

When Recorded Return To:

D.R. Horton, Inc.
12351 South Gateway Park Place, Suite D-100
Draper, Utah 84020
Attention: Boyd A. Martin



ENT 99000:2016 PG 1 of 5
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Oct 06 11:58 am FEE 104.00 BY SS
RECORDED FOR SARATOGA SPRINGS CITY

**THIRD SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
LEGACY FARMS**

THIS THIRD SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LEGACY FARMS (this “Third Supplemental Declaration”) is made as of September 22, 2016, by D.R. HORTON, INC., a Delaware corporation (“Declarant”), with reference to the following:

RECITALS

A. On October 23, 2015, Declarant caused to be recorded as Entry No. 96688:2015 in the official records of the Office of the Recorder of Utah County, Utah (the “Official Records”), that certain Declaration of Covenants, Conditions and Restrictions for Legacy Farms (the “Original Declaration”) pertaining to a master planned development known as Legacy Farms located in the City of Saratoga Springs, Utah County, Utah.

B. The Original Declaration provides that Declarant shall have the right and option, from time to time at any time, to subject some or all of the Additional Land described in the Original Declaration to the terms, conditions and restrictions created by the Original Declaration by the recordation of a Supplemental Declaration, which shall be effective upon recording the Supplemental Declaration in the Official Records.

C. On January 15, 2016, Declarant caused to be recorded as Entry No. 4144:2016 in the Official Records that certain First Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Legacy Farms (the “First Supplemental Declaration”).

D. On May 27, 2016, Declarant caused to be recorded as Entry No. 47941:2016 in the Official Records that certain Second Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Legacy Farms (the “Second Supplemental Declaration”).

E. On May 27, 2016, Declarant caused to be recorded as Entry No. 47948:2016 in the Official Records that certain First Amendment to the Declaration of Covenants, Conditions and Restrictions for Legacy Farms (the “First Amendment”).

F. Pursuant to Section 19.1 of the Original Declaration, Declarant desires to subject to the Original Declaration that portion of the Additional Land described on Exhibit "A", which is attached hereto and incorporated herein by this reference (the "Plat 1-E Subject Property" and the "Plat 1-F Subject Property").

G. Declarant is executing and delivering this Third Supplemental Declaration for the purpose of subjecting the Plat 1-E Subject Property and the Plat 1-F Subject Property to the provisions of the Original Declaration.

THIRD SUPPLEMENTAL DECLARATION

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. All defined terms as used in this Third Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, unless otherwise defined in this Third Supplemental Declaration.

2. The Plat 1-E Subject Property and the Plat 1-F Subject Property are hereby subjected to the Original Declaration and shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously amended by the First Amendment and as previously supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof.

3. The provisions of the Original Declaration, as previously amended by the First Amendment and as previously supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, shall run with the Plat 1-E Subject Property and with the Plat 1-F Subject Property and shall be binding upon all Persons having any right, title, or interest in the Plat 1-E Subject Property and in the Plat 1-F Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof.

4. The Land Use Classifications and Neighborhood Designations for the Plat 1-E Subject Property and the Plat 1-F Subject Property shall be as follows:

Legacy Farms Plat 1-E
71 Lots

| <u>Lot Number</u> | <u>Land Use Classification</u> | <u>Neighborhood Designation</u> |
|-------------------|--------------------------------|---------------------------------|
| 204 to 214 | Single Family Lots | Single Family Lots Neighborhood |
| 1069 to 1128 | Townhome Lots | Townhome Lots Neighborhood |

Legacy Farms Plat 1-F
13 Lots

| <u>Lot Number</u> | <u>Land Use Classification</u> | <u>Neighborhood Designation</u> |
|-------------------|--------------------------------|---------------------------------|
| 215 to 223 | Single Family Lots | Single Family Lots Neighborhood |
| 224 to 227 | Twin Home Lots | Twin Home Lots Neighborhood |

5. Except as supplemented by the provisions of this Third Supplemental Declaration, the Original Declaration, as previously amended by the First Amendment and as previously supplemented by the First Supplemental Declaration and by the Second Supplemental Declaration, shall remain unmodified and in full force and effect.

6. The Original Declaration, as previously amended by the First Amendment and as supplemented by the First Supplemental Declaration, by the Second Supplemental Declaration and by this Third Supplemental Declaration, shall collectively be referred to as the "Declaration."

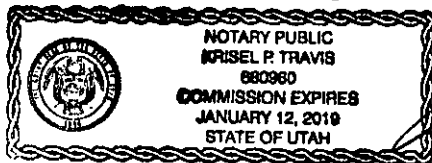
IN WITNESS WHEREOF, Declarant has caused this Third Supplemental Declaration to be executed by an officer duly authorized to execute the same as of the date first above written.

D.R. HORTON, INC.,
a Delaware corporation

By: *B.A. Martin*
Name: B.A. MARTIN
Title: V.P.

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged to me this 22 day of September, 2016, by Boyd A. Martin, in his capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.



Krisel P. Travis
NOTARY PUBLIC
Residing at: Lundon, UT

My commission expires:
Jan. 12, 2019

EXHIBIT "A"
TO
THIRD SUPPLEMENTAL DECLARATION TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
LEGACY FARMS

Legal Description of the Plat 1-E Subject Property

That certain real property located in Utah County, Utah more particularly described as follows:

Legacy Farms Plat 1-E – Boundary Description

A parcel of land situated in the Southeast quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is South 00°33'28" West 36.05 feet, along the section line, and West 1874.19 feet from the East quarter corner of said Section 26 and running thence South 44°58'08" West 7.08 feet; thence South 00°00'08" West 431.63 feet; thence South 45°01'52" East 7.07 feet; thence North 89°56'07" East 5.00 feet; thence South 00°03'53" East 54.00 feet; thence South 89°56'07" West 5.06 feet; thence South 44°58'08" West 7.08 feet; thence South 00°00'08" West 26.51 feet to the Westerly boundary line of Legacy Farms Plat 1-A; thence along said Westerly boundary line, the following three (3) courses: (1) North 89°59'52" West 66.00 feet, (2) South 00°00'08" West 5.00 feet, (3) South 44°55'38" West 7.08 feet to the Northerly boundary line of Legacy Farms Plat 1-D; thence along said Northerly boundary line, the following seven (7) courses: (1) South 89°51'09" West 473.02 feet, (2) North 45°09'16" West 7.07 feet, (3) North 00°09'42" West 5.00 feet, (4) South 89°50'18" West 54.00 feet, (5) South 00°09'42" East 4.00 feet to the arc of a 60.00 foot radius curve to the left, (6) Southeasterly 20.35 feet along said arc, chord bears South 09°52'47" East 20.26 feet, (7) South 89°50'18" West 126.32 feet to the Easterly right-of-way line of Redwood Road; thence, along said Easterly right-of-way line, North 00°38'09" East 552.06 feet; thence North 89°56'07" East 30.00 feet; thence South 00°38'09" West 111.97 feet; thence North 89°50'18" East 80.86 feet; thence South 53°19'19" East 14.69 feet to the arc of a 60.00 foot radius curve to the right; thence 67.62 feet along said arc, chord bears North 57°37'00" East 64.10 feet; thence North 89°54'11" East 473.24 feet; thence North 44°57'10" East 7.08 feet; thence North

00°00'08" East 76.08 feet; thence North 45°01'52" West 7.07 feet;
thence North 89°56'07" East 76.00 feet to the point of beginning.

Contains 71 Lots

Tax Parcel Number 66-058-0014

Legal Description of the Plat 1-F Subject Property

That certain real property located in Utah County, Utah more particularly described as follows:

Legacy Farms Plat 1-F – Boundary Description

A parcel of land situated in the Southeast quarter of Section 26, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Westerly boundary line of Legacy Farms Plat 1-E, said point being also on the Southerly right-of-way line of 400 South Street, said point being also South 00°33'28" West 36.14 feet, along the section line, and West 1950.19 feet from the East quarter corner of said Section 26 and running thence along the Westerly and Northerly boundary line of said Legacy Farms Plat 1-E, the following seven (7) courses: (1) South 45°01'52" East 7.07 feet; (2) South 00°00'08" West 76.08 feet; (3) South 44°57'10" West 7.08 feet; (4) South 89°54'11" West 473.24 feet to the arc of a 60.00 foot radius curve to the left; (5) Southwesterly 67.62 feet along said arc, chord bears South 57°37'00" West 64.10 feet; (6) North 53°19'19" West 14.69 feet; (7) South 89°50'18" West 80.86 feet to the Easterly right-of-way line of Redwood Road; thence along said Westerly right-of-way line, North 00°38'09" East 111.97 feet to the Southerly right-of-way line of said 400 South Street; thence along said Southerly right-of-way line, North 89°56'07" East 618.77 feet to the point of beginning.

Contains 13 Lots

Tax Parcel Number 66-058-0014