

5  
AFTER RECORDING, PLEASE RETURN TO:

Mike Bradshaw  
Rosecrest Communities Master Homeowners Association  
12227 S. Business Park Drive, Suite 200, PO Box 5555  
Draper, Utah 84020

13146243  
12/13/2019 11:45 AM \$40.00  
Book - 10872 Pg - 443-447  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
ROSECREST COMM. MASTER HOME.  
12227 S BUSINESS PARK DR  
STE 200  
DRAPER UT 84020  
BY: MGP, DEPUTY - WI 5 P.

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

**Rosecrest Communities Planned Unit Development**

**City of Herriman, Salt Lake County, Utah**

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS for the ROSECREST COMMUNITIES PLANNED UNIT DEVELOPMENT (the "Amendment") is made and entered into effective this \_\_\_ day of October, 2019, by ROSECREST COMMUNITIES MASTER HOMEOWNERS ASSOCIATION (the "Association") and ACADEMY VIALLAGE LAND HOLDINGS, LLC, a Utah limited liability company ("*Academy Village*"); and is filed to amend that certain Declaration of Covenants, Conditions and Restrictions and Reservation of Easement for the Rosecrest Communities Planned Unit Development recorded as Entry 11336225 on February 21, 2012, as supplemented by that certain Supplement to Declaration of Covenants, Conditions and Restrictions and Reservation of Easements recorded as Entry 11635734 on May 7, 2013 (together with all amendments, supplements, and other modifications hereto, the "*Declaration*").

RECITALS:

A. The Declaration, as supplemented, includes property owned by Academy Village (the "*Academy Village Parcels*") as part of the Rosecrest Communities Planned Unit Development.

B. After the recordation of the Declaration, the Academy Village Parcels were sold to Academy Village for the development of commercial projects on the Academy Village Parcels. Due to this development, the Declaration, which solely contemplates residential development, is no longer applicable to the Academy Village Parcels.

C. The parties now desire to amend the Declaration to release the Academy Village Parcels from the property subject to the Declaration.

NOW, THEREFORE, the Association and Academy Village do hereby agree, by execution of this Amendment, to amend the Declaration in the manner set forth below:

1. Description of the Academy Village Parcels. The Academy Village parcels are certain parcels of real property located in Salt Lake County, Utah, more particularly described on the attached Exhibit "A."

2. Release of Academy Village Parcels. The Association hereby releases the Academy Village Parcels and declares that the Academy Village Parcels are not subject to or governed by the Declaration.

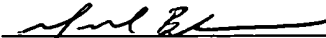
3. Declaration Ratified and Affirmed. Except as modified by this Amendment, the Association does hereby ratify and affirm the Declaration in its entirety.

[Signature Pages Follow]

DATED as of the date first above written.

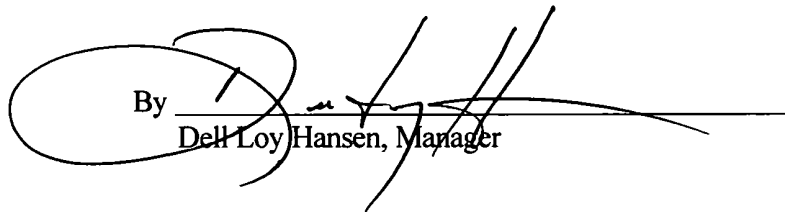
**ASSOCIATION:**

ROSECREST COMMUNITIES MASTER  
HOMEOWNERS ASSOCIATION, INC.  
A Utah Nonprofit Corporation

By   
Mike Bradshaw, President

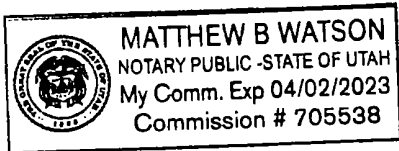
**ACADEMY VILLAGE:**

ACADEMY VILLAGE LAND HOLDINGS, LLC  
A Utah Limited Liability Company

By   
Dell Loy Hansen, Manager

STATE OF UTAH )  
 )  
:SS  
COUNTY OF Salt Lake )

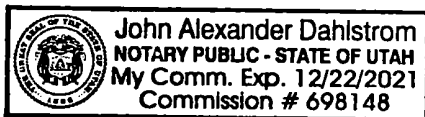
On the 14 day of October, 2019, personally appeared before me MIKE BRADSHAW, who, being by me duly sworn, did say that he is the President of ROSECREST COMMUNITIES MASTER HOMEOWNERS ASSOCIATION, INC., and that the foregoing FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS was signed by him on behalf of ROSECREST COMMUNITIES MASTER HOMEOWNERS ASSOCIATION, INC. by authority of a resolution of the Directors or its Bylaws, and MIKE BRADSHAW acknowledged to me that ROSECREST COMMUNITIES MASTER HOMEOWNERS ASSOCIATION, INC. executed the same.




  
NOTARY PUBLIC

STATE OF UTAH )  
 )  
:SS  
COUNTY OF Salt Lake )

On the \_\_\_ day of October, 2019, personally appeared before me DELL LOY HANSEN, who, being by me duly sworn, did say that he is the Manager of ACADEMY VILLAGE LAND HOLDINGS, LLC, and that the foregoing FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS was signed by him on behalf of ACADEMY VILLAGE LAND HOLDINGS, LLC by authority of a resolution of the Members or its Operating Agreement, and DELL LOY HANSEN acknowledged to me that ACADEMY VILLAGE LAND HOLDINGS, LLC executed the same.



  
NOTARY PUBLIC

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF ACADEMY VILLAGE PARCELS**

Parcel 1: 3307428002000

All of Lot 1, POD 35 SUBDIVISION AMENDING LOT C, SOUTH HERRIMAN, according to the official plat thereof, filed in the office of the Salt Lake County Recorder in Plat Book 2019P at Page 45 of official records.

Parcel 2:

All of Lot 1, POD 39 SUBDIVISION, AMENDING LOT G, SOUTH HERRIMAN, according to the official plat thereof, filed in the office of the Salt Lake County Recorder in Plat Book 2019P at Page 46 on official records.