

When recorded, return to:

Lexington Land Development Company, LLC
11693 South 700 East, Suite 150
Draper, UT 84020

Tax Parcel ID: 58-034-0471
58-034-0472
58-034-0635

**NOTICE AND AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

Lexington Green at Saratoga Springs

THIS NOTICE AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made effective as of the 25th day of February, 2020 by Lexington Land Development Company, LLC (hereinafter referred to as "Declarant").

RECITALS:

Lexington Green at Saratoga Springs is a residential subdivision consisting of 100 building lots and individual homes to be built thereon as the Lexington Green Subdivision consisting of approximately 18 acres collectively in the City of Saratoga Springs, Utah. Separately and independently, Concord Crossing Apartments is an adjoining multi-family development on approximately 12 acres in Saratoga Springs, Utah. (The respective legal descriptions and plat map with regard to the subject properties are attached hereto as Exhibit A and incorporated herein by reference).

The Declaration of Covenants, Conditions and Restrictions ("CCR") recorded on February 24, 2020 regarding Lexington Green is expressly intended and limited in its application solely to the 100 single-family homes in the residential subdivision known as Lexington Green. The nearby adjoining Concord Crossing Apartments ("Concord Crossing") are a separate multi-family development and are not subject to or included in the Lexington Green CCR. All financing agreements, building plans, site plans, permits, improvements, deeds, leases, construction contracts, title insurance and other such matters pertaining to the development and construction of Concord Crossing are excluded from and are independent of Lexington Green CCR and have been separately approved by the City of Saratoga Springs through the multi-family land use, planning, zoning and development process with regard thereto.

NOW THEREFORE, notice is hereby given and it is fully and expressly confirmed, acknowledged and ratified that the Lexington Green CCR from time of adoption and recordation do not apply to Concord Crossing and are made, adopted and recorded solely for the mutual and reciprocal benefit of Lots 101-200 and each detached, single-family home to be built thereon and sold and occupied in the Lexington Green Subdivision. Said CCR do not apply to Lot 201, which is fully excluded from the Lexington Green single-family subdivision and the CCR governing and applied thereto. Said property (Lot 201) is reserved and dedicated solely to the independent

**ACCOMMODATION
RECORDING**

development, construction, ownership and management of 252 apartments, clubhouse and improvements on approximately 12 acres as separately subdivided, entitled and comprising Concord Crossing, which property and apartments are thus expressly excluded from the Lexington Green CCR effective as of February 25, 2020 and as further expressly confirmed and ratified hereby. The definition of "property" in the Lexington Green CCR is hereby amended and clarified as provided herein and consistent herewith. The CCR include Lots 101-200 as shown on the recorded plat but expressly exclude Lot 201 as also recognized and provided in Article 1 (B).

To the extent that any of the provisions of this Amendment are in conflict with the terms, conditions and provisions of the Declaration of Lexington Green, such provisions are deemed amended by this Amendment and shall be controlling. This Amendment has been made by the Declarant pursuant to the terms of the Declaration of Lexington Green, which reserve to the Declarant the right to manage the affairs of the Association prior to completion of the development and to carry out the Declarant's development rights.

Executed this 2nd day of December, 2020 by:

DECLARANT:

**LEXINGTON LAND DEVELOPMENT
COMPANY, LLC**

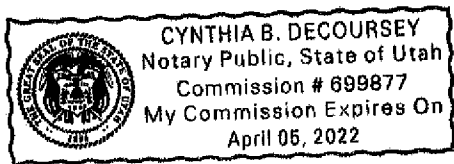
By: *F. LaVar Christensen*
F. LaVar Christensen, Managing Member

CONCORD HOLDINGS, LLC

By: *F. LaVar Christensen*
F. LaVar Christensen, Managing Member

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake

I HEREBY CERTIFY that on this 2nd day of December 2020 personally appeared F. LaVar Christensen, who acknowledged himself to be the Managing Member of **Lexington Land Development Company, LLC** and **Concord Holdings, LLC** and executed the foregoing Declaration of Covenants and Restrictions on behalf of the said entity for the purposes therein contained and acknowledged the same to be the lawful act and deed of the aforesaid entity.



Notary Public: *Cynthia B. Decoursey*

Exhibit A

Legal Descriptions & Plat Map

I. Lexington Green – Single Family Homes Area

Beginning at a point on the Northerly Right-of-Way Line of Pony Express Parkway, said point being South 89°33'20" West 911.18 feet along the section line and North 00°26'40" West 90.00 feet from the South Quarter Corner of Section 22, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°33'20" West 421.81 feet along the Northerly Right-of-Way Line of Pony Express Parkway;

thence North 00°18'08" East 1,029.96 feet to the Southerly Right-of-Way Line of Fairfield Road;

thence North 56°28'20" East 1,163.83 feet along the Southerly Right-of-Way Line of Fairfield Road;

thence Southeasterly 764.07 feet along the arc of a 4,907.50 foot radius curve to the left (center bears South 87°24'59" East and the chord bears South 01°52'36" East 763.30 feet with a central angle of 08°55'14");

thence North 89°55'31" West 481.75 feet;

thence Southwesterly 111.66 feet along the arc of a 229.50 foot radius curve to the right (center bears North 83°58'33" West and the chord bears South 19°57'46" West 110.57 feet with a central angle of 27°52'38");

thence Southwesterly 223.12 feet along the arc of a 380.50 foot radius curve to the left (center bears South 56°05'54" East and the chord bears South 17°06'10" West 219.94 feet with a central angle of 33°35'51");

thence South 00°18'15" West 428.63 feet;

thence South 06°20'43" East 73.40 feet;

thence South 00°18'14" West 91.54 feet to the point of beginning.

Contains 819,913 Square Feet or 18.823 Acres (Lots 101-200)

II. Concord Crossing – Apartment Area

Beginning at a point on the Northerly Right-of-Way Line of Pony Express Parkway, said point being South 89°33'20" West 290.40 feet along the section line and North 00°26'40" West 90.00 feet from the South Quarter Corner of Section 22, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 89°33'20" West 620.79 feet along the Northerly Right-of-Way Line of Pony Express Parkway;

thence North 00°18'14" East 91.54 feet;

thence North 06°20'43" West 73.40 feet;

thence North 00°18'15" East 428.63 feet;

thence Northeasterly 223.12 feet along the arc of a 380.50 foot radius curve to the right (center bears South 89°41'45" East and the chord bears North 17°06'10" East 219.94 feet with a central angle of 33°35'51");

thence Northeasterly 111.66 feet along the arc of a 229.50 foot radius curve to the left (center bears North 56°05'54" West and the chord bears North 19°57'46" East 110.57 feet with a central angle of 27°52'38");

thence South 89°55'31" East 481.75 feet;

thence Southeasterly 18.08 feet along the arc of a 4,907.50 foot radius curve to the left (center bears North 83°39'47" East and the chord bears South 06°26'33" East 18.08 feet with a central angle of 00°12'40");

thence South 06°32'53" East 280.91 feet;

thence Southwesterly 212.77 feet along the arc of a 2,041.60 foot radius curve to the left (center bears South 82°50'58" East and the chord bears South 04°09'54" West 212.68 feet with a central angle of 05°58'17");

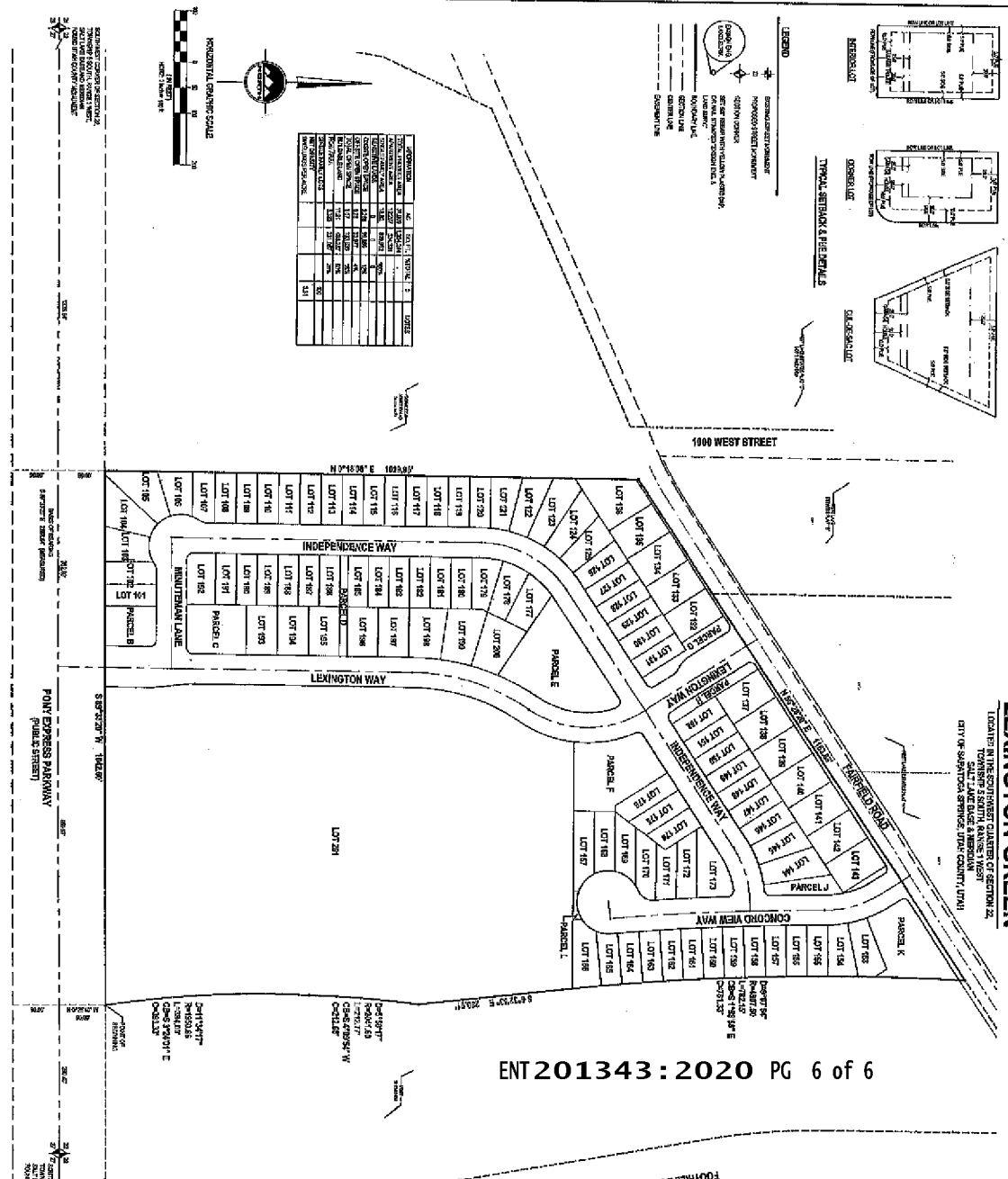
thence Southeasterly 394.00 feet along the arc of a 1,950.86 foot radius curve to the left (center bears South 87°36'52" East and the chord bears South 03°24'01" East 393.33 feet with a central angle of 11°34'17") to the point of beginning.

Contains 534,331 Square Feet or 12.267 Acres (Lot 201)

III. Plat Map (on following page)

LEXINGTON GREEN

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 1 WEST,
31ST & 32ND TOWNSHIP, DEER COUNTY, OHIO



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ENSIGN
 REAL ESTATE
 1000 WEST STREET
 DEER COUNTY, OHIO 43001
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BOUNDARY DESCRIPTION
 The boundary description for the subject property is as follows: [Detailed description of the property boundaries, including bearings, distances, and references to other lots and parcels.]

APPROVAL BY LEGISLATIVE BODY
 The Board of Commissioners of Deer County, Ohio, has approved this plan on this day of April, 2022.

OWNERS AND OWNER'S REPRESENTATIVE
 [Signatures and names of the property owners and their representative.]

APPROVAL BY LEGISLATIVE BODY
 [Seal and signature of the legislative body.]

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