

09-424-0101 → 0109  
09-425-0201 → 0238

09-432-0301 → 0325  
09-438-0401 → 0427

**SECOND AMENDMENT TO THE  
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR  
THE VISTAS AT EASTGATE**

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VISTAS AT EASTGATE (the "Amendment") is made and executed on the date set forth below and shall be effective upon recording in the Davis County Recorder's Office.

**RECITALS**

A. The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Vistas at Eastgate recorded, on or about August 2, 2018, in the Office of the Davis County Recorder, State of Utah, (the "Declaration") as Entry No. 3093086:2018;

B. This Amendment shall amend the Declaration and shall apply to and be binding against all of the property more fully described in Exhibit A, attached hereto, and any additional Property, annexation, expansion or supplement thereto (the "Property");

C. This Amendment is subject to the Definitions of the Declaration at Article I, unless otherwise defined herein.

D. This Amendment is intended to: clarify the Declaration and shall control over any contradiction in the Declaration.

E. Pursuant to the Declaration at Article XV, Section 5 and Section 6 and as any of those requirements may be modified by statute, the necessary approvals to amend the Declaration were duly conducted and received to adopt and record this Amendment.

**NOW THEREFORE**, the Association hereby amends Article XI, Section 10 and replaces it with the following:

Section 10 – No Swimming Pools and Tennis Courts. Now swimming pools, tennis courts or other similar structures shall be constructed or maintained on any portion of the Covered Property except Lots 414, 415, and 416, due to their large relative size, may construct and maintain pools upon approval by the Architectural Committee or the Declarant.

**RETURNED**  
**MAR 30 2020**

E 3238127 B 7480 P 2715-2717  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
03/30/2020 01:53 PM  
FEE \$218.00 Pgs: 3  
DEP RTT REC'D FOR JEREMY JOHNSON

IN WITNESS WHEREOF, THE ASSOCIATION has executed this Amendment to the Declaration as of the 16<sup>th</sup> day of March 2020 in accordance with the Declaration.

**Vistas at Eastgate Board**

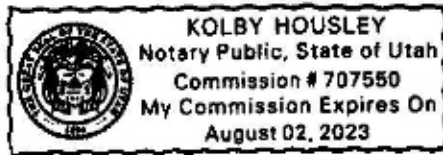
*E. Thomas*  
Signature

Eric Thomas  
Printed Name

Director  
Position

STATE OF UTAH            )  
                                  :SS  
County of Davis         )

On this 16 day of March 2020, personally appeared before me Eric Thomas who is known to me or who presented satisfactory identification, and has, while in my presence and while under oath or affirmation, voluntarily signed this document.



*Kolby Housley*  
Notary Public

EXHIBIT A

Legal Description of the Covered Property

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

A portion of the SE1/4 of Section 3, Township 4 North, Range 1 West, Salt Lake Base & Meridian, located in Layton, Utah, more particularly described as follows:

Beginning at a point located N0°07'20"E along the ¼ Section line 290.00 feet from the South ¼ Corner of Section 3, T4N, R1W, S.L.B. & M.; thence N89°39'40"W along the north line of lands of Layton City 238.46 feet to the southeast corner of Lot 28, SUN HILLS PARK Subdivision, as constructed, according to the Official Plat thereof on file in the Office of the Davis County Recorder; thence N0°19'12"E (record: N0°20'20"E) along said Plat and the extension thereof 393.52 feet to the southeasterly line of 3100 North Street as defined and described as part of NORTH HILLS ESTATES No. 4 Subdivision, according to the Official Plat thereof on file in the Office of the Davis County Recorder; thence along said Plat the following 3 (three) courses and distances: N69°41'12"E 144.47 feet; thence along the arc of a 163.16 foot radius curve to the left 159.81 feet through a central angle of 56°07'04" (chord: N41°37'40"E 153.49 feet) to said ¼ Section line; thence N0°07'20"E along the ¼ Section line and extension of said Plat 466.78 feet to the Northwest Corner of the SW1/4 of the SE1/4 of said Section 3; thence S89°30'17"E along the 1/16<sup>th</sup> Section (40 acre) line 1,342.43 feet to the Northeast Corner of the SW1/4 of the SE1/4 of said Section 3; thence S0°11'47"W along the 1/16<sup>th</sup> Section (40 acre) line 1,322.92 feet to the Southeast Corner of the SW1/4 of the SE1/4 of said Section 3; thence N89°14'02"W along the Section line 366.78 feet to the southeast corner of that Real Property described in Deed Book 2327 Page 469 of the Official Records of Davis County; thence N0°50'58"E along said deed 525.00 feet; thence N89°14'02"W along said deed and extension thereof 980.66 feet to the ¼ Section line; thence S0°07'20"W 235.03 feet to the point of beginning.