 ft. from the East Quarter Corner of Section 10, T.3N., R.1W., S.L.B.&M. and running thence along the boundary of said Plat D in the following three courses: West 117.35 ft., N 53°30'06"W 68.42 ft., West 313.97 ft.; thence N 56°36'13"W 131.31 ft. along the boundary of said Plat D and Fox Pointe Subdivision Plat C; thence along the boundary of said Plat C in the following two courses: N 89°26'26"W 66.42 ft., N 53°37'17"W 159.95 ft., thence along the boundary of Shadowbrook Plats C and D in the following forty-two courses to the Northwest corner of Lot 144 of South Bench Estates No. 5 Subdivision:

N49°20'02"E 71.74'	S89°33'32"E 32.06'	N44°31'48"E 21.23'
N11°16'30"W 19.52'	N46°27'00"W 21.06'	N16°27'57"E 29.31'
N48°45'24"E 27.34'	N28°20'07"W 22.03'	N31°09'47"E 57.70'
N16°22'44"E 25.21'	N15°38'19"W 45.00'	N57°03'35"W 18.11'
N52°23'09"E 42.10'	N85°41'26"E 45.24'	N19°14'31"E 44.50'
N60°11'53"E 23.54'	N37°15'11"E 25.14'	S69°50'49"E 21.33'
N49°44'25"E 40.77'	S77°02'22"E 40.24'	N10°20'14"W 14.34'
N57°45'36"W 38.39'	N14°58'04"W 31.24'	S83°28'34"E 68.38'
N46°23'23"E 27.63'	S61°07'21"E 29.87'	S25°07'23"E 23.31'
N43°30'32"E 66.04'	N11°13'29"W 53.55'	N74°07'01"E 9.84'
S62°51'26"E 48.32'	N82°22'06"E 25.51'	N51°46'04"E 62.39'
S35°31'55"E 31.59'	S21°52'24"W 26.61'	S00°09'02"E 31.81'
N80°45'32"E 30.97'	N16°56'53"E 39.96'	N50°11'20"E 31.31'
S30°53'27"E 44.91'	N81°43'03"E 37.92'	S46°27'56"E 42.25'

thence along the boundary of said South Bench No. 5 in the following three courses: S 13°33'20"E 178.10 ft., South 340.97 ft., N 89°54'30"E 46.46 ft.; thence South 110.25 ft., thence Northwesterly 16.12 ft. along the arc of a 425.04 ft. radius curve to the right through a central angle of 2°10'21" (chord bears N 81°05'10"W 16.12 ft.), thence S 10°00'00"W 55.00 ft.; thence N 80°00'00"W 18.97 ft.; thence South 87.32 ft. to the point of beginning.

Containing 9.9734 Acres

ACCOMMODATION RECORDING ONLY.  
 FIRST AMERICAN TITLE MAKES NO  
 REPRESENTATION AS TO CONDITION OF  
 TITLE, NOR DOES IT ASSUME  
 ANY RESPONSIBILITY FOR VALIDITY,  
 SUFFICIENCY OR AFFECT OF DOCUMENT.

NE 10 } 37-14  
NW 11 }

08-026-0056-0057 EXHIBIT A

08-031-0065

E 1713127 B 2947 P 1010

PARCEL "G"

## Boundary Description

Beginning at a point on the North boundary of Lot 203 of Fox Pointe Subdivision Plat B in Kaysville City, Davis County, Utah, which point is N 0°01'57"W 622.16 ft. along the Section Line from the East Quarter Corner of Section 10, T.3N., R.1W., S.L.B. & M., and running thence West 27.56 ft. along said North boundary of said Lot 203; thence along the boundary of Fox Pointe Subdivision Plat D in the following two courses: N20°04'27"W 149.06 ft., N 7°15'38"W 70.57 ft.; thence North 367.32 ft. along the boundary of said Plat D and Fox Pointe Subdivision Plat E; thence along the boundary of said Plat E in the following four courses: S 80°00'00"E 18.97 ft., N 10°00'00"E 55.00 ft., Southeasterly 16.12 ft. along the arc of a 425.04 ft. radius curve to the left through a central angle of 2°10'21" (chord bears S81°05'10"E 16.12 ft.), North 110.25 ft.; thence N89°54'30"E 43.07 ft. along the South Boundary of South Bench Estates No. 5 to a point which is S0°01'57"E 1,279.57 ft. along said Section Line from the Northeast Corner of said Section 10; thence N89°54'30"E 790.23 ft. along the South boundaries of said South Bench No. 5 and Hess Farms Estates No. VII; thence S 0°04'00"W 331.52 ft. along the boundaries of Hess Farm Estates No. VII and Hess Farm Estates No. III-A; thence along the boundary of Fox Pointe Estates Plat F in the following nine courses: West 109.02 ft., N 76°23'04"W 56.57 ft., West 109.50 ft., N 0°04'00"E 38.47 ft., N 82°56'24"W 80.32 ft., S 89°54'30"W 240.00 ft., S0°05'30"E 266.00 ft., S 17°16'16"E 155.51 ft., South 74.00 ft.; thence along the North boundary of said Fox Pointe Subdivision Plat B in the following three courses to the point of beginning: West 111.40 ft., North 21.47 ft., West 131.44 ft.

Containing 8.7589 Acres