

**When Recorded Return To:**

CW The Fields, LLC  
1222 W. Legacy Crossing Blvd., Suite 6  
Centerville, Utah 84014

Affects Tax Parcel Nos.: See Exhibit A

CT-125716-CAF

**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR THE FIELDS SUBDIVISION**

This THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE FIELDS SUBDIVISION (“**Amendment**”), is made effective as of the date set forth below by **CW THE FIELDS, LLC**, a Utah limited liability company (“**Declarant**”).

**RECITALS**

A. Declarant is identified as “Declarant” in that certain *Declaration of Covenants, Conditions, and Restrictions for the Fields Subdivision* (“**Declaration**”). The Declaration was recorded in Davis County on October 10, 2019, as Entry No. 3194804.

B. The Declaration encumbers certain real property located in Syracuse City, Davis County, State of Utah, more particularly described on **Exhibit A** attached hereto.

C. The Declaration was amended by that certain *First Amendment to Declaration of Covenants, Conditions, and Restrictions for The Fields Subdivision* (“**First Amendment**”). The First Amendment was recorded in Davis County on November 11, 2019, as Entry No. 3205369. The Declaration was further amended by that certain *Second Amendment to Declaration of Covenants, Conditions, and Restrictions for the Fields Subdivision* (“**Second Amendment**”). The Second Amendment was recorded in Davis County on November 13, 2020, as Entry No. 3314938. Collectively, the Declaration, the First Amendment, and Second Amendment are referred to herein as the “**Restrictions.**”

D. Pursuant to Section 12.2 of the Declaration, Declarant has the right to amend the Declaration unilaterally during the Period of Declarant’s Control, as defined in the Declaration. The Period of Declarant’s Control has not expired.

E. Declarant now wishes to amend the Declaration as set forth herein.

**AMENDMENT**

1. Capitalized Terms. Capitalized terms used but not defined herein shall have the

same meaning as set forth for such term in the Declaration.

2. ACC Exemption for Commercial Builders. Notwithstanding anything in the Restrictions to the contrary, including, without limitation, Section 8.3 of the Declaration, no Commercial Builder shall be subject to the Design Guidelines or the jurisdiction of the ACC, as contemplated by Article 8 of the Declaration. In connection with construction on any Lot, a Commercial Builder must comply with applicable ordinances and codes of the City, County, or State, but shall be exempt from the provisions of Article 8 of the Declaration.

3. Transfer to Affiliate. Notwithstanding anything in the Restrictions to the contrary, including, without limitation, Section 4.3.1 of the Declaration, no Reinvestment Fee will be due and payable in connection with the transfer of a Lot from an Owner to an affiliate, meaning an entity which, in whole or in part: owns an Owner, is owned by an Owner, or is under common ownership with an Owner. Although the transfer of a Lot from an Owner to an affiliate of that Owner will not trigger the obligation to pay the Reinvestment Fee, the Lot will remain subject to assessments and the affiliate taking title to such Lot will be liable for all assessments arising after the date of such transfer.


4. Scope of Amendment. To the extent that the terms or provisions of this Amendment conflict or are inconsistent with the terms and provisions of the Restrictions, the terms and provisions of this Amendment shall control. Except as modified herein, the Restrictions shall remain in full force and effect in accordance with their terms.

*[End of Amendment. Signature Page Follows.]*

IN WITNESS WHEREOF, the Declarant has executed this Amendment.

**DECLARANT:**

**CW The Fields, LLC**, a Utah limited liability company

By: 

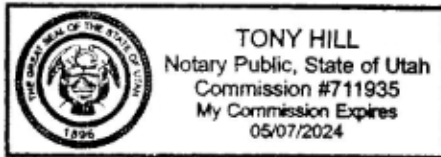
Name: COLIN H. WRIGHT


Title: MANAGER

Date: DECEMBER 15, 2020

STATE OF UTAH            )  
  :SS.  
COUNTY OF DAVIS        )

The foregoing instrument was acknowledged before me this 15 day of DECEMBER, 2020 by COLIN H. WRIGHT as MANAGER of CW The Fields, LLC, a Utah limited liability company, for and on behalf of said company.



  
Notary Public

**EXHIBIT A**

PARCEL 1:

All of THE FIELDS SUBDIVISION, PHASE 1, according to the official plat thereof, recorded October 10, 2019, as Entry No. 3194802 in Book 7365 at Page 1862 in the office of the Davis County Recorder.

Parcel Nos. 15-019-0101 through 15-019-0133 (for reference purposes only)

PARCEL 2:

All of THE FIELDS SUBDIVISION, PHASE 2, according to the official plat thereof, recorded October 10, 2019, as Entry No. 3194803 in Book 7365 at Page 1863 in the office of the Davis County Recorder.

Parcel Nos. 15-020-0201 through 15-020-0245 (for reference purposes only)

PARCEL 3:

All of THE FIELDS SUBDIVISION, PHASE 3, according to the official plat thereof, recorded February 27, 2020, as Entry No. 3229654 in Book 7458 at Page 216 in the office of the Davis County Recorder.

Parcel Nos. 15-031-0301 through 15-031-0337 (for reference purposes only)