



**DEVON GLEN HOMEOWNERS ASSOCIATION**

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("First Amendment), is made this 3 day of Mar., 2006, by Devon Glen, L.L.C., a Utah limited liability company ("Declarant").

WITNESSETH:

ENT 48874:2006 PG 1 of 7  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2006 Apr 24 11:34 am FEE 179.00 BY SDM  
RECORDED FOR SPRINGVILLE CITY CORPORATIO

WHEREAS, Devon Glen L.L.C. made, executed and caused to be recorded, as Declarant, that certain Declaration of Covenants, Conditions and Restrictions dated September 15, 2004 and recorded among the Utah County Recorder's Office, Entry #105567:2004, page 1 of 23, pursuant to which the Declarant subjected all that property described in the Declaration (the "Property") and Declarant formed an association known as, "Devon Glen Homeowners Association" ("Association"); and

WHEREAS, pursuant to Article 3.2 of the Declaration, Declarant reserved the right to add to the Property additional land within that area described in Exhibit "B" attached to the Declaration; and

WHEREAS, Declarant, is the owner of that certain property described in Exhibit "C" attached hereto and incorporated herein, and that property is within the area described in Exhibit "A" attached to the Declaration, and Declarant wishes to add that property described in Exhibit "C" attached hereto to the Property subjected to the Declaration..

NOW THEREFORE, the Declarant hereby declares that the Declaration of Covenants, Conditions and Restrictions be amended as follows:

1. All that property described in Exhibit "C" attached hereto is annexed to the Property subject to the Declaration, and shall be held, sold and conveyed subject to the easements, declarations, covenants and conditions set forth in the Declaration, which are for the purpose of protecting the value and desirability, and enhancing the attractiveness of the Property, and which shall run with the Property and shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner of the Property or any part thereof and their respective heirs, personal representatives, successors and assigns, and the Association.

In all other respects, the Declaration, as amended, remains unchanged.

WITNESS the hand of Devon Glen L.L.C. on the day herein above first written.

WITNESS/ATTEST:

DEVON GLEN, L.L.C.  
By: HAMLET HOMES CORPORATION,  
Member

\_\_\_\_\_

By: *John Aldous*  
John Aldous, President

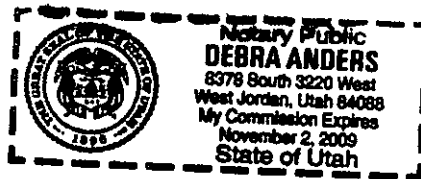
STATE OF UTAH, CITY/COUNTY OF SALT LAKE, TO WIT:

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of March 2006, before me, the subscriber, a Notary Public of the State of Utah, personally appeared John Aldous, known to me or suitably proven, who acknowledged himself to be President of Hamlet Homes Corporation, Member of Devon Glen, L.L.C., the entity named in the foregoing instrument, and who, being authorized to do so, in my presence, signed and sealed the same and acknowledged the same to be the act and deed of such entity.

AS WITNESS my hand and seal.

*Debra Anders*  
Notary Public

My Commission Expires: Nov 2, 2009



**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**EXHIBIT A**

**Description of the Property**

**PHASE 1**

BEING all those Lots shown and designated as Lot Nos. 101 through and including 177 shown on the Plat entitled, "DEVON GLEN PHASE 1" recorded among the Recorder's Office of Utah County, Entry 6447:2004 Map #10512, 2004 Jun 04 3:41 p.m.

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**EXHIBIT B**

**Description of the Property**

**PHASE 2A**

BEING all those Lots shown and designated as Lot Nos. 201 through and including 232 shown on the Plat entitled, "DEVON GLEN PHASE 2A" recorded among the Recorder's Office of Utah County, Entry #88786:2005, Pgs. 1 of 6, 2005 Aug 12 1:29 p.m.

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**EXHIBIT B**

**Description of the Property**

**PHASE 2B**

BEING all those Lots shown and designated as Lot Nos. 301 through and including 348 shown on the Plat entitled, "DEVON GLEN PHASE 2B" recorded among the Recorder's Office of Utah County, Entry \_\_\_\_\_ Map # \_\_\_\_\_, 2006

\_\_\_\_\_.

**CONSENT AND AGREEMENT OF TRUSTEE AND BENEFICIARY**

U.S. TITLE INSURANCE COMPANY and WELLS FARGO, N.A., are, respectively, the Trustee and the Beneficiary under that certain Deed of trust dated April 14, 2004 and recorded as Entry 42914:2004 of the Official Records of Utah County, Utah hereby join in the foregoing Declaration of Covenants, Conditions and Restrictions for the purpose of subordinating all of their respective right, title and interest under such Deed of Trust in and to the real property described in Exhibit B such to the operation and effect such Declaration.

Nothing in the foregoing provisions of this Consent and Agreement of Trustee and Beneficiary shall be deemed in any way to create between the person named in such Declaration as "the Declarant" and any of the undersigned any relationship of partnership or joint venture, or to impose upon any of the undersigned any liability, duty or obligation whatsoever.


IN WITNESS WHEREOF, the Trustee and Beneficiary have executed and sealed this Consent and Agreement of Trustee and Beneficiary or caused it to be executed and sealed on its behalf by its duly authorized representatives, this 3 day of March 2006.

**WITNESS OR ATTEST:**

**TRUSTEE:**

U.S. TITLE INSURANCE COMPANY.

\_\_\_\_\_

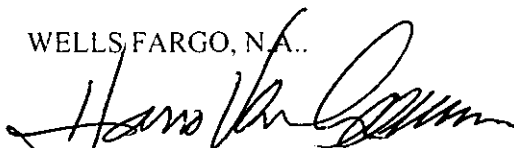
 \_\_\_\_\_ (SEAL)  
By: Larry Burton, President

**WITNESS OR ATTEST:**

**BENEFICIARY:**

WELLS FARGO, N.A..

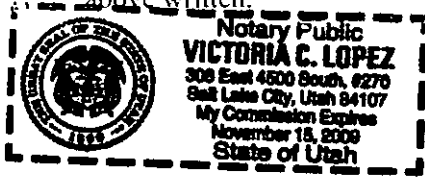
\_\_\_\_\_

 \_\_\_\_\_ (SEAL)  
By: Harro Van Leeuwen, Vice President

STATE OF UTAH  
COUNTY OF SALT LAKE

I HEREBY CERTIFY, that on this 3 day of March 2006, before me, the subscriber, a Notary Public in and for the State of Utah and Salt Lake County aforesaid, personally appeared Larry Burton, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged himself to be the President of U.S. TITLE INSURANCE COMPANY, a Utah corporation, Trustee, that he has been duly authorized to execute, and has executed, the foregoing instrument on behalf of the said entity for the purposes therein set forth, and that the same is its act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.



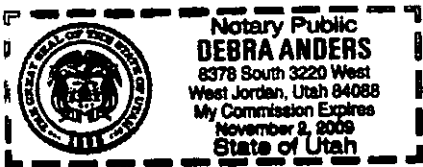
Victoria C. Lopez  
Notary Public

My commission expires: 11-15-09

STATE OF UTAH  
COUNTY OF SALT LAKE

I HEREBY CERTIFY, that on this 3<sup>rd</sup> day of March 2006, before me, the subscriber, a Notary Public in and for the State of Utah and Salt Lake County aforesaid, personally appeared Harro Van Leeuwen, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, who acknowledged himself to be the Vice President of WELLS FARGO, N.A., a national banking organization, that he has been duly authorized to execute, and has executed, the foregoing instrument on behalf of the said entity for the purposes therein set forth, and that the same is its act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the day and year first above written.



Debra Anders  
Notary Public

My commission expires: Nov 2, 2009