

RETURNED

JAN 21 2020

3219516
BK 7432 PG 490

When Recorded Return To:

D.R. Horton, Inc.
12351 South Gateway Park Place, Suite D-100
Draper, Utah 84020
Attention: Boyd A. Martin

E 3219516 B 7432 P 490-496
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
01/21/2020 09:10 AM
FEE \$164.00 Pgs: 7
SEP RT REC'D FOR D R HORTON INC

15-006-0101 thru 0117

**SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CRIDDLE FARMS**

THIS SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CRIDDLE FARMS (this "Second Supplemental Declaration") is made as of January 3, 2020, by D.R. HORTON, INC., a Delaware corporation ("Declarant"), with reference to the following:

A. On June 15, 2018, Declarant caused to be recorded as Entry No. 3099281 in Book 7037, beginning at Page 389 in the official records of the Office of the Recorder of Davis County, Utah (the "Official Records"), that certain Declaration of Covenants, Conditions and Restrictions for Criddle Farms, as amended by that certain First Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Criddle Farms recorded on May 28, 2019 as Entry No. 3162101 in Book 7271, beginning at Page 362 in the official records (collectively, the "Original Declaration") pertaining to a residential unit development known as Criddle Farms. The Original Declaration covers the property described on Exhibit "A", which is attached hereto and incorporated herein by this reference.

B. Pursuant to Section 8.15(c) of the Original Declaration, Declarant has the right to unilaterally amend the Original Declaration so long as the amendment does not materially adversely affect the substantive rights of any Owner.

C. Declarant desires to amend the Original Declaration to include a swimming pool facility and park in the description of the Common Areas.

D. Further, the Original Declaration provides that Declarant shall have the absolute right and option, at any time and from time to time, to subject some or all of the Additional Land described in the Original Declaration to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, which shall be effective upon recording an amendment and supplemental declaration in the Official Records.

E. Pursuant to Section 8.12 of the Original Declaration, Declarant desires to subject that portion of the Additional Land described on Exhibit "B", which is attached hereto and incorporated herein by this reference (the "Subject Property"), to the Original Declaration.

F. Declarant is executing and recording this Second Supplemental Declaration for the purpose of amending the description of Common Areas in the Original Declaration and subjecting the Subject Property to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration.

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

1. Recitals. The Recitals set forth above and the Exhibits attached to this Second Supplemental Declaration are each incorporated into the body of this Second Supplemental Declaration as if set forth in full herein.

2. Defined Terms. All defined terms as used in this Second Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, unless otherwise defined in this Second Supplemental Declaration.

3. Common Areas. In Section 2.9 of the Original Declaration, the definition of the Common Areas shall include the swimming pool facility and park as generally shown on the attached Exhibit "C", which is incorporated herein by this reference. All references to Common Areas in the Original Declaration shall be deemed to include the swimming pool facility and park as referenced herein.

4. Additional Land.

(a) The Subject Property is hereby subjected to the Original Declaration, as amended and supplemented by this Second Supplemental Declaration, and the Subject Property shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as amended and supplemented by this Second Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof. The Subject Property shall hereafter be deemed to be a part of the Property, as such term is defined in Section 2.40 of the Original Declaration.

(b) The Subject Property shall hereafter be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as amended and supplemented by this Second Supplemental Declaration. The provisions of the Original Declaration, as amended and supplemented by this Second Supplemental Declaration, shall run with the Subject Property and shall be binding upon all Persons having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof.

5. Amendment to the Declaration. This Second Supplemental Declaration constitutes an amendment to the Original Declaration. In the event of any conflict or inconsistency between the terms of this Second Supplemental Declaration and the terms of the Original Declaration, the terms of this Second Supplemental Declaration shall control. The Original Declaration, as amended and supplemented by this Second Supplemental Declaration, shall collectively be referred to as the "Declaration."

6. No Other Changes. Except as amended and supplemented by the provisions of this Second Supplemental Declaration, the Original Declaration shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Second Supplemental Declaration to be executed by a person duly authorized to execute the same on the date first above written.

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

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

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

The foregoing instrument was acknowledged to me this 3 day of January 2020, by Adam R. Loser, in such person's capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.



Krisel P. Travis
NOTARY PUBLIC

EXHIBIT "A"
TO
SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CRIDDLE FARMS

12-918-0001 thru 0052

Legal Description of the Property

The Property consists of that certain real property located in Davis County, Utah more particularly described as follows:

South Plat

Beginning at the intersection of the west line of 4000 West Street and the quarter section line, said point being North 89°57'53" West 33.00 feet along the quarter section line from the East Quarter Corner of Section 7, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running;

Thence North 89°57'53" West 629.87 feet along the quarter section line to the west line of the East One-half of the Southeast Quarter of the Northeast Quarter of said Section 7;

Thence North 0°14'27" East 556.58 feet along the west line of the East One-half of the Southeast Quarter of the Northeast Quarter of said Section 7;

Thence South 89°45'33" East 100.00 feet;

Thence North 0°14'27" East 18.86 feet;

Thence South 89°45'33" East 160.00 feet;

Thence North 0°14'27" East 567.15 feet;

Thence North 89°45'40" West 20.00 feet;

Thence North 0°14'20" East 176.50 feet;

Thence North 89°58'20" East 389.83 feet to the west line of 4000 West Street;

Thence South 0°14'20" West 1318.65 feet along the west line of 4000 West Street to the point of beginning.

Contains 638,760 square feet, 14.664 acres, 49 Lots and 3 Parcels

Together with:

Phase 1 North Plat

Beginning at the Northwest Corner of Criddle Farms South Subdivision, said point being North 0°14'20" East 1318.68 feet along the quarter section line to the extension of the north line of Criddle Farms South Subdivision and South 89°58'20" West 422.83 feet to and along the north line of Criddle Farms South Subdivision from the East Quarter Corner of Section 7, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running;

Thence South 0°14'20" West 176.50 feet along the west line to a Southwest Corner of Criddle Farms South Subdivision;

Thence South 89°45'40" East 20.00 feet along the north line to an interior corner of Criddle Farms South Subdivision;

Thence South 0°14'27" West 567.15 feet along the west line to an interior corner of Criddle Farms South Subdivision;

Thence North 89°45'33" West 160.00 feet along the north line to a Northwest Corner of Criddle Farms South Subdivision;

Thence South 0°14'27" West 18.86 feet along the west line to an interior corner of Criddle Farms South Subdivision;

Thence North 89°45'33" West 100.00 feet along the north line to a Northwest Corner of Criddle Farms South Subdivision, said point being on the west line of the East One-half of the Southeast Quarter of the Northeast Quarter of said Section 7;

Thence North 0°14'27" East 761.38 feet along the west line to the Northwest Corner of the East One-half of the Southeast Quarter of the Northeast Quarter of said Section 7;

Thence North 89°58'20" East 240.00 feet to the point of beginning.

Contains 191,568 square feet, 4.398 acres, 17 lots.

EXHIBIT "B"
TO
SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CRIDDLE FARMS

12-046-0127, 0071 & 12-336-0001

Legal Description of the Subject Property

The Subject Property consists of that certain real property located in Davis County, Utah more particularly described as follows:

Phase 2 North Plat

Beginning at the Northeast Corner of Criddle Farms South Subdivision, said point being North 0°14'20" East 1318.68 feet along the section line and South 89°58'20" West 33.00 feet from the East Quarter Corner of Section 7, Township 4 North, Range 2 West, Salt Lake Base and Meridian, said point of beginning also being South 0°14'20" West 1318.68 feet along the section line and South 89°58'20" West 33.00 feet from the Northeast Corner of Section 7, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running;

Thence South 89°58'20" West 1292.66 feet along the north line of Criddle Farms South Subdivision to and along the North Line of Criddle Farms North Phase 1 Subdivision and beyond, to the Southwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 7;

Thence North 0°14'33" East 422.11 feet along the west line of the Northeast Quarter of the Northeast Quarter of Section 7;

Thence South 89°45'27" East 100.00 feet;

Thence North 0°14'33" East 91.77 feet;

Thence South 89°45'27" East 161.38 feet;

Thence South 0°01'40" East 91.75 feet;

Thence North 89°58'20" East 47.13 feet;

Thence South 0°01'40" East 160.00 feet;

Thence North 89°58'20" East 475.00 feet;

Thence South 0°01'40" East 15.89 feet;

Thence North 89°58'20" East 95.00 feet;

Thence North 0°01'40" West 27.39 feet;

Thence North 14°23'37" East 175.81 feet;

Thence South 89°45'40" East 160.00 feet;

Thence South 0°14'20" West 5.28 feet;

Thence southerly 34.51 feet along the arc of a 280.00 foot radius curve to the right, (center bears North 89°45'40" West and long chord bears South 3°46'12" West 34.49 feet, with a central angle of 7°03'43");

Thence South 89°45'40" East 102.12 feet;

Thence South 0°14'20" West 160.00 feet;

Thence North 89°45'40" West 47.54 feet;

Thence South 0°14'20" West 177.35 feet;

Thence South 89°45'40" East 157.54 feet to the west line of 4000 West Street;

Thence South 0°14'20" West 63.88 feet along the west line of 4000 West Street to the point of beginning.

Contains 417,394 square feet, 9.582 acres, 29 lots and 2 Parcels.

EXHIBIT "C"
TO
SECOND AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CRIDDLE FARMS

Depiction of Pool and Park

