



ENT 23173:2021 PG 1 of 3  
ANDREA ALLEN  
UTAH COUNTY RECORDER  
2021 Feb 05 4:28 pm FEE 40.00 BY HA  
RECORDED FOR D R HORTON INC

When Recorded Return To:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, Utah 84020  
Attention: Adam Loser

## PARTIAL VACATION OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTSHORE

THIS PARTIAL VACATION OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTSHORE (this “**Partial Vacation**”) is made as of February 2, 2021, by D.R. HORTON, INC., a Delaware corporation (“**Declarant**”), with reference to the following:

### RECITALS

A. On February 20, 2020, Declarant caused to be recorded as Entry No. 21260:2020 in the official records of the Office of the Recorder of Utah County, Utah (the “**Official Records**”), that certain Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Original Declaration**”) pertaining to a master planned development known as Northshore located in the City of Saratoga Springs, Utah County, Utah.

B. On September 4, 2020, Declarant caused to be recorded as Entry No. 135120:2020 in the Official Records that certain First Supplemental Declaration and First Amendment to the Declaration of Covenants Conditions and Restrictions for Northshore (the “**First Supplemental Declaration and First Amendment**”).

C. On February 4, 2021, Declarant caused to be recorded as Entry No. 21986:2021 in the Official Records that certain Second Supplemental Declaration and Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Northshore (the “**Second Supplemental Declaration and Second Amendment**”).

D. Section 17.2.2 of the Original Declaration provides that Declarant shall have the right to unilaterally amend the Original Declaration during the Period of Declarant Control.

E. Declarant is executing and recording this Partial Vacation for the purpose of vacating and releasing the Original Declaration, as supplemented and amended by the First Supplemental Declaration and First Amendment, and as supplemented by the Second Supplemental Declaration and Second Amendment (such documents being collectively referred to herein as the “**Declaration**”), to the extent that the Declaration pertains to, affects and encumbers that certain parcel of real property described on Exhibit “A,” which is attached hereto and incorporated herein by this reference (the “**Vacated Parcel**”).

PARTIAL VACATION

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. All defined terms as used in this Partial Vacation shall have the same meanings as those set forth in the Declaration, unless otherwise defined in this Partial Vacation.

2. The Declaration is hereby vacated and released to the extent that the Declaration pertains to, affects and encumbers the Vacated Parcel. Consequently, effective as of the recording of this Partial Vacation in the Official Records, the Declaration shall cease to pertain to, affect or encumber in any manner the Vacated Parcel. Except for the vacation and release of the Declaration to the extent that it pertains to, affects and encumbers the Vacated Parcel, the Declaration shall remain unmodified and in full force and effect with respect to all of the Property that has previously been subjected to the Declaration.

IN WITNESS WHEREOF, Declarant has caused this Partial Vacation to be executed by an officer duly authorized to execute the same as of the date first above written.

D.R. HORTON, INC.,  
a Delaware corporation

By: *Adam R. Loser*  
Name: Adam R. Loser  
Title: Vice President

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SALT LAKE    )

The foregoing instrument was acknowledged to me this 2 day of ~~January~~ <sup>February</sup>, 2021, by Adam R. Loser, in his capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.



*Krisel P Travis*  
NOTARY PUBLIC

**EXHIBIT "A"**  
**TO**  
**PARTIAL VACATION OF THE DECLARATION OF COVENANTS, CONDITIONS**  
**AND RESTRICTIONS FOR NORTSHORE**

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**Legal Description of the Vacated Parcel**

That certain real property located in Utah County, Utah more particularly described as follows:

**LOT #1, NORTSHORE PLAT F-2**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N0°10'34"W ALONG THE SECTION LINE 1029.63 FEET AND WEST 1189.70 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 100.61 FEET; THENCE ALONG THE ARC OF A 1162.00 FOOT RADIUS CURVE TO THE LEFT 540.36 FEET THROUGH A CENTRAL ANGLE OF 26°38'38" (CHORD: S76°40'41"W 535.50 FEET); THENCE S63°21'22"W 130.72 FEET; THENCE N26°38'38"W 136.99 FEET; THENCE N0°14'29"W 530.28 FEET; THENCE N89°45'31"E 54.67 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (RADIUS BEARS: N31°32'11"E)28.75 FEET THROUGH A CENTRAL ANGLE OF 31°40'55" (CHORD: S74°18'17"E 28.39 FEET); THENCE N89°51'16"E 651.22 FEET; THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 36.75 FEET THROUGH A CENTRAL ANGLE OF 35°05'48" (CHORD: S72°35'50"E 36.18 FEET); THENCE ALONG THE ARC OF A 98.50 FOOT RADIUS CURVE TO THE RIGHT 17.18 FEET THROUGH A CENTRAL ANGLE OF 9°59'39" (CHORD: S50°03'06"E 17.16 FEET); THENCE S45°03'16"E 7.12 FEET; THENCE ALONG THE ARC OF A 98.50 FOOT RADIUS CURVE TO THE RIGHT 6.30 FEET THROUGH A CENTRAL ANGLE OF 3°39'43" (CHORD: S43°13'25"E 6.29 FEET); THENCE ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE TO THE RIGHT 43.27 FEET THROUGH A CENTRAL ANGLE OF 41°19'25" (CHORD: S20°43'50"E 42.34 FEET); THENCE S0°04'08"E 283.04 FEET; THENCE S7°07'30"W 27.95 FEET; THENCE S0°04'08"E 83.08 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±9.61 ACRES  
±418,448 SQ. FT.