

E 3026254 B 6785 P 967-972
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
06/13/2017 03:04 PM
FEE \$47.00 Pgs: 6
DEP RT REC'D FOR STONE GATE PRESER
VE

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

RETURNED
JUN 13 2017

14-510-0001 thru 0008
14-531-0201 thru 0210
14-532-0301 thru 0310

**SUPPLEMENTAL
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

AS **STONEGATE** FOR
STONEGATE SUBDIVISION, PHASE 1, and
STONEGATE SUBDIVISION, PHASES 2 AND 3
AS **STONEGATE**

This Supplemental Declaration of Covenants, Conditions and Restrictions for Stonegate Subdivision, Phase 1, and Stonegate Subdivision, Phases 2 and 3 (the "Supplemental Declaration") is executed this 8th day of June, 2017, by Stonegate Preserve, LLC, a Utah limited liability company, as "Developer," with regard to the real property located in the City of Clinton, County of Davis, State of Utah, described more particularly on Exhibit "A" attached hereto and incorporated herein by this reference.

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, Developer executed the **FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STONEGATE SUBDIVISION, PHASE I** which was executed by Developer on October 5, 2016, and recorded in the records of Davis County, Utah, as Entry 2971764, in Book 6615, at Pages 1974-1976 on October 5, 2016 (the "First Amendment");

WHEREAS, Developer executed the **SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STONEGATE SUBDIVISION, PHASE I** which was executed by Developer on March 31, 2017, and recorded in the records of Davis County, Utah, as Entry 3011522, in Book 5734, at Pages 827-833 on March 31, 2017 (the "Second Amendment"; and

WHEREAS, pursuant to Sections 5, 35, and 38 of the Stonegate Phase I CCRs, among others which may not be cited herein, 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 the aforementioned Sections of the Stonegate Phase I CCRs, the undersigned Developer does hereby amend the Stonegate Phase I CCRs as follows:

A. TITLE; PURPOSE: The Title of the Stonegate Phase I CCRs is hereby deleted in its entirety and replaced with the following:

SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STONEGATE SUBDIVISION, PHASE 1, and STONEGATE SUBDIVISION, PHASES 2 AND 3 (hereinafter, the "Stonegate CCRs".)

It is the purpose of this Supplemental Declaration to expand the Property subject to the Stonegate CCRs to include Phases 2 and 3 of the Stonegate Subdivision, and to make all Stonegate Subdivision phases subject thereto.

B. TRACT: The "Tract" as such term is used in the Stonegate CCRs shall, from the date hereof, include Phase 1, Phase 2 and Phase 3 of the Stonegate Subdivision, as more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

C. PLAT MAPS. The Plat Maps show:

- 8 Lots, numbered 1 through 8, located within Phase 1;
- 9 Lots, numbered 201 through 209, located within Phase 2; and
- 10 Lots, numbered 301 through 310, located within Phase 3.


D. CONVEYANCING. Section 5 of the Stonegate CCRs is hereby deleted in its entirety and replaced with the following:

“Any deed, lease, mortgage, deed of trust, or other instrument conveying or encumbering a Lot shall describe the interest or estate involved substantially as follows:

All of Lot No. _____ contained within Stonegate Subdivision, Phase ____, as the same is identified in the Plat Map recorded in Davis County, Utah, as Entry No. _____ in Book _____ at Page _____ of the official records of the County Recorder of Davis County, Utah (as said Plat Map may have heretofore been amended or supplemented) and in the Supplemental Declaration of Covenants, Conditions and Restrictions of Stonegate Subdivision, Phase ____, recorded in Davis County, Utah as Entry No. _____ in Book _____ at Page(s) _____ of the official records of the County Recorder of Davis County, Utah (as said Supplemental Declaration may have heretofore been amended.)”

E. ALL OTHER TERMS UNCHANGED. The Stonegate CCRs, as amended by the First Amendment, the Second Amendment, and as amended by this Supplemental Declaration, are hereby ratified and shall be in full force and effect as of the date of recording in the official records of the County Recorder of Davis County, Utah. The Stonegate CCRs are hereby amended to the extent necessary to conform to the terms of this Supplemental Declaration, and the undersigned confirms that all terms, provisions, and conditions of the Stonegate CCRs, the First Amendment, and the Second Amendment which are not specifically modified by this Supplemental Declaration 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 8th day of June, 2017, 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.

Sherry I Fenn
NOTARY PUBLIC
Residing at:
My Commission Expires:

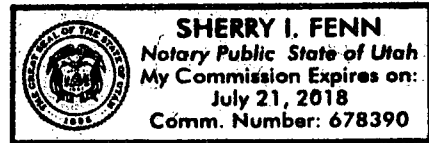


EXHIBIT "A"

PROPERTY DESCRIPTION

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

Stonegate Subdivision Phase 1:

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.

Stonegate Subdivision Phase 2:

A portion of the NE 1/4 of Section 29, Township 5 North, Range 2 West, Salt Lake Base & Meridian, located in Clinton, Utah, more particularly described as follows:

Beginning at a point on the easterly line of STONE GATE Subdivision Phase 1, according to the Official Plat thereof on file in the Office of the Davis County Recorder, located East along the Section line 660.55 feet and S0°04'44"W 383.00 feet from the North 1/4 Corner of Section 29, T5N, R2W, S.L.B.&M; thence East 117.00 feet; thence S0°00'38"W 428.81 feet; thence N89°59'22"W 67.86 feet; thence S0°00'38"W 430.73 feet to the northerly line of that Real Property described in Deed Book 1187 Page 723 of the Official Records of Davis County; thence N89°59'41"W along the north line of said deed 710.41 feet to the 1/4 Section line; thence N0°03'54"E along the 1/4 Section line 547.52 feet to the southerly line of said STONE GATE Subdivision; thence along said Plat the following 5 (five) courses and distances: East 413.52 feet; thence North 126.52 feet; thence East 239.25 feet; thence N0°00'38"E 182.26 feet; thence N68°27'24"E 8.61 feet to the point of beginning.

Contains 10.70+/- acres.

14-510-0001
thru 0008
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14-531-0001
thru 0240

Stonegate Subdivision Phase 3:

A portion of the NE 1/4 of Section 29, Township 5 North, Range 2 West, Salt Lake Base & Meridian, located in Clinton, Utah, more particularly described as follows:

Beginning at a point located East along the Section line 777.02 feet and South 383.00 feet from the North 1/4 Corner of Section 29, T5N, R2W, S.L.B.&M.; thence East 556.96 feet to a Boundary Line Agreement recorded in Deed Book 4427 Page 208 of the Official Records of Davis County; thence along said Agreement the following 3 (three) courses and distances: S0°02'30"W 401.32 feet; thence S0°19'43"W 274.33 feet; thence S1°30'58"E 69.25 feet to the northwesterly line of the Layton Canal; thence along said Canal the following 2 (two) courses and distances: S45°36'42"W 60.94 feet; thence along the arc of a 195.00 foot radius curve to the left 86.55 feet through a central angle of 25°25'50" (chord: S32°53'47"W 85.84 feet); thence N89°59'41"W along the extension of, and along the northerly line of that Real Property described in Deed Book 1187 Page 723 of the Official Records of Davis County 534.77 feet; thence N0°00'38"E 430.73 feet; thence S89°59'22"E 67.86 feet; thence N0°00'38"E 428.81 feet to the point of beginning.

Contains 11.51 +/- acres.

14-532-
0201 thru
0310