

When Recorded Mail To:
Boyer Wheeler Farm, LC
Patrick Moffat
90 South 400 West #200
SLC, UT 84101

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RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 JAN 26 2:58 PM FEE 192.00 DEP MEC
REC'D FOR BONNEVILLE TITLE COMPANY, INC

5M-275

**SECOND AMENDMENT TO DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS & RESTRICTIONS
FOR
FARMINGTON RANCHES PHASE 2**

THIS SECOND AMENDMENT (the "Second Amendment") is made and entered into this 5th day of JANUARY, 2004, by BOYER WHEELER FARM, L.C. (the "Declarant").

RECITALS:

A. Declarant previously executed and recorded the following as part of the entire project:

Phase 1 08-280-0001 to 01114
Phase 2 08-281-0201 to 02066

- (i) Farmington Ranches Phase 2 Subdivision recorded June 7, 2001 as entry No. 1666532 in Book 2823 at Page 446 of the official records of the David County, State of Utah (the "Plat").
- (ii) A Declaration of Protective Covenants, Conditions and Restrictions for Farmington Ranches Phase 1, dated July 16, 2001 (as amended and/or supplemented, the "Declaration"), which was recorded July 17, 2001, as entry No. 1675524, in Book 2848 at Page 676, of the officials of Davis County, State of Utah (the "Declaration").
- (iii) A Supplement to the Declaration of Protective Covenants, Conditions and Restrictions for Farmington Ranches Phase 1 Adding Farmington Ranches Subdivision Phase 2, dated August 7, 2001 (as amended and/or supplemented, the "Declaration"), which was recorded August 7, 2001, as entry No. 1680180, in Book 2861 at Page 571, of the officials of Davis County, State of Utah (the "Declaration").
- (iv) First Amendment to the Declaration of Protective Covenants, Conditions and Restrictions for Farmington Ranches Phase 1, dated October 25, 2001 (as amended and/or supplemented, the "Declaration"), which was recorded October 29, 2001, as entry No. 1698935, in Book 2914 at Page 348, of the officials of Davis County, State of Utah (the "Declaration").

B. Declarant desires to amend the Declaration in certain respects.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant agrees as follows:

1. Paragraph 8.3 of the Supplement to Declaration of Covenants, Conditions, and Restrictions for Farmington Ranches Subdivision Phase 1 Adding Farmington Ranches Subdivision Phase 2 shall be amended as follows:

The existing sentence in Paragraph 8.3 of the Declaration that reads: "Pitched roofs shall be at least 4/12 pitch and no greater than 10/12" shall be replaced with an entirely new sentence that reads: "Pitched roofs shall be at least 4/12 pitch and no greater than 12/12".

2. In all other respects, the Declaration, Supplements, Amendments and Plat are ratified and affirmed.
3. The vote required for amendment of the Declaration of Covenants has occurred, in accordance with the Amendments portion of the Declaration.

Agreed to and approved by:

AGREED TO AND EXECUTED by Owner on this 5th day of Jan, 2004.


"DECLARANT"
Boyer Wheeler Farm L.C.


By: 

Its: 

STATE OF UTAH)
) SS:
COUNTY OF SALT LAKE)

On the 5th day of January, 2004, personally appeared before me STEVEN B. OSTLER who, being by me duly sworn, did say that he is the Manager of Boyer Wheeler Farm, a Utah limited liability company, and that the within and foregoing instrument was signed in behalf of the Company by authority of its Operating Agreement, and that the Company executed the same.

[SEAL]  Notary Public
CONSTANCE MILLER
80 South 400 West
Ste 200
Salt Lake City UT 84101
My Commission Expires
September 22, 2007
State of Utah


Notary Public