

**FIRST SUPPLEMENTAL DECLARATION**  
**OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**FOR**  
**MAPLEWOOD VILLAGE TOWNHOMES**  
**a Planned Residential Unit Development**

2038322 B 3686 P 221-223  
 RICHARD T. MAUGHAN  
 DAVIS COUNTY, UTAH RECORDER  
 12/15/2004 09:36 AM  
 FEE \$88.00 Pgs: 3  
 DEP RT REC'D FOR BONHEVILLE TITLE  
 COMPANY

KNOW ALL PERSONS BY THESE PRESENTS

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Maplewood Village Townhomes, a Planned Residential Unit Development (Phase 1), dated the 30th day of April, 2003, was recorded on the 16th day of May, 2003, as Entry No. 1866575 in Book 3292 at Page 1203, records of Davis County, Utah (the "Declaration"); and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Maplewood Village Townhomes, Phase 2, a Planned Residential Unit Development, dated the 24th day of February, 2004, was recorded on the 10th day of March, 2004, as Entry No. 1969084 in Book 3493 at Page 958, records of Davis County, Utah (the "Second Declaration"); and

WHEREAS, it is necessary and desirable that the Declaration be amended to expand the project by adding additional portions of that real property described in Article II, Paragraph 2.03(a) of the Declaration, and

WHEREAS, it is necessary and desirable that the Second Declaration be superseded and nullified in its entirety by this Supplemental Declaration to insure compliance with the requirements of Article II, Paragraph 2.03 of the Declaration, and

WHEREAS, the undersigned, is authorized by Article II, Paragraph 2.03 of the Declaration in its absolute discretion and without the consent or participation of any owner to expand the project by filing this Supplemental Declaration

NOW THEREFORE, in consideration of the promises, agreements and considerations herein contained, it is hereby agreed that the Declaration shall be, and the same is, hereby amended as follows.

- 1 The project is hereby expanded to include Maplewood Village Townhomes Phase 2, a Planned Residential Unit Development, more particularly described as follows:

PART OF THE NORTHWEST QUARTER OF SECTION 35, T.5N., R.2W., S.L.B & M., U.S. SURVEY, DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE EAST LINE OF MAPLEWOOD VILLAGE TOWNHOMES PHASE 1, SAID POINT BEING S89°56'38"E ALONG THE SECTION LINE 2016.77 FEET AND N00°03'22"E 145.17 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 35; THENCE ALONG SAID

EAST LINE THE FOLLOWING COURSES: N00°15'20"E 196.32 FEET, N45°04'25"E 143.40 FEET, N00°03'12"E 218.67 FEET TO THE SOUTH LINE OF JACKSON ORCHARDS SUBDIVISION; THENCE S89°56'48"E ALONG SAID SOUTH LINE 321.16 FEET; THENCE S00°03'12"W 124.16 FEET; THENCE N89°56'20"W 86.50 FEET, THENCE S00°03'40"W 145.27 FEET, THENCE S46°51'06"W 236.15 FEET; THENCE S44°55'36"E 29.60 FEET; THENCE S39°27'24"W 110.81 FEET, THENCE N89°44'40"W 61.48 FEET, THENCE N00°17'21"E 20.88 FEET; THENCE N89°44'40"W 53.81 FEET TO THE POINT OF BEGINNING.

CONTAINS 2.98 ACRES

Also known as Lots 41 through 72, inclusive, Maplewood Village Townhomes, Phase 2, a Planned Residential Unit Development

14-377-0041 thru 0073

*of com area*

- 2 The project is hereby expanded to include Maplewood Village Townhomes, Phase 3, a Planned Residential Unit Development, more particularly described as follows:

PART OF THE NORTH HALF OF SECTION 35, T 5N., R.2W, S L.B.&M., U.S. SURVEY, DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE EAST LINE OF MAPLEWOOD VILLAGE TOWNHOMES PHASE-2, SAID POINT BEING N89°56'38"W ALONG THE SECTION LINE 471.21 FEET, AND N00°03'22"E 185.83 FEET FROM THE CENTER OF SAID SECTION 35, THENCE ALONG SAID EAST LINE THE FOLLOWING SIX (6) COURSES: (1) N39°27'24"E 30.65 FEET, (2) N44°55'36"W 29.60 FEET, (3) N46°51'06"E 236.15 FEET, (4) N00°03'40"E 145.27 FEET, (5) S89°56'20"E 86.50 FEET, AND (6) N00°03'12"E 124.16 FEET TO THE SOUTH LINE OF JACKSON ORCHARDS NO. 6; THENCE S89°56'48"E ALONG SAID SOUTH LINE 253.59 FEET TO THE WEST LINE OF THE UNION PACIFIC RAILROAD PROPERTY, THENCE S01°21'02"E ALONG SAID WEST LINE 366.34 FEET, THENCE N89°53'17"W 131.35 FEET, THENCE S60°31'17"W 111.46 FEET, THENCE S33°20'47"W 86.78 FEET, THENCE S00°06'43"W 37.00 FEET, THENCE N89°53'17"W 140.91 FEET TO A 116.50 FOOT RADIUS CURVE THE CENTER OF WHICH BEARS N00°06'43"E; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 44°57'41" A DISTANCE OF 91.42 FEET; THENCE N44°55'36"W 29.10 FEET TO THE POINT OF BEGINNING.

CONTAINS 3.74 ACRES

Also known as Lots 73 through 112, inclusive, Maplewood Village Townhomes, Phase 3, a Planned Residential Unit Development

14-385-0073 thru 0113

*of com area*

- 3 This First Supplemental Declaration incorporates herein by reference the terms and conditions of the Declaration and all terms thereof shall be binding upon Maplewood Village Townhomes, Phase 2, a Planned Residential Unit Development, and Maplewood Village Townhomes, Phase 3, a Planned Residential Unit Development
- 4 The Second Declaration entered into the 24th day of February, 2004, as thereafter recorded the 10th day of March, 2004, as Entry No. 1969094 in Book 3493, at Page 958, records of Davis County, Utah, is hereby superseded and nullified by this First Supplemental Declaration.
- 5 This First Supplemental Declaration and every provision hereof, shall take effect upon recording.

IN WITNESS WHEREOF, the undersigned has executed this First Supplemental Declaration the day and year first above written.

**DECLARANT:**  
**NILSON & CO., INC.**, a Utah corporation

By. *Bruce Nilson*  
**Bruce Nilson, President**

STATE OF UTAH            )  
  )ss.  
COUNTY OF WEBER        )

On this 14<sup>th</sup> day of September, 2004, personally appeared before me Bruce Nilson, the President of Nilson & Co., Inc., who duly acknowledged to me that he is the President of Nilson & Co., Inc., and that he executed the foregoing document for and on behalf of said entity as Declarant for Maplewood Village Townhomes, Phases 1, 2 and 3, a Planned Residential Unit Development

*Stacy L. Robbins*  
Notary Public

