

**THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR
EAST TOWN VILLAGE TOWN HOMES
An Expandable Utah Planned Unit Development Project**

This Third Amendment to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Town Homes (hereinafter "Third Amendment"), hereby amends that certain Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Town Homes, recorded on June 9, 2011 in the Salt Lake County Recorder's Office, as Entry No. 11195616 and is hereby adopted by the Successor Declarant East Town Village, L.C., a Utah limited liability company ("Successor Declarant") and is made and executed as of the last date set forth in the notarized signature below.

RECITALS:

(A) This Third Amendment affects and concerns the real property located in Salt Lake County, Utah, and more particularly described in the attached **Exhibit "A"** ("Property").

(B) On or about June 9, 2011, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for East Town Village Town Homes was recorded in the Salt Lake County Recorder's Office as Entry No. 11195616, as amended ("Declaration"). The Bylaws were recorded as an exhibit to the Declaration.

(C) On or about November 17, 2014, an Amendment to the Declaration of Covenants, Conditions and Restrictions, and Reservations for East Town Village Town Homes was recorded in the Salt Lake County Recorder's Office as Entry No. 11946504 ("First Amendment").

(D) On or about October 29, 2015, an Amendment to the Declaration of Covenants, Conditions and Restrictions, and Reservations for East Town Village Town Homes was recorded in the Salt Lake County Recorder's Office as Entry No. 12161177 ("Second Amendment").

CERTIFICATION

The Successor Declarant certifies that the period of Successor Declarant's Control has not expired. Consequently, under Declaration Article III, Section 32(d) and (e) and Article III, Section 5(3)(b) of the First Amendment, Successor Declarant has the unilateral right to amend the Declaration.

The Successor Declarant certified that there are currently no Eligible Mortgagees, as that term is defined in the Declaration.

NOW, THEREFORE, pursuant to the foregoing, the Board hereby makes and executes this Third Amendment, which shall be effective as of its recording date.

COVENANTS, CONDITIONS AND RESTRICTIONS

1. Recitals. The above Recitals are incorporated herein by reference and made a part hereof.
2. No Other Changes. Except as otherwise expressly provided in this Third Amendment, the Declaration remains in full force and effect without modification.
3. Conflicts. In the case of any conflict between the provisions of this Third Amendment and the provisions of the Declaration, the provisions of this Third Amendment shall in all respects govern and control. In the case of any existing provision with the Declaration that could be interpreted as prohibiting the modifications set forth in this Third Amendment, such provision is hereby modified to accomplish the purpose and intent of this Third Amendment.
4. Purpose. It is the purpose and intent of this Third Amendment to modify any existing provision(s) within the Declaration and its subsequent amendments that may not comply with current regulations or requirements for certification, approval or eligible financing from the Federal Housing Administration of the United States Department of Housing and Urban Development (FHA), the Federal Housing Home Loan Mortgage Corporation or the Mortgage Corporation (FHLMC), Federal National Mortgage Association (FNMA), Governing National Mortgage Association (GNMA) or the Department of Veteran Affairs (VA), Federal Housing Finance Agency (FHFA), Fannie Mae, or Freddie Mac (collectively "Federal Lending Agencies"), including the modified paragraph set forth below.

AMENDMENTS

5. Article III, Paragraph 31(f) Approval of Proposed Action or Transaction of the Declaration is hereby amended as follows:
 - f) Approval of Proposed Action or Transaction. Any Mortgagee who receives, by certified or registered mail, a written request, with a return receipt requested, to approve any act, transaction or amendment to the Declaration, and who does not return a negative response within sixty (60) days shall be deemed to have approved such requested; provided however, and anything to the contrary notwithstanding, so long as successor Declaration is in control of the owner's association, such action or transaction must be approved in writing by the Department of Veterans Affairs (VA) pursuant to CFR, Title 38, Section 36.4357(b)(4) and, if any financing or the guaranty of any financing of a Unit is provided by the Federal Housing Administration of the United States Department of Housing and Urban Development (FHA), the Federal Home Loan Mortgage Corporation or the Mortgage Corporation (FHLMC), Federal National Mortgage Association (FNMA), Government National Mortgage Association (GNMA), by such agencies.
6. Any other existing provision in the Declaration and subsequent amendments is hereby modified to comply with existing requirements for Federal Lending Agencies. Any

**Exhibit A
Legal Description**

**EXHIBIT "A"
LEGAL DESCRIPTION**

ALL LOTS EAST TOWN VILLAGE TOWN HOMES PHASE 32 PUD AS SHOWN ON THE OFFICIAL PLAT THEREOF ON RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE UTAH.

Lot / Quarter	Parcel Number	Obsolete?
AREA	22-31-302-075-0000	N
18/1	22-31-302-069-0000	N
18/2	22-31-302-070-0000	N
18/3	22-31-302-071-0000	N
18/4	22-31-302-072-0000	N
18/5	22-31-302-073-0000	N
18/6	22-31-302-074-0000	N

ALL LOTS EAST TOWN VILLAGE TOWN HOMES PHASE 33 PUD AS SHOWN ON THE OFFICIAL PLAT THEREOF ON RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE UTAH.

Lot / Quarter	Parcel Number	Obsolete?
19/1	22-31-302-076-0000	N
19/2	22-31-302-077-0000	N
19/3	22-31-302-078-0000	N
19/4	22-31-302-079-0000	N
19/5	22-31-302-080-0000	N
19/6	22-31-302-081-0000	N
AREA	22-31-302-075-0000	N

ALL LOTS EAST TOWN VILLAGE TOWN HOMES PHASE 34 PUD AS SHOWN ON THE OFFICIAL PLAT THEREOF ON RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE UTAH.

Lot / Quarter	Parcel Number	Obsolete?
AREA	22-31-302-075-0000	N
43/1	22-31-302-082-0000	N
43/2	22-31-302-083-0000	N
43/3	22-31-302-084-0000	N
43/4	22-31-302-085-0000	N
43/5	22-31-302-086-0000	N
43/6	22-31-302-087-0000	N

ALL LOTS EAST TOWN VILLAGE TOWN HOMES PHASE 35 PUD AS SHOWN ON THE OFFICIAL PLAT THEREOF ON RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE UTAH.

Lot / Quarter	Parcel Number	Obsolete?
AREA	22-31-302-075-0000	N
20/1	22-31-302-088-0000	N
20/2	22-31-302-089-0000	N
20/3	22-31-302-090-0000	N
20/4	22-31-302-091-0000	N

EXHIBIT "B"
ADDITIONAL LAND

Proposed Lots 1, 2, 3, 7, 8, 9 of East Town Villages, Sandy, Utah, according to the official plats thereof to be recorded in the office of the Salt Lake County Recorder, Utah, more particularly described as follows:

LOT 1

Beginning at a point on the south line of East Town Village – Phase 30, said point being South 0°06'55" East 616.04 feet along the section line and East 165.48 feet to the Southwest Corner of East Town Village Phase 1 and South 89°54'59" East 154.34 feet along the south line of East Town Village Phase 1 to and along the south line of East Town Village Phase 20 to the Northwest Corner of East Town Village – Phase 31 and South 89°54'59" East 130.53 feet along the north line to an angle point in the north line of East Town Village – Phase 31, said line also being the south line of East Town Village Phase 20 and Phase 21, and South 89°54'00" East 592.97 feet along the north line and beyond of East Town Village – Phase 31, said line also being on the south line of East Town Village Phase 21, Phase 17, Phase 16, Phase 15, and Phase 14 from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South 89°54'00" East 320.28 feet along the south line of East Town Village Phase "14" to and along the south line of East Town Village Phase 30 to and along and to the Southeast Corner of East Town Village Phase "29," being the westerly line of the Utah Transit Authority right of way;

thence South 4°48'50" East 504.92 feet along the westerly line of the Utah Transit Authority right of way;

thence South 85°11'00" West 67.00 feet;

thence North 4°48'50" West 14.67 feet;

thence South 85°10'06" West 53.01 feet;

thence westerly 13.24 feet along the arc of a 50.00 foot radius curve to the left, (center bears South 4°49'54" East and long chord bears South 77°35'03" West 13.20 feet, with a central angle of 15°10'06");

thence South 70°00'00" West 66.96 feet;

thence South 89°46'49" West 7.49 feet;

thence northwesterly 180.73 feet along the arc of a 529.00 foot radius curve to the left, (center bears South 89°34'29" West and long chord bears North 10°12'46" West 179.85 feet, with a central angle of 19°34'29");

thence North 20°00'00" West 370.27 feet to the point of beginning.

Contains 127,623 square feet, 2.930 acres.

thence easterly 13.24 feet along the arc of a 50.00 foot radius curve to the right,
(center bears South 20°00'00" East and long chord bears North 77°35'03" East 13.20 feet,
with a central angle of 15°10'06");

thence North 85°10'06" East 53.01 feet;

thence South 4°48'50" East 14.67 feet;

thence North 85°11'00" East 67.00 feet to the point of beginning.

Contains 30,482 square feet, 0.700 acres.

LOT 2

Beginning at a point on the westerly line of the Utah Transit Authority right of way, said point being South 0°06'55" East 616.04 feet along the section line and East 165.48 feet to the Southwest Corner of East Town Village Phase 1 and South 89°54'59" East 154.34 feet along the south line of East Town Village Phase 1 to and along the south line of East Town Village Phase 20 to the Northwest Corner of East Town Village - Phase 31 and South 89°54'59" East 130.53 feet along the north line to an angle point in the north line of East Town Village - Phase 31, said line also being the south line of East Town Village Phase 20 and Phase 21, and South 89°54'00" East 759.10 feet along the north line and beyond of East Town Village - Phase 31, said line also being on the south line of East Town Village Phase 21, Phase 17, Phase 16, Phase 15, Phase 14 and Phase 30 to the Southeast Corner of Phase 30, also being on the westerly line of the Utah Transit Authority right of way and South 4°48'50" East 504.92 feet along the westerly line of the Utah Transit Authority right of way from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence South 4°48'50" East 92.63 feet along the westerly line of the Utah Transit Authority right of way;

thence South 85°12'15" West 22.15 feet;

thence South 4°48'50" East 54.00 feet;

thence South 85°11'10" West 80.87 feet;

thence westerly 11.68 feet along the arc of a 112.00 foot radius curve to the right, (center bears North 4°48'50" West and long chord bears South 88°10'26" West 11.67 feet, with a central angle of 5°58'31");

thence North 88°50'19" West 104.72 feet;

thence northerly 12.01 feet along the arc of a 529.00 foot radius curve to the left, (center bears North 87°32'16" West and long chord bears North 1°48'42" East 12.01 feet, with a central angle of 1°18'02");

thence North 1°09'41" East 105.13 feet;

thence northwesterly 14.65 feet along the arc of a 529.00 foot radius curve to the left, (center bears North 88°50'19" West and long chord bears North 0°22'05" East 14.65 feet, with a central angle of 1°35'12");

thence North 89°46'49" East 7.49 feet;

thence North 70°00'00" East 66.96 feet;

LOT 3

Beginning at a point on the westerly line of the Utah Transit Authority right of way, said point being South 0°06'55" East 616.04 feet along the section line and East 165.48 feet to the Southwest Corner of East Town Village Phase 1 and South 89°54'59" East 154.34 feet along the south line of East Town Village Phase 1 to and along the south line of East Town Village Phase 20 to the Northwest Corner of East Town Village – Phase 31 and South 89°54'59" East 130.53 feet along the north line to an angle point in the north line of East Town Village – Phase 31, said line also being the south line of East Town Village Phase 20 and Phase 21, and South 89°54'00" East 913.25 feet along the north line and beyond of East Town Village – Phase 31, said line also being on the south line of East Town Village Phase 21, Phase 17, Phase 16, Phase 15, Phase 14, Phase 30 and Phase 29 to the Southeast Corner of Phase 29, also being on the westerly line of the Utah Transit Authority right of way and South 4°48'50" East 597.55 feet along the westerly line of the Utah Transit Authority right of way from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South 4°48'50" East 679.60 feet along the westerly line of the Utah Transit Authority right of way;

thence North 20°00'00" West 506.38 feet;

thence North 88°50'19" West 106.47 feet;

thence North 0°20'19" East 34.61 feet;

thence northeasterly 58.34 feet along the arc of a 471.00 foot radius curve to the right, (center bears South 89°39'41" East and long chord bears North 3°53'13" East 58.30 feet, with a central angle of 7°05'47");

thence northeasterly 45.91 feet along the arc of a 529.00 foot radius curve to the left, (center bears North 82°33'54" West and long chord bears North 4°56'55" East 45.90 feet, with a central angle of 4°58'23");

thence South 88°50'19" East 104.72 feet;

thence easterly 11.68 feet along the arc of a 112.00 foot radius curve to the left, (center bears North 1°09'41" East and long chord bears North 88°10'26" East 11.67 feet, with a central angle of 5°58'31");

thence North 85°11'10" East 80.87 feet;

thence North 4°48'50" West 54.00 feet;

thence North 85°12'15" East 22.15 feet to the point of beginning.

Contains 65,359 square feet, 1.500 acres.

LOT 7

Beginning at a point being South $0^{\circ}06'55''$ East 1148.06 feet along the section line and East 166.60 feet from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South $89^{\circ}56'27''$ East 99.34 feet;

thence South 221.06 feet;

thence North $89^{\circ}38'35''$ West 79.47 feet;

thence northwesterly 31.12 feet along the arc of a 20.00 foot radius curve to the right, (center bears North $0^{\circ}21'25''$ East and long chord bears North $45^{\circ}03'50''$ West 28.08 feet, with a central angle of $89^{\circ}09'30''$);

thence North $0^{\circ}21'25''$ East 200.58 feet to the point of beginning.

Contains 21,727 square feet, 0.499 acres.

LOT 8

Beginning at a point on a south line of East Town Village - Phase 31, (also being the south line of Opequon Road,) said point being South 0°06'55" East 757.33 feet along the section line and East 189.70 feet from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence East 132.09 feet along the south line of East Town Village - Phase 31, (also being the south line of Opequon Road,) to the Northwest Corner of East Town Village - Phase 33;

thence South 132.40 feet along the west line of East Town Village - Phase 33 to and along the west line to the Southwest Corner of East Town Village - Phase 34;

thence North 89°55'20" West 55.07 feet;

thence South 57.60 feet;

thence North 89°55'20" West 98.09 feet;

thence North 0°21'25" East 169.99 feet;

thence northeasterly 31.29 feet along the arc of a 20.00 foot radius curve to the right, (center bears South 89°38'35" East and long chord bears North 45°10'42" East 28.20 feet, with a central angle of 89°38'35") to the point of beginning.

Contains 25,724 square feet, 0.591 acres.

LOT 9

Beginning at a point on the south line of East Town Village Phase 1, said point being South 0°06'55" East 616.04 feet along the section line and East 170.98 feet from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running;

thence South 89°54'59" East 148.84 feet along the south line of East Town Village Phase 1 to a Northwest Corner of East Town Village - Phase 31;

thence South 83.07 feet along the west line of East Town Village - Phase 31 to and along the west line to the Southwest Corner of East Town Village - Phase 32 and being on a north line of East Town Village - Phase 31, (also being the north line of Opequon Road);

thence West 129.23 feet along the north line of East Town Village - Phase 31, (also being the Opequon Road);

thence northwesterly 31.54 feet along the arc of a 20.00 foot radius curve to the right, (center bears North and long chord bears North 44°49'18" West 28.37 feet, with a central angle of 90°21'25");

thence North 0°21'25" East 63.16 feet to the point of beginning.

Contains 12,315 square feet, 0.283 acres.

EXHIBIT "C"
WITHDRAWN ADDITIONAL LAND

PROPOSED Lots 4, 5, and 6, EAST TOWN VILLAGE-SANDY, Sandy, Utah, according to the official plat thereof to be recorded in the office of the Salt Lake County Recorder, Utah, more particularly described as follows:

Lot 4: Beginning at a Southeast Corner of East Town Village - Phase 35, said point also being on the east line of Bellingham Drive and being South 0°06'15" East 940.07 feet along the section line and East 505.47 feet the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running; thence South 81°29'21" East 42.37 feet along the south line to an angle point in the south line of East Town Village - Phase 35; thence South 87°05'43" East 28.13 feet along the south line to a Southeast Corner of East Town Village - Phase 35; thence North 12.20 feet along the east line to an angle point in the east line of East Town Village - Phase 35; thence North 2°54'21" East 93.74 feet along the east line to the Northeast Corner of East Town Village - Phase 35, also being on the south line of East Town Village - Phase 31; thence South 87°05'40" East 68.33 feet along the south line to a Southeast Corner of East Town Village - Phase 31; thence North 15.84 feet along the easterly line to an angle point in the easterly line of East Town Village - Phase 31; thence North 41°21'22" West 67.52 feet easterly line to an angle point in the easterly line of East Town Village - Phase 31; thence North 11.82 feet along the easterly line to an interior corner of East Town Village - Phase 31; thence East 69.50 feet along the southerly line to a Southeast Corner of East Town Village - Phase 31; thence North 116.00 feet along the easterly line to a Northeast Corner of East Town Village - Phase 31; thence West 69.50 feet along the northerly line to an interior corner of East Town Village - Phase 31; thence North 34.34 feet, {34.61 feet, plat distance} along the easterly line to a Northeast Corner of East Town Village - Phase 31, also being on the south line of East Town Village Phase 111711; thence South 89°54'00" East 377.06 feet along the south line of East Town Village Phase "17" to and along the south line of East Town Village Phase 111611, Phase "15", and Phase 111411 thence South 20°00'00" East 391.49 thence southerly 173.96 feet along the arc of a 471.00 foot radius curve to the right. (center bears South 70°00'00" West and long chord bears South 9°25'10" East 172.97 feet, with a central angle of 21°09'41"); thence South 1°09'41" West 3.77 feet; thence southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the right. (center bears North 88°50'19" West and long chord bears South 46°09'41" West 21.21 feet, with a central angle of 90°00'00"); thence North 88°50'19" West 607.70 feet; thence northwesterly 23.26 feet along the arc of a 15.00 foot radius curve to the right. (center bears North 1°09'41" East and long chord bears North 44°25'10" West 21.00 feet, with a central angle of 88°50'19"); thence North 206.98 feet to the point of beginning.

Lot 5: Beginning at a point South 0°06'55" East 1283.07 feet along the section line and East 165.49 feet from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running; thence North 0°21'12" East 37.30 feet; thence northeasterly 31.42 feet along the arc of a 20.00 foot radius curve to the right, (center bears South 89°38'35" East and long chord bears North 45°21'25" East 28.28 feet, with a central angle of 90°00'00"); thence South 89°38'35" East 101.68 feet; thence easterly 51.08 feet along the arc of a 229.00 foot radius curve to the left, (center bears North 0°21'25" East and long chord bears North 83°57'58" East 50.98 feet; with a central angle of 12°46'53"); thence easterly 40.55 feet along the arc of a 171.00 foot radius curve to the right, (center bears South 12°25'29" East and long chord bears North 84°22'06" East 40.45 feet; with a central angle of 13°35'09"); thence South 88°50'19" East 747.55 feet; thence southeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the right. (center bears South 1°09'41" West and long chord bears South 43°50'19" East 21.21 feet, with a central angle of 90°00'00"); thence South 1°09'41" West 13.36 feet; thence southerly 51.57 feet along the arc of a 471.00 foot radius curve to the right, (center bears North 88°50'19" West and long chord bears South 4°17'53" West 51.55 feet, with a central angle of 6°16'25"); thence southerly 65.52 feet along the arc of a 529.00 foot radius curve to the left, (center bears South 82°33'54" East and long chord bears South 3°53'13" West 65.48 feet, with a central angle of 7°05'47"); thence South 0°20'19" West 28.34 feet; thence North 89°38'35" West 219.12 feet; thence North 1°35'36" East 106.48 feet; thence North 88°50'19" West 750.35 feet to the point of beginning.

Lot 6: Beginning at the Southwest Corner of East Town Village - Phase 34, said point being South 0°06'55" East

889.74 feet along the section line and East 321.52 feet from the West Quarter Corner of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running; thence East 127.61 feet along the south line to the Southeast Corner of East Town Village - Phase 34, (also being on the west line of East Town Village - Phase 31 and the west line of Bellingham Drive); thence southerly 32.07 feet along the arc of a 329.00 foot radius curve to the left, (center bears South 84°24'51" East and long chord bears South 2°47'35" West 32.06 feet, with a central angle of 5°35'09") along the west line of East Town Village - Phase 31, (also being the west line of Bellingham Drive; thence South 223.51 feet along the west line of East Town Village - Phase 31 and beyond, (also being the west line of Bellingham Drive, and beyond); thence southwesterly 23.87 feet along the arc of a 15.00 foot radius curve to the right, (center bears West and long chord bears South 43°34'50" West 21.43 feet, with a central angle of 91°09'41"); thence North 88°50'19" West 51.83 feet; thence westerly 54.30 feet along the arc of a 229.00 foot radius curve to the left, (center bears South 1°09'41" West and long chord bears South 84°22'06" West 54.17 feet, with a central angle of 13°35'09"); thence westerly 38.15 feet along the arc of a 171.00 foot radius curve to the right, (center bears North 12°25'28" West and long chord bears South 83°57'58" West 38.07 feet, with a central angle of 12°46'53"); thence North 89°38'35" West 22.21; thence North 278.66 feet; thence East 55.06 feet to the point of beginning.