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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
12/17/2015 12:14 PM  
FEE \$15.00 Pgs: 3  
RPT RTT REC'D FOR RREF II-JFH OLD FARM JV, LLC

TAX ID #'S: 11-076-0092 & 11-076-0093

**SECOND DECLARATION OF ANNEXATION  
OLD FARM AT PARKWAY HOMEOWNERS ASSOCIATION**

RREF-II JFH OLD FARM JV, LLC, a Delaware limited liability company, Declarant (i) under that certain Declaration of Covenants, Conditions and Restrictions for Old Farm At Parkway Homeowners Association, filed of record on October 12, 2012, as Entry No. 2692496 of the Official Davis County Records (the "Declaration") and (ii) under that certain Assignment and Assumption of Declaration Rights, filed of record on December 9<sup>th</sup>, 2015, as Entry No. 2909357 of the Official Davis County Records (the "Assignment"), hereby exercises its rights and privileges under said Declaration as follows:

1. Pursuant to Article 7.1(3) of the Declaration, Declarant hereby annexes to the Property (as defined in the Declaration), the following described property located in Layton City, Davis County, State of Utah:

PROPOSED

Phase 3 and Phase 4 of Old Farm at Parkway Subdivision, as more specifically described in Exhibit "A".

2. All lot owners in the new phases described above will be subject to all rights, powers, privileges, covenants, restrictions, easements, charges, and liens as set forth in the original Declaration. The annexed land is to be held, sold, conveyed, encumbered, occupied, and approved as part of the Property, subject to the Declaration.

3. Declarant continues to reserve all rights to expand, and such other rights as are conferred upon Declarant in the Declaration.

Dated this 10<sup>th</sup> day of ~~October~~ <sup>December</sup>, 2015.

**DECLARANT:**

RREF II-JFH OLD FARM JV, LLC,  
a Delaware limited liability company

By: RREF II-JFH OLD FARM JV MEMBER, LLC,  
a Delaware limited liability company  
Its: Managing Member

By: RIALTO REAL ESTATE FUND II, LP,  
a Delaware limited partnership  
Its: Sole Member

By: RIALTO PARTNERS GP II, LLC,  
a Delaware limited liability company  
Its: General Partner

By: \_\_\_\_\_



Name: Adam Singer  
Title: Authorized Signatory

STATE OF Florida

County of MIAMI-DADE

On this 10<sup>th</sup> day of December 2015, personally appeared before me Adam Singer, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn, did say that he/she is the Auth. Signatory of RIALTO PARTNERS GP II, LLC, a Delaware limited liability company, General Partner of RIALTO REAL ESTATE FUND II, LP, a Delaware limited partnership, Sole Member of RREF II-JFH OLD FARM JV MEMBER, LLC, a Delaware limited liability company, Managing Member of RREF II-JFH OLD FARM JV, LLC, a Delaware limited liability company, and that said document was signed by him/her on behalf of said company by the appropriate authority.

Erika D. Levy  
NOTARY PUBLIC

My Commission Expires: 5/14/2018



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The land referred to herein is situated in the County of Davis, State of Utah, and is described as follows:

**OLD FARM PARKWAY PHASE 3**

A portion of the Southwest Quarter of Section 29, Township 4 North, Range 1 West, Salt Lake Base and Meridian, beginning at a point at the Southwest corner of the Old Farm At Parkway Phase 2 Subdivision, as recorded with the office of the Davis County Recorder, said point being South  $00^{\circ}11'52''$  West 2024.02 feet and North  $89^{\circ}48'08''$  West 207.97 feet from the center of Section 29, Township 4 North, Range 1 West, Salt Lake Base and Meridian, thence South  $58^{\circ}41'21''$  West 154.15 feet, thence Southwesterly 183.06 feet along the arc of a 469.00 foot radius curve to the left (chord bears South  $47^{\circ}30'28''$  West 181.90 feet), thence South  $36^{\circ}19'34''$  West 43.80 feet, thence North  $36^{\circ}08'13''$  West 565.95 feet, thence North  $42^{\circ}03'08''$  East 171.63 feet, thence South  $36^{\circ}08'15''$  East 116.99 feet, thence North  $57^{\circ}27'03''$  East 261.57 feet, thence South  $30^{\circ}00'31''$  East 115.48 feet, thence Southwesterly 12.47 feet along the arc of a 529.00 foot radius curve to the left (chord bears South  $59^{\circ}41'24''$  West 12.47 feet, thence South  $31^{\circ}18'39''$  East 334.99 feet to the point of beginning.

**OLD FARM PARKWAY PHASE 4**

Beginning at a point on the Southeasterly corner of Old Farm Parkway Phase 2 Subdivision, according to the official plat thereof on file in the office of the Davis County Recorder, said point being located South  $0^{\circ}11'52''$  West along the Section line 1874.97 feet and North  $89^{\circ}48'08''$  West 2.07 feet from the center of Section 29, Township 4 North, Range 1 West, Salt Lake Base and Meridian, thence South  $34^{\circ}05'00''$  East 135.05 feet to a point at the center of Kays Creek, thence along the centerline of Kays Creek the following 7 courses: 1) South  $39^{\circ}54'06''$  West 37.10 feet, 2) South  $49^{\circ}27'30''$  West 91.10 feet, 3) South  $62^{\circ}17'18''$  West 134.26 feet, 4) South  $58^{\circ}26'27''$  West 154.41 feet, 5) South  $38^{\circ}43'09''$  West 97.88 feet, 6) South  $34^{\circ}33'58''$  West 104.47 feet, 7) South  $33^{\circ}59'03''$  West 20.03 feet, thence North  $36^{\circ}08'15''$  West 167.39 feet to a point on the Southwesterly corner of Old Farm Parkway Phase 3 Subdivision, thence along the Southerly line of Old Farm Parkway Phase 3 Subdivision North  $36^{\circ}19'34''$  East 43.80 feet, thence along the arc of a 469.00 foot radius curve to the right 183.06 feet through a central angle of  $22^{\circ}21'48''$  (chord: North  $47^{\circ}30'28''$  East 181.90 feet), thence North  $58^{\circ}41'21''$  East 229.04 feet, thence along the arc of a 531.00 foot radius curve to the left 101.01 feet through a central angle of  $10^{\circ}53'58''$  (chord: North  $53^{\circ}14'22''$  East 100.86 feet), thence North  $47^{\circ}47'23''$  East 7.74 feet, thence along the arc of a 469.00 foot radius curve to the right 54.08 feet through a central angle of  $6^{\circ}36'24''$  (chord: North  $51^{\circ}05'35''$  East 54.05 feet), thence North  $54^{\circ}23'47''$  East 17.02 feet to the point of beginning.