

E 2971764 B 6615 P 1974-1976
RICHARD T. NAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/05/2016 04:48 PM
FEE \$21.00 Pgs: 3
DEP RTT REC'D FOR STONEGATE PRESER
VE LLC

WHEN RECORDED, RETURN TO:
Stonegate Preserve, LLC
P.O. Box 1347
Bountiful, UT 84011
(801) 617-2100

RETURNED
OCT 05 2016

14-510-0001 thru 0008

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
STONEGATE SUBDIVISION, PHASE I**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Stonegate Subdivision, Phase 1 is executed this 5th day of October, 2016, by Stonegate Preserve, LLC, a Utah limited liability company, as "Developer."

RECITALS

WHEREAS, Developer executed the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STONEGATE SUBDIVISION, PHASE I** which was executed by Developer on January 26, 2016, and recorded in the records of Davis County, Utah, as Entry 2931590, in Book 6492, at Pages 1029-1061 on April 11, 2016 (the "Stonegate Phase I CCRs");

WHEREAS, pursuant to Section 35 of the Stonegate Phase I CCRs, Developer now wishes to amend certain provisions of the Stonegate Phase I CCRs in the manner set forth herein:

NOW, THEREFORE, by virtue of the provisions of Section 35 of the Stone Phase I CCRs, the undersigned Developer does hereby amend the Stonegate Phase I CCRs as follows:

A. SECTION 9.d – Budget. Section 9.d of the Stonegate Phase I CCRs shall be deleted in its entirety and replaced with the following:

"9. d. **Budget.** At least thirty (30) days prior to the beginning of a new fiscal year, the RC shall prepare and provide to the Owners, upon written request, a proposed Budget which:

1) **Itemization.** Shall set forth an itemization of the anticipated Common Expenses for the twelve (12) month calendar year, commencing the following January 1.

2) **Basis.** Shall be based upon advance estimates of cash requirements by the ARC to provide for the payment of all estimated expenses growing out of or connected with the administration and enforcement of the Project Documents."

B. SECTION 9.h – Reserve Account. Section 9.h of the Stonegate Phase I CCRs shall be deleted in its entirety and replaced with the following:

"9.h. **Reserve Account.** The ARC may establish and maintain a reserve account or accounts to pay for unexpected operating expenses and capital improvements"

C. SECTION 13.a – Front Yard. Section 13.a of the Stonegate Phase I CCRs shall be deleted in its entirety and replaced with the following:

"13.a. **Front Yard.** All front yard sod and automatic sprinkler/irrigation systems must be installed within six (6) months of the date of closing on the purchase of the Lot. The remainder of the front, side and rear Lot landscaping, including the installation of an automatic sprinkler/irrigation system, planting of trees and laying of sod must be completed within nine (9) months of the date of closing on the purchase of the Lot."

D. ALL OTHER TERMS UNCHANGED. The Stonegate Phase I CCRs, as amended hereby, are hereby ratified and shall be in full force and effect. The Stonegate Phase I CCRs are hereby amended to the extent necessary to conform to the terms of this First Amendment, and undersigned confirms that all terms, provisions, and conditions of the Stonegate Phase I CCRs which are not specifically modified by this First Amendment shall remain in full force and effect as of the date first above written.

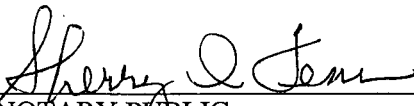
DEVELOPER:
STONEGATE PRESERVE, LLC
a Utah limited liability company
By its Manager
Cottle Capital Group, LLC

By: 
Alan Cottle, Manager

ACKNOWLEDGMENT

State of Utah)
 : ss.
County of Davis)

The foregoing instrument was acknowledged before me this 5th day of October, 2016, by Alan Cottle, the Manager of Cottle Capital Group, LLC, the Manager of STONEGATE PRESERVE, LLC, a Utah limited liability company, and said Alan Cottle duly acknowledged to me that said STONEGATE PRESERVE, LLC executed the same.


NOTARY PUBLIC
Residing at: Layton, UT
My Commission Expires: 7-21-18

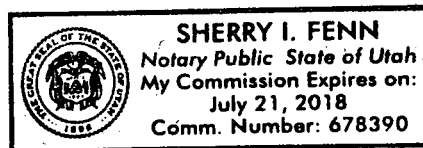


EXHIBIT "A"

PROPERTY DESCRIPTION

The following described real property is located in Davis County, Utah:

Stonegate Subdivision Phase I:

Beginning at the North Quarter Corner of Section 29, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running:

Thence East 660.55 feet along the section line;

Thence South 0°04'44" West 383.00 feet;

Thence South 68°27'24" West 8.61 feet;

Thence South 0°00'38" West 182.25 feet;

Thence West 239.25 feet;

Thence South 126.52 feet;

Thence West 413.58 feet to the quarter section line;

Thence North 0°04'13" East 694.93 feet along the quarter section line to the point of beginning.

Contains 9.787 acres.