

**When Recorded Return To:**  
Clayton Properties Group II, Inc.  
dba Oakwood Homes  
206 E. Winchester Street  
Murray, Utah 84107

**SECOND AMENDMENT TO**  
**MASTER DECLARATION OF COVENANTS, CONDITIONS,**  
**AND RESTRICTIONS FOR WANDER SUBDIVISION**

This SECOND AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR WANDER SUBDIVISION (“**Amendment**”) is made by Clayton Properties Group II, Inc., a Colorado corporation doing business as Oakwood Homes (“**Declarant**”).

**RECITALS**

A. The Declarant is the developer of a residential subdivision known as the Wander Subdivision (“**Project**”) located in the City of Saratoga Springs (“**City**”), Utah County (“**County**”), State of Utah. The Project is more particularly identified on **Exhibit A**, attached hereto.

B. The Project shall be subdivided into individual single-family lots for attached and detached dwellings together with streets, other public improvements, and certain common facilities.

C. Declarant previously caused that certain *Master Declaration of Covenants, Conditions, and Restrictions for Wander Subdivision* to be recorded in the Real Property Records of Utah County on February 28, 2020, as Entry No. 26325:2020 (as amended, the “**Declaration**”).

D. The Declaration provides, among other things, that the Wander Homeowners Association (“**Association**”), a Utah non-profit corporation, will manage and maintain the Common Areas within the Project, and assess and collect from Owners a share of the costs of such management and maintenance.

E. Declarant now wishes to amend certain provisions of the Declaration.

F. Pursuant to Section 12.2 of the Declaration, Declarant may amend the Declaration during the Period of Declarant's Control without the consent of any other Owner. The Period of Declarant's Control has not yet expired

**AMENDMENT**

NOW, THEREFORE, the Declarant does hereby amend the Declaration consistent with the following terms:

1. Recitals Incorporated. The foregoing recitals are incorporated.
2. Definitions. Capitalized terms used herein but not otherwise defined have the meaning provided in the Declaration.

3. Amendment to Terms Pertaining to Commercial Builders. In addition to any provisions in the Declaration relating to the rights of Commercial Builders (as that term is defined in Section 4.8.2 of the Declaration), the following language is hereby added as Section 6.9 of the Declaration:

6.9 Exemption for Commercial Builders. Each Commercial Builder will have the following rights with respect to the Lots owned by such Commercial Builder, provided, however that the exercise of such rights must be consistent with the Community Plan for the Project approved by the City and with the Design Guidelines: (a) to display sales and advertising materials of reasonable size; (b) to conduct sales activities on such Lots; (c) to maintain Residences as model homes (provided that no more than one (1) Residence may be constructed or maintained per Lot); and (d) to maintain temporary structures on such Lots for such Commercial Builder's sales activities.

4. Designation of Commercial Builder. Pursuant to Section 4.8.2 of the Declaration, Declarant hereby designates Richmond American Homes of Utah, Inc., a Colorado corporation as a Commercial Builder.

5. Scope of Amendment. To the extent that the terms or provisions of this Amendment conflict or are inconsistent with the terms and provisions of the Declaration, the terms and provisions of this Amendment shall control. However, except as modified in this Amendment, the Declaration shall remain in full force and effect in accordance with its terms.

*[End of Amendment. Signature Page Follows.]*

IN WITNESS WHEREOF, Declarant has executed this Amendment on this 8<sup>th</sup> day of December, 2021.

**DECLARANT**

Clayton Properties Group II, Inc., a  
Colorado corporation doing business as  
Oakwood Homes

By: [Signature]

Name: RYAN SMITH

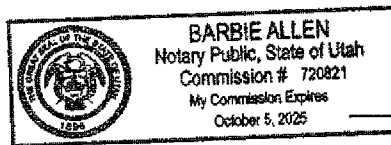
Title: ASSISTANT SECRETARY

STATE OF UTAH )

ss.

COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of December, 2021 by Ryan Smith as the Assistant Secretary of Clayton Properties Group II, Inc.



[Signature]

Notary Public

**EXHIBIT A**

**(Description of the Project and Parcel Numbers)**

Lot 201 through Lot 227, inclusive, PLAT B-1, JORDAN PROMENADE VILLAGE 1, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 301 through Lot 376, inclusive, PLAT B-2, JORDAN PROMENADE VILLAGE 1, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 401 through Lot 472, inclusive, PLAT B-3, JORDAN PROMENADE VILLAGE 1, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 160 through Lot 234, inclusive, WANDER PHASE C2 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 101 through Lot 129, inclusive, WANDER PHASE C3 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 300 through Lot 328, inclusive, WANDER PHASE D1 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 329 through Lot 423, inclusive, WANDER PHASE D2 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 424 through Lot 491, inclusive, WANDER PHASE D3 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 493 through Lot 596, inclusive, WANDER PHASE E1 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.

Lot 597 through Lot 626, inclusive, WANDER PHASE E2 SUBDIVISION, according to the official plat thereof on file and of record in the Utah County Recorder's Office.