

117/6



ENT 81504:2014 PG 1 of 6
JEFFERY SMITH
UTAH COUNTY RECORDER
2014 Nov 12 3:53 pm FEE 117.00 BY SW
RECORDED FOR DENNIS M ASTILL PC

**CERTIFICATE OF AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR THE GARDEN PHASES 1 AND 2,
TOWN OF VINEYARD, UTAH COUNTY, UTAH**

THIS CERTIFICATE OF AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR "THE GARDEN PHASES 1 AND 2" located in Town of Vineyard, Utah County, Utah (the "Certificate of Amendment") is made as of this 8th day of August, 2014, by VINEYARD HOMESTEADS DEVELOPMENT 2012, LLC (the "Declarant") acting as the Architectural Control Committee (the "ACC").

RECITALS

WHEREAS, Declarant was the owner of certain real property in Town of Vineyard, Utah County, Utah, more particularly described at Exhibit A attached hereto (the "Property");

WHEREAS, as the Owner thereof, Declarant recorded that certain Declaration of Covenants, Conditions and Restrictions for the Gardens Phases 1 and 2, dated February 12, 2014, and recorded as Instrument No. 10052:2014, Official Records of Utah County, Utah (the "Gardens Declaration");

WHEREAS, pursuant to the terms of Article IV, Section 4.2 of the Gardens Declaration, the Gardens Declaration may be amended if 67% of the votes cast by Owners of the Property (the "Owners") shall be in favor of the amendment and by recording a Certificate of Amendment, duly signed by a member of the ACC;

WHEREAS, Declarant constitutes the ACC pursuant to the Gardens Declaration;

WHEREAS, Owners holding at least 67% of the total votes desire to amend the Gardens Declaration as set forth herein;

WHEREAS, Declarant recorded that certain Declaration of Restrictive Covenants For The Homesteads at Vineyard, dated May 20, 2014 and recorded as Instrument No. 36066-2014, Official Records of Utah County, Utah ("Homesteads Master Declaration"), which affected property described at Exhibit B and which allowed for annexation of other property;

NOW, THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein and declared to be true and correct, Declarant hereby certifies and sets forth the Amendment adopted by the Owners as follows:

1. Certification of Vote. Declarant, as the ACC under the Gardens Declaration, certifies that at least 67% of the votes of Owners have approved the following amendment.

2. Amendment. The Gardens Declaration is amended in its entirety, by incorporating by reference the Homesteads Master Declaration in its entirety as if fully set forth herein. The Property shall hereafter be part of and subject to the Homesteads Master Declaration. As such all of the Property shall be owned, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Homesteads Master Declaration. The easements, covenants, conditions, restrictions and charges described in the Homesteads Master Declaration shall run with the Property and shall be binding on all parties having or acquiring any right, title or interest in the Property or any part thereof and shall inure to the benefit of Declarant and each Owner thereof, the same as if the Homesteads Master Declaration was the original Gardens Declaration referred to herein.

IN WITNESS WHEREOF, the Declarant, acting as the Architectural Control Committee, has caused this Certificate of Amendment to be executed by its duly authorized officers on the 8th day of August, 2014.

DECLARANT, ACTING AS THE ARCHITECTURAL CONTROL COMMITTEE:
VINEYARD HOMESTEADS DEVELOPMENT 2012, LLC

By: Pro Management of Utah, LLC

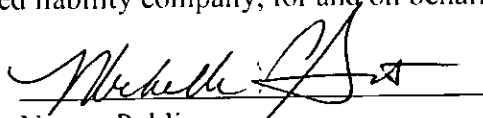
Its: Manager



Glen R. Pettit, Manager

STATE OF UTAH)
 SS:
COUNTY OF SALT LAKE)

On the 8th day of August, 2014, acknowledged before me by Glen R. Pettit, as the Manager for Pro Management-Utah, LLC, as the Manager for VINEYARD HOMESTEADS DEVELOPMENT 2012, LLC, a Utah limited liability company, for and on behalf of said company.



Notary Public



EXHIBIT A
The Garden Phases 1 & 2
Town of Vineyard, Utah County

Tax Parcel No. 18:016:0012

PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 18, AND THE NORTHWEST QUARTER SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, AND LOCATED IN THE TOWN OF VINEYARD UTAH COUNTY, UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING LOCATED NORTH 89°38'03" EAST 1431.11 FEET ALONG THE CENTER SECTION LINE OF SECTION 17, FROM THE WEST QUARTER OF SAID SECTION AS DEFINED BY THE FOUND BRASS CAP MONUMENTS MARKING THE EAST AND THE WEST QUARTER CORNER OF SECTION 17, AND NORTH 78.99 FEET TO A POINT ON THE WEST LINE OF THE WINN PARCEL AND THE POINT OF BEGINNING; AND RUNNING THENCE SOUTH 89°38'03" WEST 15.17 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 2051.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 4°35'28" A DISTANCE OF 164.34 FEET (CHORD BEING SOUTH 87°20'19" WEST); THENCE SOUTH 85°02'35" WEST 189.34 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 1950.00 FOOT RADIUS CURVE THE RIGHT THROUGH A CENTRAL ANGLE OF 4°35'28" A DISTANCE OF 156.25 FEET (CHORD BEING SOUTH 87°20'19" WEST); THENCE SOUTH 89°38'03" WEST 22.52 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 23.56 FEET; (CHORD BEING NORTH 45°21'57" WEST 21.21 FEET); THENCE NORTH 00°21'57" WEST 5.50 FEET; THENCE SOUTH 89°38'03" WEST 56.00 FEET; THENCE SOUTH 00°21'57" EAST 5.50 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 23.56 FEET (CHORD BEING SOUTH 44°38'03" WEST 21.21 FEET); THENCE SOUTH 89°38'03" WEST 753.94 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 220.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°48'21" A DISTANCE OF 64.68 FEET (CHORD BEING SOUTH 81°13'52" WEST 64.44 FEET); THENCE SOUTH 72°49'42" WEST 19.01 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG THE ARC OF A 19.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 49°48'19" A DISTANCE OF 16.95 FEET (CHORD BEING NORTH 82°16'09" WEST 16.42 FEET); THENCE NORTH 57°21'59" WEST 31.88 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 29.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 41°08'25" A DISTANCE OF 21.18 FEET (CHORD BEING NORTH 36°47'46" WEST 20.73 FEET); TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 879.50 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 16°13'34" A DISTANCE OF 249.07 FEET

CHORD BEING NORTH 08°06'47" WEST 248.24 FEET); THENCE NORTH 36.88 FEET TO A POINT ON A 449.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 5°23'24" A DISTANCE OF 42.24 FEET (CHORD BEING NORTH 02°41'42" EAST 42.24 FEET) TO A POINT ON A 477.25 FOOT NON TANGENT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°25'28" A DISTANCE OF 103.49 FEET (CHORD BEING NORTH 18°39'56" EAST 103.29 FEET) ; THENCE NORTH 18°49'48" EAST 108.20 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 23.49 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 89°44'21" (CHORD BEARING NORTH 63°41'58" EAST 21.16 FEET); THENCE SOUTH 71°25'51" EAST 0.57 FEET; THENCE NORTH 18°49'48" EAST 56.00 FEET; THENCE NORTH 71°25'51" WEST 12.67 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 88°24'32" A DISTANCE OF 23.14 FEET (CHORD BEARING NORTH 27°13'35" WEST 20.92 FEET) TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A 451.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°31'25" A DISTANCE OF 145.81 (CHORD BEING NORTH 07°42'58" EAST 145.17 FEET) TO A POINT ON THE QUARTER SECTION LINE; THENCE SOUTH 01°32'44" EAST 21.63 FEET ALONG SAID QUARTER SECTION LINE; THENCE SOUTH 89°44'41" EAST 1012.71 FEET; THENCE SOUTH 42°35'41" EAST 295.50 FEET; THENCE SOUTH 25°55'41" EAST 549.10 FEET TO THE POINT OF BEGINNING.

Exhibit B

[A part of 18:019:0012]

A parcel of land situated in the Northeast quarter of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian and located in the Town of Vineyard, Utah County, Utah and being more particularly described as follows:

Beginning at a point situated South $89^{\circ}38'03''$ West 711.72 feet along the extended center section line of Section 17, as defined by the found brass cap monuments marking the West quarter corner of Section 17 and the East quarter corner of Section 17 of said Township and Range from the East quarter corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian and North 474.24 feet to the point of beginning; thence West 89.96 feet; thence South $71^{\circ}01'50''$ West 59.22 feet; thence South $89^{\circ}58'47''$ West 60.95 feet; thence North $0^{\circ}01'13''$ West 90.23 feet; thence North $0^{\circ}58'22''$ West 56.01 feet; thence South $89^{\circ}59'45''$ West 4.73 feet; thence North $0^{\circ}00'15''$ West 88.75 feet; thence North $89^{\circ}45'35''$ East 6.37 feet; thence North $01^{\circ}26'02''$ West 86.21 feet; thence North $10^{\circ}56'41''$ East 57.83 feet; thence North $0^{\circ}00'15''$ West 94.26 feet; thence North $89^{\circ}59'45''$ East 782.23 feet; thence South $04^{\circ}56'35''$ West 105.98 feet to a point on the arc of a 337.00 foot radius non-tangent curve to the right; thence Southwesterly 99.36 feet along the arc of said curve bearing to center South $89^{\circ}22'45''$ West through a central angle of $16^{\circ}53'34''$ (chord bearing South $07^{\circ}49'32''$ West 99.00 feet) to a point of curvature with a 15.00 foot radius curve to the right; thence Southwesterly 24.16 feet along the arc of said curve through a central angle of $92^{\circ}17'50''$ (chord bearing South $62^{\circ}25'14''$ West 21.63 feet); thence North $71^{\circ}25'51''$ West 5.44 feet; thence South $18^{\circ}49'48''$ West 56.00 feet; thence South $71^{\circ}25'51''$ East 17.62 feet to a point of a 15.00 foot radius curve to the right; thence Southeasterly 23.63 feet along the arc of said curve through a central angle of $90^{\circ}15'39''$ (chord bearing South $26^{\circ}18'01''$ East 21.26 feet); thence South $18^{\circ}49'48''$ West 106.48 feet to a point of a 551.00 foot radius curve to the left; thence Southwesterly 66.06 feet along the arc of said curve through a central angle of $06^{\circ}52'10''$ (chord bearing South $15^{\circ}23'43''$ West 66.02 feet); thence North $77^{\circ}43'44''$ West 100.04 feet; thence South $58^{\circ}12'46''$ West 75.12 feet; thence West 179.16 feet; thence North $59^{\circ}28'57''$ West 61.96 feet; thence South $88^{\circ}34'09''$ West 95.24 feet to the point of beginning.

(Being The Maples Pod 4, Phase 1, proposed)

A parcel of land situated in the Northeast quarter of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian and located in the Town of Vineyard, Utah County, Utah and being more particularly described as follows:

Beginning at a point situated South $89^{\circ}38'03''$ West 340.22 feet along the extended center section line of Section 17, as defined by the found brass cap monuments marking the West quarter corner of Section 17 and the East quarter corner of Section 17 of said Township and Range, from the East quarter corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian and North 45.50 feet to the point of beginning; thence South $89^{\circ}38'03''$ West 436.00 feet; thence North $84^{\circ}08'25''$ West 110.66 feet; thence South $89^{\circ}38'03''$ West 119.12 feet to a point of a 15.00 foot radius curve to the right; thence Northwesterly 23.56 feet along the arc of said curve through a central angle of $90^{\circ}00'00''$ (chord bearing North $45^{\circ}21'44''$ West 21.21 feet); thence North $0^{\circ}21'57''$ West 3.00 feet; thence South $89^{\circ}38'03''$ West 56.00 feet; thence North $0^{\circ}21'57''$ West 34.47 feet to a point of curvature with a 322.00 foot radius curve to the left; thence continuing 14.44 feet along the arc of said curve through a central angle of $02^{\circ}34'10''$ (chord bears North $01^{\circ}39'02''$ West 14.44 feet); thence North $9^{\circ}15'21''$ East 45.23 feet; thence North $42^{\circ}55'35''$ East 42.63 feet; thence North $0^{\circ}00'15''$ West 257.01 feet; thence North $89^{\circ}58'47''$ East 183.20 feet; thence North $71^{\circ}01'50''$ East 59.22 feet; thence East 89.96 feet; thence North $88^{\circ}34'09''$ East 95.24 feet; thence South $69^{\circ}28'57''$ East 61.96 feet; thence East 179.16 feet; thence North $58^{\circ}12'46''$ East 75.12 feet; t hence South $77^{\circ}43'44''$ East 100.04 feet to a point of a 551.00 foot radius curve to the left; thence Southwesterly 115.02 feet along the arc of said curve through a central angle of $11^{\circ}57'37''$ (chord bearing South $05^{\circ}58'49''$ West 114.81 feet); thence South 61.53 feet to a point of a 379.50 foot radius curve to the right; thence Southwesterly 62.41 feet along the arc of said curve through a central angle of $09^{\circ}25'22''$ (chord bearing South $04^{\circ}42'41''$ West 62.34 feet) to a point of a 100.50 foot radius curve to the left; thence Southeasterly 53.22 feet along the arc of said curve through a central angle of $30^{\circ}20'22''$ (chord bearing South $05^{\circ}44'49''$ East 52.60 feet); thence South $20^{\circ}54'59''$ East 33.33 feet to a point of a 19.50 foot radius curve to the right; thence Southwesterly 17.80 feet along the arc of said curve through a central angle of $52^{\circ}17'23''$ (chord bearing South $05^{\circ}13'42''$ West 17.19 feet); thence South $31^{\circ}22'24''$ West 56.59 feet to a point of a 29.50 foot radius curve to the right; thence Southwesterly 16.57 feet along the arc of said curve through a central angle of $32^{\circ}10'54''$ (chord bearing South $47^{\circ}27'51''$ West 16.35 feet) to a point on a compound curve to the right, having a 329.50 foot radius; thence Southwesterly 84.39 feet along the arc of said curve bearing to center North $26^{\circ}26'42''$ West through a central angle of $14^{\circ}40'26''$ (chord bearing South $70^{\circ}53'31''$ West 84.16 feet) to the point of beginning.

(Being The Maples Pod 4, Phase 2, proposed)