

9981964
01/24/2007 12:27 PM #68-00
Book - 9412 Pg - 6215-6220
GARY M. OTT
RECORDER, SALT LAKE COUNTY, UTAH
JAMES T DUNN
1108 W SOUTH JORDAN PKWY
STE A
SOUTH JORDAN UT 84095
BY: EPH DEPUTY - W 6 P.

AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS & RESTRICTIONS
OF
THE GABLES AND VILLAS AT RIVER OAKS

THIS AMENDED AND RESTATED DECLARATION of Covenants, Conditions and Restrictions ("CCRs") is made on the date hereinafter set forth for the planned unit developed ("PUD") known as The Gables and Villas at River Oaks.

RECITALS

1. Declarant is the owner of real property located at 9150 South Riverside Dr. (700 West), in the City of Sandy, County of Salt Lake, State of Utah, as described in Exhibit "A" and "B" consisting of individual lots or units.
2. Declarant filed a Declaration of Covenants, Conditions & Restrictions of The Gables and Villas at River Oaks, which was filed November 18, 2005, and recorded as Entry #9564337, Book 9222, Pages 2852-2894.
3. Pursuant to the provisions of those previously filed CCRs, the Declarant through the management committee, reserved the right to make amendments pursuant to ¶12 of the Declaration of CCRs, and Article III, ¶1, declaring the project including Plats "A" and "B" to be an Expandable project.
4. Declarant intends to expand the project to include an additional plat or phase known as River Oaks Estates, consisting of 18 lots or units, number 1-18 on the proposed plat, and more particularly identified in the legal description attached hereto as Exhibit "C".

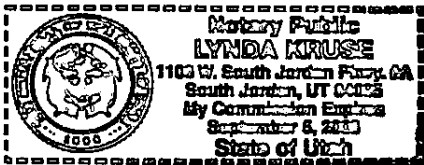
NOW, THEREFORE, Declarant hereby declares and certifies as follows:

ARTICLE I
RESTATEMENT

1. Declarant restates all of the terms and conditions of the prior CCRs of The Gables and Villas of River Oaks previously recorded as indicated above.
2. Amendment: Those CCRs are amended to include the proposed River Oaks Estates, lots or units 1-18 as described in the attached Exhibit "C".
3. Binding Effect: This amendment, and the prior CCRs shall apply to all properties identified in Exhibits "A", "B" and "C" pursuant to the attached legal descriptions. All parcels contained within Plats "A", "B" and "C" identified and attached hereto shall be subject to the original CCRs filed November 28, 2005, and this Amended and Restated Declaration of CCRs.

4. Expansion: Lots or units 1-18 in Plat "C" shall also be part of the Home Owner's Association, and subject to the Bylaws and other rules set forth by that association

ADOPTED AND EXECUTED by the undersigned Declarants as the Management Committee this 22 day of January, 2007.

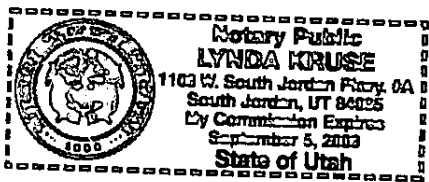


CASTLEWOOD RIVER OAKS, LLC
a Utah limited liability company

By: 
Jeffrey A. Duke, Manager

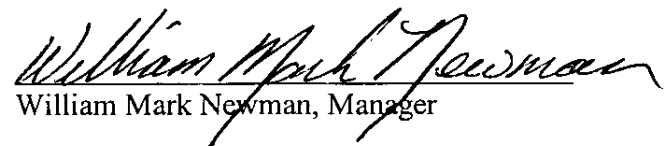
STATE OF UTAH)
:SS
COUNTY OF SALT LAKE)

On this 22 day of January, 2007, personally appeared before me Jeffrey A. Duke, Manager of Castlewood River Oaks, LLC, and on his oath acknowledged that he is a Manager of Castlewood River Oaks, LLC, and that he signed this instrument with the authority and on behalf of said limited liability company.



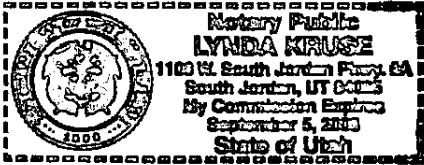

Notary

NEWMAN INVESTMENTS, LLC
a limited liability company

BY: 
William Mark Newman, Manager

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 22 day of January, 2007, personally appeared before me William Mark Newman, Manager of Newman Investments, LLC, and on his oath acknowledged that he is a Manager of Newman Investments, LLC, and that he signed this instrument with the authority and on behalf of said limited liability company.



Lynda Kruse

Notary

EXHIBIT "A"

PROPERTY DESCRIPTION

PLAT A:

BEGINNING AT A POINT THAT IS S00°10'27"W 765.20 FEET AND WEST 40.00 FEET FROM THE EAST QUARTER CORNER SECTION 2 TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S00°10'27"W 182.68 FEET; THENCE SOUTHWESTERLY 799.57 FEET ALONG THE ARC OF A 655.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS S35°08'42"W 750.84 FEET); THENCE N20°51'47"W 96.83 FEET; THENCE N47°23'22"W 36.04 FEET; THENCE N19°06'10"W 23.82 FEET; THENCE N41°33'17"E 5.52 FEET; THENCE NORTHEASTERLY 97.70 FEET ALONG THE ARC OF A 497.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N64°43'01"E 97.54 FEET); THENCE NORTHEASTERLY 6.56 FEET ALONG THE ARC OF A 4.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N12°04'43"E 5.85 FEET); THENCE N34°56'01"W 104.66 FEET; THENCE N10°03'59"E 22.14 FEET; THENCE NORTHWESTERLY 17.57 FEET ALONG THE ARC OF A 274.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N39°38'06"W 17.57 FEET); THENCE S48°31'39"W 99.00 FEET; THENCE N55°39'15"W 89.33 FEET; THENCE N65°07'56"W 125.88 FEET; THENCE N45°04'01"W 52.88 FEET; N55°32'42"W 114.30 FEET; THENCE N34°21'49"E 265.10 FEET; THENCE N24°33'45"E 100.55 FEET; THENCE S65°26'15"E 150.01 FEET; THENCE N24°33'45"E 73.38 FEET; THENCE NORTHEASTELY 9.84 FEET ALONG A 225.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N23°18'36"E 9.84 FEET); THENCE S65°26'15"E 34.31 FEET; THENCE N89°53'45"E 324.32 FEET; THENCE S84°21'54"E 50.00 FEET; THENCE NORTHEASTERLY 30.05 FEET ALONG THE ARC OF A NON-TANGENT ON A 300.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N02°45'56"E 30.04 FEET); THENCE N00°06'15"W 12.00 FEET; THENCE S89°49'33"E 100.61 FEET TO THE POINT OF BEGINNING.

(CONTAINS 9.596 ACRES AND 49 LOTS)

PLAT B:

Beginning at a point on the Westerly Right of Way of Riverside Drive, said point also being S00°10'27"W 1561.84 feet and West 470.36 feet from the East Quarter Corner Section 2 Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running thence along said Westerly Right of Way the following four courses: (1) thence Southwesterly 167.29 feet along the arc of a 655.00 foot radius curve to the right (chord bears S77°25'59"W 166.84 feet); (2) thence S84°45'00"W 361.02 feet; (3) thence S85°00'40"W 13.07 feet; (4) thence Southwesterly 81.28 feet along the arc of a 680.00 foot radius curve to the left (chord bears S81°19'05"W 81.23 feet); thence N38°24'23"E 45.76 feet; thence Northwesterly 11.11 feet along the arc of a 241.50 foot radius curve to the right (chord bears N01°21'12"W 11.10 feet); thence Northwesterly 7.79 feet along the arc of a 5.00 foot radius curve to the left (chord bears N44°41'38"W 7.03 feet); thence N00°38'54"E 52.00 feet; thence Southeasterly 6.77 feet along the arc of a 99.50 foot radius curve to the right (chord bears S87°24'12"E 6.77 feet); thence Northeasterly 6.99 feet along the arc of a 5.00 foot radius curve to the left (chord bears N54°29'55"E 6.43 feet); thence Northeasterly 48.90 feet along the arc of a 241.50 foot radius curve to the right (chord bears N20°15'10"E 48.82 feet); thence N53°30'25"W 85.12 feet; thence S56°19'45"W 195.01 feet; thence S89°54'32"W 4.98 feet; thence N40°34'05"E 482.26 feet; thence N34°21'49"E 85.45 feet to a point on the Southerly Boundary of River Oaks Villas P.U.D. Plat A; thence along said Southerly Boundary the following 14 courses: (1) thence S55°32'42"E 114.30 feet; (2) thence S45°04'01"E 52.88 feet; (3) thence S65°07'56"E 125.88 feet; (4) thence S55°39'15"E 89.33 feet; (5) thence N48°31'39"E 99.00 feet; (6) thence Southeasterly 17.57 feet along the arc of a 274.00 foot radius curve to the right (chord bears S39°38'06"E 17.57 feet); (7) thence S10°03'59"W 22.14 feet; (8) thence S34°56'01"E 104.66 feet; (9) thence Southwesterly 6.56 feet along the arc of a 4.00 foot radius curve to the right (chord bears S12°04'43"W 5.85 feet); (10) thence Southwesterly 97.70 feet along the arc of a 497.50 foot radius curve to the right (chord bears S64°43'01"W 97.54 feet); (11) thence S41°33'17"W 5.52 feet; (12) thence S19°06'10"E 23.82 feet; (13) thence S47°23'22"E 36.04 feet; (14) thence S20°51'47"E 96.83 feet to the point of beginning.

(Contains 5.27 Acres and 42 Lots)

River Oaks Estates Boundary Description

Commencing at the East Quarter Corner of Section 2, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence South $0^{\circ}10'27''$ West, along the East line of said Section 2, a distance of 101.65 feet; thence South $89^{\circ}53'45''$ West a distance of 40.00 feet, thence South $0^{\circ}10'27''$ West a distance of 258.21 feet to the Point of Beginning for this description; thence

South $0^{\circ}10'27''$ West 226.77 feet more or less to the North line of the Village at River Oaks Phase 1-A; thence along said subdivision the following 6 courses;

- (1) South $89^{\circ}53'45''$ West 151.48 feet; thence
- (2) North $0^{\circ}06'15''$ West 35.00 feet; thence
- (3) South $89^{\circ}53'45''$ West 295.00 feet; thence
- (4) North $75^{\circ}56'03''$ West 50.00 feet; thence
- (5) South $14^{\circ}03'57''$ West 22.06 feet; thence
- (6) North $75^{\circ}56'03''$ West 90.00 feet; thence

North $14^{\circ}03'52''$ East 233.97 feet; thence

North $89^{\circ}53'45''$ East 393.36 feet; thence

South $75^{\circ}38'07''$ East 90.94 feet; thence

South $89^{\circ}49'33''$ East 25.16 feet; thence to a point on a curve to the right, having a radius of 25.00 feet and a central angle of $90^{\circ}00'00''$, thence along the arc of said curve a distance of 39.27 feet, said arc subtended by a chord bearing South $44^{\circ}49'33''$ East, a distance of 35.36 feet to the Point of Beginning.

Containing 18 lots; 137,113 square feet or 3.147 acres, more or less.