

**FIRST AMENDMENT TO THE AMENDED AND RESTATED  
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, & RESTRICTIONS  
FOR SUNSET TOWNHOMES OWNERS' ASSOCIATION**

THIS FIRST AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, & RESTRICTIONS FOR SUNSET TOWNHOMES OWNERS' ASSOCIATION is made and executed on the date set forth below and shall be effective upon recording in the Davis County Recorder's Office.

**RECITALS**

A. Whereas, the original Declaration of Protective Covenants, Conditions, & Restrictions for Sunset Townhomes Owners' Association (the "Association") was recorded in the office of the County Recorder of Davis County, Utah on April 5, 2022 as Entry No. 3468234, in Book 7981, at Page 630 of the Official Records.

B. Whereas, the Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Sunset Townhomes Owners' Association was recorded in the office of the County Recorder of Davis County, Utah on June 9, 2022 as Entry No. 3481953, in Book 8027, at Page 898 of the Official Records (the "Declaration").

C. Whereas, in order to clarify the owners' responsibilities regarding the project's landscaping and other maintenance, the Declarant believes it to be in the Association's best interest to amend certain provisions of the Declaration. Additionally, this amendment clarifies the Unit's ownership rights in the Association and adds additional legal description.

D. Whereas, at the time of this amendment, the Turnover Date has not yet arrived.

E. The Declaration at Article 19, Section 19.1 provides that, on or prior to the Turnover Date, the Declaration may be amended, altered or modified by an amending document approved and signed by the Declarant and no other Members will be required to approve such amendment.

**AMENDMENTS**

**Part One**

Exhibit A to the Declaration is hereby amended to include the following additional legal descriptions:

<b>Lot</b>	<b>Parcel Number</b>	<b>Legal Description</b>	<b>Ownership Interest</b>
1	13-362-0001	All of Unit 1, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
2	13-362-0002	All of Unit 2, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
3	13-362-0003	All of Unit 3, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
4	13-362-0004	All of Unit 4, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
5	13-362-0005	All of Unit 5, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
6	13-362-0006	All of Unit 6, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
7	13-362-0007	All of Unit 7, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
8	13-362-0008	All of Unit 8, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
9	13-362-0009	All of Unit 9, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
10	13-362-0010	All of Unit 10, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
11	13-362-0011	All of Unit 11, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
12	13-362-0012	All of Unit 12, Sunset Townhomes. Cont. 0.02000 Acres	7.692%
13	13-362-0013	All of Unit 13, Sunset Townhomes. Cont. 0.02000 Acres	7.692%


**Part Two**

Exhibit C to the Declaration is hereby amended to include the following spread sheet that was not included in the original recording:

**SEE ATTACHED EXHIBIT C**


IN WITNESS WHEREOF, the Declarant has adopted this Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Sunset Townhomes on the 10<sup>th</sup> day of August, 2022.

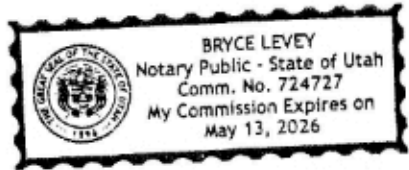
JAG Properties, LLC  
A UTAH LIMITED LIABILITY COMPANY

BY:   
Name: Gary Andersen  
Title: Managing Member of JAG Properties, LLC

STATE OF UTAH     )  
                                  ) SS:  
COUNTY OF UTAH )

On the 10<sup>th</sup> day of August, 2022, the foregoing did execute this document who by me being duly sworn, did represent that he is the Managing Member of JAG Properties, LLC, a Utah limited liability company.

  
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Bryce Levey  
Notary Public



# EXHIBIT C

## Maintenance Allocation Chart

Shared items are to be resolved between the Owners involved in use of the item

General Notes

Item	HOA	Owner	Notes
A/C Pad & Unit		X	
Address Numbers		X	
Attic		X	
Cable / Satellite TV		X	
Ceiling		X	
Circuit Breaker for Unit		X	
Common Area Amenities	X		
Door and Door Frames - Exterior		X	
Door and Door Frames - Interior		X	
Door Hardware / Doorbell		X	
Door Steps / Stoops / Porch		X	
Drains -- Living Unit & Limited Common Patio / Porch		X	
Dryer Vent Cleaning		X	
Electical Wiring / Panel		X	
Exterior Wall Finishes (Rock / Stucco / Sliding etc)	X		
Fence - Perimeter	X		
Fireplace, Flue & Vent Pipes - Cleaning & Repair		X	
Floor Coverings		X	
Foundation - Cracks, Cosmetic		X	
Front Landing / Porch		X	
Furnace		X	
Garage Door Openers, Springs, Hinges, Parts		X	
Garage Door Paint, Repair, Replace		X	Require written approval by the architectural control committee ("ACC")
Gas Pipes		X	
Heat Tape of Roofs	X		
Hose Bib / Faucet / Spigot		X	
Hot Water Heater		X	
Insurance Coverage - Property (attached buildings)	X		
Insurance Coverage - HO6 Policy		X	
Insurance Coverage - Loss Assessment		X	
Insurance deductible	X	X	Deductible assessed to Owners pro-rata according to losses. HO6 deductible is an Owner's responsibility.
Irrigation Lines / Heads - outside yard areas	X		
Landscape	X		Owners are responsible for any landscaping found in limited common areas exclusive to their unit.
Landscape Drains around Building	X		
Lights - Eaves, Porch & Garage Fixtures & Bulbs		X	
Limited Common Areas - Driveways, Patios, Decks, Porches repair and replacement		X	Require written approval by ACC
Limited Common Areas - Driveways, Patios, Porches - Clean and Snow Removal		X	
Mailbox & Stand / Structure		X	
Mailbox Lock & Key		X	
Paint - Exterior Wall Surfaces and Trim Finishes	X		
Paint - Exterior Doors, Garage Doors, Windows		X	Require written approval by ACC
Paint - Interior		X	
Patio Slab		X	
Pest Control Interior		X	
Plumbing Valves - Pressure Regulator		X	Point of connection/Meter to the unit - Owner Before point of connection/Meter - HOA
Plumbing Main Line		X	Point of connection/Meter to the unit - Owner Before point of connection/Meter - HOA
Plumbing Leak		X	Point of connection/Meter to the unit - Owner Before point of connection/Meter - HOA
Plumbing - Clogging / Stoppage		X	Point of connection/Meter to the unit - Owner Before point of connection/Meter - HOA
Plumbing Pipes Inside Unit		X	

Rain Gutters - Clean-Out, Repair, Replace	X		
Rain Gutters - Drains Away fom Building	X		
Roof Leak	X		
Screen Doors		X	Require written approval by the ACC
Sewer Pipes - Serving Individual Living Unit		X	
Sewer Pipes - Serving more than one Living Unit	X		
Shutters		X	Require written approval by the ACC
Sidewalks and Paths on Common Areas	X		
Sliding Glass Doors		X	
Snow Removal - Limited Common Parking Stalls & Porches		X	
Snow Removal - Road and sidewalks	X		
Storm Drains	X		
Street Lights			Sunset City
Termites, Pests, Rodents, Insects etc		X	
Trash		X	
Vent Covers - Exterior	X		
Wall - Bearing Interior Wall		X	
Wall - Partition Interior Wall		X	
Water - Culinary		X	
Water - Landscape	X		
Water Stripping		X	
Windows - Glass, Screens, Frames, Boxes		X	