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**DOC # 20120017133**

Amended Restrictive Covenants  
Russell Shirts Washington County Recorder  
05/24/2012 09:10:47 AM Fee \$ 23.00  
By ENCE HOMES

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**CORRECTIVE AMENDMENT TO THE AMENDED AND RESTATED  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND  
RESERVATION OF EASEMENTS FOR TREASURE VALLEY**

The Declarant, having recorded an Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Treasure Valley ("Declaration," as recorded June 29, 2012 as Document No. 20100021284) which Amendment to the Declaration was recorded in the Office of the Washington County Recorder on May 17, 2012, as Document No. 20120016270, has determined that additional clarification and/or modification of provisions of the Amendment to the Declaration is necessary, affecting certain Phases in the Treasure Valley Subdivision in Washington County, Utah, as further described in Exhibit "A" hereto, and other phases, as may be annexed.

Now, therefore, pursuant to Section 14.1.2 of the Declaration, Declarant hereby unilaterally amends the Declaration as follows herein.

**AMENDMENT**

This Corrective Amendment, as it pertains to Alleyway Lots, shall not apply to Phase 1 Alleyway Lots; provisions in the Declaration for such Phase 1 Alleyway Lots continue to apply.

In addition to provisions of the above-referenced Amendment, as not modified herein, this Corrective Amendment shall apply to all Alleyway Lots in Phases 4 and other phases as they may hereafter be annexed into Treasure Valley. Therefore, this Amendment is for the purpose of clarifying and modifying certain provisions of the Declaration relating to Alleyway Lots in the above-referenced Phase, or future phases, as may be annexed as follows:

1. For clarification purposes, the intent of the Declaration, Section 9.3.1, is that the provisions of said Section apply to both Alleyway Lots and Standard Lots (non-alleyway lots), except as modified hereafter.

For purposes of clarification, Alleyway Lots shall be defined as Lots which have vehicular access to homes constructed on such Lots only by means of an alleyway access at the rear of such Lots, i.e., Lots to which no vehicular access is available by means of a dedicated public road. Standard Lots shall be defined as Lots whose vehicular access to the home is not by an alleyway, rather, vehicular access to such Standard Lots is solely by means of a public road to which such Lots have adjacent frontage.

2. Section 9.3.1, Section 9.3.2, and Section 9.3.3 shall apply to all Alleyway Lots and Standard Lots (non-alleyway lots) except for the following modification to the Declaration regarding Alleyway Lots in Phase 4, and Phases 5, 6, 7, and others phases, as may annexed, which Alleyway Lots shall be governed by the following modification:

Inasmuch as Alleyway Lots in Phase 4 (and Phases 5, 6, 7 when annexed), are separated from the rear property lines of neighboring Standard Lots by an alleyway and a rear separation wall situated on the rear property lines of the Standard Lots, which, as of the recordation of this Corrective Amendment already are in place, or will be in place as part of the construction of a homes on such Standard Lots and which rear walls are intended to separate such Standard Lots from the alleyway which adjoins and provides access to Alleyway Lots, such Alleyway Lots shall not be required to have a rear wall along its alleyway adjacency as part of the original construction of the home or at the time of Certificate of Occupancy thereof. Such wall, if desired by the Alleyway Lot Owner, shall be the sole responsibility of such Lot Owner

Notwithstanding the foregoing, in the annexation of additional Lots, there may be a few unique circumstances relating to Standard Lots and Alleyway Lots and their adjacency as described above which require special handling. The Board shall have the right to address such unique circumstances without amendment of the Declaration.

3 Except as otherwise expressly modified by this Corrective Amendment and other Amendments to the Declaration, the Declaration shall remain unchanged and applicable to govern all Phases of Treasure Valley, as annexed, as set forth in Exhibit "A", or as annexed hereafter.

IN WITNESS WHEREOF, on this 21<sup>st</sup> day of May 2012, the undersigned Declarant has executed this Corrective Amendment effective as of the date herein set forth above.

DECLARANT, ENCE BROS. CONSTRUCTION, INC.

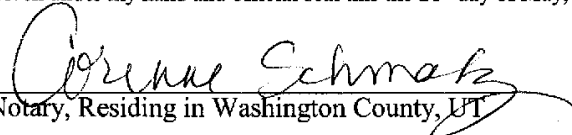
  
By: Tracy Ence, President

ACKNOWLEDGMENT

State of Utah )  
 )ss.  
Washington County )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Tracy Ence, President of Ence Bros. Construction, Inc., signed to the foregoing instrument, and being authorized and empowered to do so, acknowledged before me on this day that, being informed of the contents of said instrument,, he executed the same voluntarily for the uses and purposes stated therein.

Given under my hand and official seal this the 21<sup>st</sup> day of May, 2012.

  
Notary, Residing in Washington County, UT

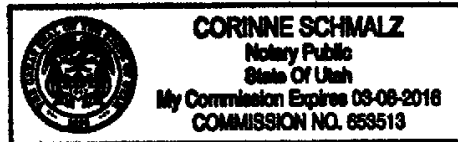


EXHIBIT "A" CONTINUED  
TREASURE VALLEY PHASE 1  
PARCEL # W-TREA-1, ALL LOTS RECORDED ON THE OFFICIAL PLAT THEREOF

**BOUNDARY DESCRIPTION:**

BEGINNING AT A POINT WHICH LIES NORTH 00°48'35" EAST 1327.21 FEET ALONG THE SECTION LINE, SOUTH 89°18'01" EAST 1174.52 FEET ALONG THE NORTH SIXTEENTH LINE AND SOUTH 00°43'59" WEST 24.75 FEET FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 88°16'01" EAST 681.12 FEET; THENCE SOUTH 00°55'50" WEST 100.25 FEET; THENCE NORTH 89°16'01" WEST 38.33 FEET; THENCE SOUTH 00°55'50" WEST 100.00 FEET; THENCE SOUTH 89°16'01" EAST 55.42 FEET; THENCE SOUTH 00°43'59" WEST 50.00 FEET ALONG A RADIAL LINE TO A POINT ON THE ARC OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, THE RADIUS POINT OF WHICH BEARS SOUTH 00°43'59" WEST; THENCE SOUTHWESTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE SOUTH 00°55'50" WEST 281.77 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO A POINT ON A RADIAL LINE; THENCE ALONG SAID RADIAL LINE SOUTH 00°43'59" WEST 58.00 FEET; THENCE NORTH 89°18'01" WEST 0.34 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE SOUTH 00°55'50" WEST 0.31 FEET; THENCE NORTH 89°04'10" WEST 50.00 FEET ALONG A RADIAL LINE TO A POINT ON THE ARC OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, THE RADIUS POINT OF WHICH BEARS NORTH 89°04'10" WEST; THENCE NORTHWESTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE NORTH 89°16'01" WEST 140.00 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE SOUTH 00°55'50" WEST 0.31 FEET; THENCE NORTH 89°04'10" WEST 50.00 FEET ALONG A RADIAL LINE TO A POINT ON THE ARC OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, THE RADIUS POINT OF WHICH BEARS NORTH 89°04'10" WEST; THENCE NORTHWESTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE NORTH 89°16'01" WEST 170.02 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY 39.18 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO A POINT ON A RADIAL LINE; THENCE ALONG SAID RADIAL LINE NORTH 89°04'10" WEST 66.00 FEET; THENCE NORTH 00°55'50" EAST 3.60 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY 39.36 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE NORTH 89°18'01" WEST 169.95 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE SOUTH 00°55'50" WEST 257.46 FEET; THENCE NORTH 88°04'10" WEST 50.00 FEET; THENCE NORTH 89°16'01" WEST 363.57 FEET; THENCE NORTH 00°52'13" EAST 552.99 FEET; THENCE SOUTH 89°16'01" EAST 364.16 FEET; THENCE SOUTH 89°04'10" EAST 50.00 FEET; THENCE SOUTH 00°55'50" WEST 205.53 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE SOUTH 89°16'01" EAST 97.45 FEET; THENCE NORTH 00°55'50" EAST 79.90 FEET TO THE POINT OF CURVATURE OF A 15.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY 23.61 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE NORTH 89°16'01" WEST 4.95 FEET; THENCE NORTH 00°55'50" EAST 84.89 FEET TO THE POINT OF CURVATURE OF A 15.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY 23.61 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO A POINT ON A RADIAL LINE; THENCE ALONG SAID RADIAL LINE NORTH 00°43'59" EAST 20.00 FEET; THENCE SOUTH 89°18'01" EAST 0.17 FEET TO THE POINT OF CURVATURE OF A 15.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY 23.51 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE NORTH 00°55'50" EAST 346.38 FEET TO THE POINT OF BEGINNING. CONTAINS 15.214 ACRES.

**EXHIBIT "A" CONTINUED  
TREASURE VALLEY PHASE 2  
PARCEL # W-TREA-2, ALL LOTS RECORDED ON THE OFFICIAL PLAT THEREOF**

**BOUNDARY DESCRIPTION:**

BEGINNING AT THE NORTHEAST CORNER OF TREASURE VALLEY - PHASE 1, OFFICIAL RECORDS OF WASHINGTON COUNTY, UTAH, SAID POINT LIES NORTH 00°48'35" EAST 1327.21 FEET ALONG THE SECTION LINE, SOUTH 89°16'01" EAST 1855.64 FEET ALONG THE NORTH SIXTEENTH LINE, AND SOUTH 00°43'59" WEST 24.75 FEET FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE LEAVING THE BOUNDARY OF SAID PHASE 1 SOUTH 89°16'01" EAST 740.69 FEET; THENCE SOUTH 01°02'47" WEST 183.98 FEET TO A POINT ON THE ARC OF A 50.00 FOOT RADIUS NON TANGENT CURVE CONCAVE WESTERLY, THE RADIUS POINT OF WHICH LIES SOUTH 35°08'08" WEST; THENCE SOUTHERLY 92.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 105°56'20" TO THE POINT OF REVERSE CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTEASERLY; THENCE SOUTHWESTERLY 17.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41" TO THE POINT OF TANGENCY; THENCE SOUTH 01°02'47" WEST 351.02 FEET; THENCE NORTH 89°16'01" WEST 718.82 FEET TO AN ANGLE POINT ON SAID BOUNDARY OF PHASE 1; THENCE COINCIDENT WITH SAID BOUNDARY IN THE FOLLOWING NINE (9) COURSES: NORTH 00°43'59" EAST 58.00 FEET ALONG A RADIAL LINE TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS NON TANGENT CURVE CONCAVE NORTHEASTERLY; THE RADIUS POINT OF WHICH LIES NORTH 00°43'59" EAST; THENCE NORTHWESTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE NORTH 00°55'50" EAST 281.77 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO A POINT ON A RADIAL LINE; THENCE ALONG SAID RADIAL LINE NORTH 00°43'59" EAST 50.00 FEET; THENCE NORTH 89°16'01" WEST 55.42 FEET; THENCE NORTH 00°55'50" EAST 100.00 FEET; THENCE SOUTH 89°16'01" EAST 38.33 FEET; THENCE NORTH 00°55'50" EAST 100.25 FEET TO SAID NORTHEAST CORNER AND THE POINT OF BEGINNING. CONTAINS 10.769 ACRES.

**EXHIBIT "A" CONTINUED  
TREASURE VALLEY PHASE 3  
PARCEL # W-TREA-3, ALL LOTS RECORDED ON THE OFFICIAL PLAT THEREOF**

FINAL PLAT BOUNDARY DESCRIPTION:

BEGINNING AT THE SOUTHWEST CORNER OF TREASURE VALLEY SUBDIVISION - PHASE 2, OFFICIAL RECORDS OF WASHINGTON COUNTY, UTAH, SAID POINT LIES NORTH 00°48'35" EAST 1327.21 FEET ALONG THE SECTION LINE, SOUTH 89°16'01" EAST 1871.07 FEET ALONG THE NORTH SIXTEENTH LINE, AND SOUTH 00°43'59" WEST 654.77 FEET FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE COINCIDENT WITH THE SOUTHERLY BOUNDARY OF SAID PHASE 2 SOUTH 89°16'01" EAST 718.82 FEET TO THE SOUTHEAST CORNER OF SAID PHASE 2 BOUNDARY; THENCE LEAVING SAID PHASE 2 BOUNDARY SOUTH 01°02'47" WEST 522.65 FEET; THENCE NORTH 89°16'01" WEST 749.25 FEET; THENCE NORTH 00°55'50" EAST 97.50 FEET; THENCE NORTH 89°16'01" WEST 38.79 FEET; THENCE NORTH 00°55'50" EAST 405.08 FEET TO A POINT ON THE BOUNDARY OF TREASURE VALLEY SUBDIVISION - PHASE 1, ALSO OFFICIAL RECORDS OF SAID COUNTY; THENCE COINCIDENT WITH SAID PHASE 1 BOUNDARY IN THE FOLLOWING FOUR (4) COURSES: SOUTH 89°04'10" EAST 50.00 FEET; THENCE NORTH 00°55'50" EAST 0.31 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF TANGENCY; THENCE SOUTH 89°16'01" EAST 0.34 FEET TO SAID SOUTHWEST CORNER AND THE POINT OF BEGINNING. CONTAINS 9.350 ACRES.

**EXHIBIT "A" CONTINUED  
TREASURE VALLEY PHASE 4  
PARCEL # W-TREA-4, ALL LOTS RECORDED ON THE OFFICIAL PLAT THEREOF**

**BOUNDARY DESCRIPTION:**

BEGINNING AT A POINT ON THE BOUNDARY OF TREASURE VALLEY - PHASE 3, OFFICIAL RECORDS OF WASHINGTON COUNTY, UTAH, SAID POINT LIES NORTH 00°48'35" EAST 1327.21 FEET ALONG THE SECTION LINE, SOUTH 89°16'01" EAST 1799.57 FEET ALONG THE NORTH SIXTEENTH LINE, AND SOUTH 00°43'59" WEST 1009.98 FEET FROM THE WEST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE COINCIDENT WITH SAID BOUNDARY IN THE FOLLOWING FIVE (5) COURSES: SOUTH 00°55'50" WEST 69.93 FEET; THENCE SOUTH 89°16'01" EAST 38.79 FEET; THENCE SOUTH 00°55'50" WEST 97.50 FEET; THENCE SOUTH 89°16'01" EAST 749.25 FEET; THENCE NORTH 01°02'47" EAST 522.65 FEET TO THE SOUTHEAST CORNER OF TREASURE VALLEY - PHASE 2, OF SAID OFFICIAL RECORDS, THENCE COINCIDENT WITH THE EASTERLY BOUNDARY OF SAID PHASE 2 IN THE FOLLOWING FOUR (4) COURSES: NORTH 01°02'47" EAST 351.02 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY 17.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41" TO THE POINT OF REVERSE CURVATURE OF A 50.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE NORTHERLY 92.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 105°56'20" TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE NORTH 01°02'47" EAST 183.98 FEET TO THE NORTHEAST CORNER OF SAID PHASE 2; THENCE LEAVING SAID EASTERLY BOUNDARY SOUTH 89°16'01" EAST 53.63 FEET TO A POINT ON THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 01°03'05" WEST 1303.66 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION; THENCE ALONG THE EAST-WEST CENTER SECTION LINE NORTH 89°14'29" WEST 1170.99 FEET; THENCE LEAVING SAID EAST-WEST CENTER SECTION LINE NORTH 00°55'50" EAST 115.51 FEET; THENCE NORTH 49°25'26" WEST 25.31 FEET; THENCE NORTH 45°49'53" EAST 150.08 FEET ALONG A RADIAL LINE TO A POINT ON THE ARC OF A 50.00 FOOT RADIUS CURVE CONCAVE EASTERLY, THE RADIUS POINT OF WHICH LIES NORTH 45°49'53" EAST; THENCE NORTHERLY 82.99 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 95°05'39" TO THE POINT OF REVERSE CURVATURE OF A 20.00' RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY 17.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'42" TO A POINT ON A RADIAL LINE; THENCE ALONG SAID RADIAL LINE SOUTH 89°04'10" EAST 50.00 FEET; THENCE SOUTH 00°55'50" WEST 8.47 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY 31.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°11'51" TO THE POINT OF TANGENCY; THENCE SOUTH 89°16'01" EAST 140.00 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY 31.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'09" TO THE POINT OF CUSP, SAID POINT BEING ON THE BOUNDARY OF SAID PHASE 3 AND THE POINT OF BEGINNING. CONTAINS 6.554 ACRES.