

WHEN RECORDED, RETURN TO:

Plumb Holdings, L.L.C.  
90 South 400 West #360  
Salt Lake City, Utah 84101



Tax ID #: W-5-2-10-4108

**THIRD AMENDMENT TO  
AMENDED AND RESTATED DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR NORTHBRIDGE ESTATES AND  
SUBDIVISION**

**(Annexation of Phase 3)**

This Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Northbridge Estates and Subdivision ("Third Amendment") is executed pursuant to the provisions of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Northbridge Estates and Subdivision as described in Recital A hereof, by Plumb Holdings, L.L.C., a Utah limited liability company ("Declarant").

**RECITALS**

A. On October 9, 2009, Declarant's predecessor-in-interest, Split Rock, Inc., a Utah corporation, recorded in the Official Records of Washington County, State of Utah, that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Northbridge Estates and Subdivision as Document No. 20090038974, as amended (the "Declaration"), covering the real property known as Northbridge Estates and Northbridge Subdivision (the "Project") located in Washington County, Utah, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").

B. Pursuant to Section 11.2 of the Declaration, Declarant reserved the right to unilaterally amend the Declaration, without prior approval of the Association or its Members, for the purpose of subjecting additional land to the Declaration. Accordingly, Declarant now desires to exercise its unilateral right to amend the Declaration for the purpose set forth and described in this Third Amendment by subjecting the additional land described on Exhibit "B" attached hereto and incorporated herein by this reference (the "Additional Land") to the Declaration.

C. In connection with Declarant's exercise of its expansion rights described above, twenty-three (23) Lots will be added to the Project, as identified in the subdivision plat to be recorded of even date herewith entitled "Northbridge Estates Phase 3" (the "Phase 3 Plat").

NOW, THEREFORE, Declarant hereby unilaterally amends the Declaration as follows:

1. Defined Terms and Status of Recitals. Capitalized terms used and not otherwise defined in this Third Amendment shall have the meaning or meanings given to them in the Declaration. The Recitals set forth above shall constitute a portion of the terms of this Third Amendment.

2. Annexation of Additional Land. Declarant hereby exercises its rights under Section 11.2 of the Declaration to subject the Additional Land to the Declaration. Accordingly, the real property described in Exhibit "B" attached hereto is hereby added to and made a part of the Project, as more particularly set forth in the Phase 3 Plat. Declarant declares that from and after the recordation of this Third Amendment and the Phase 3 Plat, the Additional Land shall be held, transferred, sold, conveyed, and occupied subject to the covenants, conditions, restrictions, easements, charges and liens set forth in this Declaration, as the same may be amended and supplemented in accordance with Section 11.1 of the Declaration.

3. Voting Rights. Owners of Lots within the Phase 3 Plat shall be Class B Members.

4. Plumb Lots. To the extent the Lots within the Phase 3 Plat are "Plumb Lots," as such term is defined in that certain Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Northbridge Estates and Subdivision recorded February 1, 2012, as Entry No. 20120003404, Official Washington County Records (the "Second Amendment"), the terms of the Second Amendment shall control with respect to Minimum Area, Unit Height, Setbacks, exteriors, number of stories and other development restrictions set forth in the Second Amendment. If not directly addressed in the Second Amendment, the terms of the Declaration shall control with respect to the development of the Lots within the Phase 3 Plat.

5. Declaration Remains in Effect. This Third Amendment shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated or amended by the recording of this Third Amendment.

6. Authority. Declarant hereby certifies that the Declarant may execute this Third Amendment without the signature of any other party as provided in Section 11.2 of the Declaration, as amended by this Third Amendment.

(Signature Page to Follow)

IN WITNESS WHEREOF, this Third Amendment is hereby executed this 28<sup>th</sup> day of March, 2012.

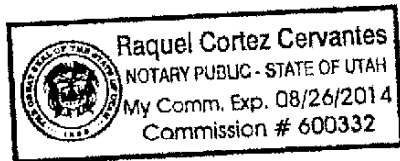
PLUMB HOLDINGS, L.L.C., a Utah limited liability company

By: Walter J. Plumb IV  
Its: Manager

STATE OF Utah )  
COUNTY OF Salt Lake ) :SS.

On this 28<sup>th</sup> day of March, 2012, before me, the undersigned, a Notary Public in and for the State of Utah, duly commissioned and sworn, personally appeared Walter J. Plumb IV the Manager of Plumb Holdings, L.L.C., a Utah limited liability company.

Witness my hand and official seal affixed the day and year first above written.



Raquel Cortez Cervantes  
Notary Public in and for the State of Utah  
Residing at Salt Lake City  
My appointment expires: 08/26/2014



**EXHIBIT "A"**

Legal Description of Property

**(W-NB-1-1 THROUGH 31)**

ALL OF LOT(S) 1 THROUGH 31, NORTHBRIDGE PHASE 1 AMENDED AND EXTENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

**(W-NB-2-32 THROUGH 80)**

ALL OF LOT(S) 32 THROUGH 80, NORTHBRIDGE PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

**(W-NBE-1-201 THROUGH 212)**

ALL OF LOT(S) 201 THROUGH 212, NORTHBRIDGE ESTATES PHASE 1 AMENDED & EXTENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

**(W-NBE-2-228 THROUGH 248)**

ALL OF LOT(S) 228 THROUGH 248, NORTHBRIDGE ESTATES PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

**EXHIBIT "B"**

Legal Description of Additional Land to be Annexed

Commencing at the Northwest Corner of Section 10, Township 42 South, Range 15 West, Salt Lake Base and Meridian; Thence South 89°01'34" East, along the Section line a distance of 376.66 feet, to the Point of Beginning; Thence South 89°01'34" East, along said Section line, a distance of 726.81 feet; Thence South 42°34'52" East, a distance of 441.67 feet, to a point on the northerly boundary line of Northbridge Phase 2 Amended & Extended, according to the Official Plat thereof filed under Document #20080048390, Washington County Records; Thence the following thirteen (13) courses along said line, South 47°21'01" West, a distance of 111.02 feet; Thence North 42°38'59" West, a distance of 174.97 feet, to the beginning of a 350.00 foot radius curve to the left, thence northwesterly along the arc of said curve a distance of 272.63 feet, through a central angle of 44°37'48"; Thence North 87°16'47" West, a distance of 116.90 feet; Thence South 02°43'13" West, a distance of 335.12 feet, to the beginning of curve to the left having a radius of 175.00 feet and a central angle of 36°10'35", thence southerly along the arc of said curve a distance of 110.49 feet; Thence South 33°27'22" East, a distance of 35.71 feet; Thence South 73°25'22" West, a distance of 73.45 feet; Thence North 86°59'17" West, a distance of 107.57 feet; South 82°08'56" West, a distance of 136.90 feet; Thence South 38°27'18" West, a distance of 58.98 feet; Thence South 70°29'09" West, a distance of 110.00 feet; Thence South 76°53'53" West, a distance of 80.50 feet, to a point on the Westerly right-of-way line of Concord Parkway; Thence North 19°30'51" West, along said line, a distance of 96.10 feet, to the beginning of a curve to the right, having a radius of 330.00 feet, thence northerly along the arc of said curve, and said line, a distance of 245.57 feet, through a central angle of 42°38'14"; Thence North 23°07'23" East, along said line, a distance of 66.62 feet, to the beginning of a curve to the left, having a radius of 195.00 feet, thence northerly along the arc of said curve, and said line, a distance of 69.44 feet through a central angle of 20°24'11"; Thence North 02°43'13" East, along said line, a distance of 311.92 feet, to the Point of Beginning.

Containing: 9.92 acres, more or less.

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