

When Recorded Return To:
D.R. Horton, Inc.
12351 Gateway Park Place
Suite D-100
Draper, Utah 84020
Attention: Micah Peters

10298776
12/13/2007 1:56:00 PM \$285.00
Book - 9547 Pg - 7589-7596
Gary W. Ott
Recorder, Salt Lake County, UT
SURETY TITLE
BY: eCASH, DEPUTY - EF 8 P.

**FIRST AMENDMENT
TO
DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
ROSE CREEK CROSSING SUBDIVISION**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ROSE CREEK CROSSING SUBDIVISION (this "Amendment") is made and executed as of December 11, 2007, by D.R. HORTON, INC., a Delaware corporation ("Declarant").

A. D.R. Horton, Inc. is the "Declarant" under that certain Declaration of Covenants, Conditions, and Restrictions for Rose Creek Crossing Subdivision, recorded March 5, 2007 as Entry No. 10022953 in Book 9430, beginning at Page 7558 in the Office of the Recorder of Salt Lake County, Utah (the "Declaration"). The Declaration governs the subdivision project commonly known as "Rose Creek Crossing" located in Riverton City, Salt Lake County, Utah, as more particularly described on Exhibit A attached hereto and incorporated herein (the "Project").

B. Declarant desires now to amend the Declaration as provided herein, and as permitted by the Declaration.

NOW, THEREFORE, Declarant hereby declares and provides as follows:

1. Definitions. Unless the context clearly requires otherwise, all the terms which are defined in the Declaration shall carry the same meaning when used in this Amendment.

2. Amendments.

(a) Section 9.4(a) shall be deleted in its entirety and replaced with the following provision:

"Exterior materials on all Dwellings shall be limited to one or more of the following materials, alone or in a combination as may be approved by the Architectural/Technical Committee: brick, rock, cultured stone, stucco, hardy board, hardy plank or hardy shingle or similar manufactured materials of equal quality. Upon

the express written approval of the Architectural/Technical Committee, other exterior building materials may be used. Exceptions to the foregoing requirements may be allowed to accommodate an architectural duplication of a certain era or style, such as Victorian. No Dwellings shall be constructed with readily combustible exterior finishes, which prohibition shall preclude without limitation wood shingles, wood soffits, wood facia and wood siding.”

(b) Section 9.4(d) shall be deleted in its entirety and replaced with the following provision:

All roofs shall be made of fire resistant dimensional shingles, architectural, 3 tab or other roofing materials approved by the Architectural/Technical Committee.

(c) Section 10.3(a) shall be deleted in its entirety and replaced with the following provision:

“Plans submitted. A complete set of plans for the construction of any Improvement as described in this Section 9.3 must be signed by the applicant and submitted to the Architectural/Technical Committee for review; *provided,* however, to the extent any plans have been previously approved for use within the Project by the Architectural/Technical Committee, whether or not the respective Improvements have been constructed within the Project, no further submission to or approval of the Architectural/Technical Committee is required. It is recommended that preliminary plans be submitted before the expense of final construction drawings is incurred. The plans must be in sufficient detail to show the location on the Lot of the Improvements, including without limitation, the exterior walls of any Dwelling and all other structures to be built with it and all fences to be constructed on the Lot; detailed drawings of all elevations of all buildings showing locations of windows, doors, roof pitches, decks and other exterior elements; a list of exterior, roofing and fencing materials and/or a sample, including color samples. In the case of an addition or modification to an existing Dwelling, the Architectural/Technical Committee may waive any of the foregoing requirements.”

3. Effective Date. This Amendment shall be effective upon recording in the Office of the Recorder of Salt Lake County, Utah. Except as herein expressly provided, the Declaration shall remain in all other respects unmodified and in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the date first above written.

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

By: *[Signature]*
Name: Mich Peters
Title: VP Land Acquisition - DR Horton, Inc

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

The foregoing instrument was acknowledged before me this 11th day of December, 2007 by Mich Peters, in his capacity as the VP Land Acquisition of D.R. Horton, Inc., a Delaware corporation.



[Signature]
NOTARY PUBLIC
Residing at: SLC, UT

My Commission Expires:
8/1/2009

**EXHIBIT A
TO
FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
ROSE CREEK CROSSING SUBDIVISION**

Legal Description of the Project

All of Lots 1 through 166, inclusive, of that certain subdivision map entitled "Rose Creek Crossing Subdivision", recorded October 13, 2006 as Entry Nos. 9875798, 9875842, 9875843, 9875844 in Book 2006P beginning on Page 301 in the Official Records of Salt Lake County, Utah.

All of Lots 1 through 96, inclusive, of that certain subdivision map entitled "Rose Creek Crossing Townhomes PUD", recorded October 19, 2006 as Entry No. 9881873 in Book 2006P beginning on Page 311 in the Official Records of Salt Lake County, Utah.

L	100	33-05-236-003-0000	L	201	33-05-201-017-0000
L	101	33-05-236-001-0000	L	202	33-05-201-016-0000
L	102	33-05-236-002-0000	L	203	33-05-201-015-0000
L	103	33-05-236-004-0000	L	204	33-05-201-014-0000
L	104	33-05-236-005-0000	L	205	33-05-201-013-0000
L	105	33-05-236-006-0000	L	206	33-05-201-012-0000
L	106	33-05-236-007-0000	L	207	33-05-201-011-0000
L	107	33-05-236-008-0000	L	208	33-05-201-010-0000
L	108	33-05-236-009-0000	L	209	33-05-201-009-0000
L	109	33-05-233-006-0000	L	210	33-05-201-019-0000
L	110	33-05-233-005-0000	L	211	33-05-201-020-0000
L	111	33-05-233-004-0000	L	212	33-05-201-021-0000
L	112	33-05-233-003-0000	L	213	33-05-201-022-0000
L	113	33-05-233-002-0000	L	214	33-05-201-023-0000
L	114	33-05-233-001-0000	L	215	33-05-201-024-0000
L	115	33-05-204-006-0000	L	216	33-05-201-025-0000
L	116	33-05-204-005-0000	L	217	33-05-201-026-0000
L	117	33-05-203-017-0000	L	218	33-05-204-001-0000
L	118	33-05-232-009-0000	L	219	33-05-204-002-0000
L	119	33-05-232-010-0000	L	220	33-05-204-003-0000
L	120	33-05-232-011-0000	L	221	33-05-204-004-0000
L	121	33-05-232-012-0000	L	222	33-05-203-016-0000
L	122	33-05-232-013-0000	L	223	33-05-203-015-0000
L	123	33-05-232-014-0000	L	224	33-05-203-014-0000
L	124	33-05-232-015-0000	L	225	33-05-203-013-0000
L	125	33-05-232-008-0000	L	226	33-05-203-012-0000
L	126	33-05-232-007-0000	L	227	33-05-203-011-0000
L	127	33-05-232-006-0000	L	228	33-05-203-010-0000
L	128	33-05-232-005-0000	L	229	33-05-203-001-0000
L	129	33-05-232-004-0000	L	230	33-05-203-002-0000
L	130	33-05-232-003-0000	L	231	33-05-203-003-0000
L	131	33-05-232-002-0000	L	232	33-05-203-004-0000
L	132	33-05-232-001-0000	L	233	33-05-203-005-0000
L	133	33-05-203-009-0000	L	234	33-05-203-006-0000
L	134	33-05-201-018-0000	L	235	33-05-203-007-0000
L	135	33-05-231-001-0000	L	236	33-05-203-008-0000
L	136	33-05-231-002-0000			
L	137	33-05-231-003-0000			
L	138	33-05-231-004-0000			
L	139	33-05-231-005-0000			
L	140	33-05-231-006-0000			
L	141	33-05-231-007-0000			
L	142	33-05-231-008-0000			
P	A	33-05-236-010-0000			

L	301	33-05-204-007-0000	L	345	33-05-201-029-0000
L	302	33-05-204-008-0000	L	346	33-05-201-028-0000
L	303	33-05-204-009-0000	L	347	33-05-201-027-0000
L	304	33-05-204-010-0000	P	A	33-05-236-017-0000
L	305	33-05-204-011-0000	L	401	33-05-251-009-0000
L	306	33-05-204-012-0000	L	402	33-05-251-010-0000
L	307	33-05-233-007-0000	L	403	33-05-251-011-0000
L	308	33-05-233-008-0000	L	404	33-05-251-012-0000
L	309	33-05-233-009-0000	L	405	33-05-251-013-0000
L	310	33-05-233-010-0000	L	406	33-05-251-014-0000
L	311	33-05-233-011-0000	L	407	33-05-251-015-0000
L	312	33-05-236-011-0000	L	408	33-05-251-016-0000
L	313	33-05-236-012-0000	L	409	33-05-251-017-0000
L	314	33-05-236-013-0000	L	410	33-05-251-018-0000
L	315	33-05-236-014-0000	L	411	33-05-251-019-0000
L	316	33-05-236-015-0000	L	412	33-05-251-020-0000
L	317	33-05-236-016-0000	L	413	33-05-251-021-0000
L	318	33-05-235-005-0000	L	414	33-05-251-022-0000
L	319	33-05-235-004-0000	L	415	33-05-251-023-0000
L	320	33-05-206-004-0000	L	416	33-05-251-024-0000
L	321	33-05-206-003-0000	L	417	33-05-251-025-0000
L	322	33-05-206-001-0000	L	418	33-05-251-026-0000
L	323	33-05-206-002-0000	L	419	33-05-252-014-0000
L	324	33-05-235-001-0000	L	420	33-05-252-013-0000
L	325	33-05-235-002-0000	L	421	33-05-252-012-0000
L	326	33-05-235-003-0000	L	422	33-05-252-011-0000
L	327	33-05-234-008-0000	L	423	33-05-252-010-0000
L	328	33-05-234-007-0000	L	424	33-05-252-005-0000
L	329	33-05-234-006-0000	L	425	33-05-252-004-0000
L	330	33-05-234-005-0000	L	426	33-05-252-003-0000
L	331	33-05-205-007-0000	L	427	33-05-252-002-0000
L	332	33-05-205-006-0000	L	428	33-05-252-001-0000
L	333	33-05-205-005-0000	L	429	33-05-252-006-0000
L	334	33-05-205-001-0000	L	430	33-05-252-007-0000
L	335	33-05-205-002-0000	L	431	33-05-252-008-0000
L	336	33-05-205-003-0000	L	432	33-05-252-009-0000
L	337	33-05-205-004-0000	L	433	33-05-253-008-0000
L	338	33-05-234-001-0000	L	434	33-05-253-007-0000
L	339	33-05-234-002-0000	L	435	33-05-253-006-0000
L	340	33-05-234-003-0000	L	436	33-05-253-005-0000
L	341	33-05-234-004-0000	L	437	33-05-253-004-0000
L	342	33-05-201-032-0000			
L	343	33-05-201-031-0000			
L	344	33-05-201-030-0000			

L	AREA	33-05-254-037-0000	L	50	33-05-254-030-0000
P	A	33-05-230-014-0000	L	51	33-05-254-031-0000
P	B	33-05-276-001-0000	L	52	33-05-254-032-0000
P	C	33-05-276-002-0000	L	45	33-05-254-025-0000
P	D	33-05-276-003-0000	L	46	33-05-254-026-0000
L	93	33-05-251-032-0000	L	47	33-05-254-027-0000
L	94	33-05-251-031-0000	L	48	33-05-254-028-0000
L	95	33-05-251-030-0000	L	41	33-05-254-021-0000
L	96	33-05-251-029-0000	L	42	33-05-254-022-0000
L	89	33-05-251-036-0000	L	43	33-05-254-023-0000
L	90	33-05-251-035-0000	L	44	33-05-254-024-0000
L	91	33-05-251-034-0000	L	37	33-05-254-004-0000
L	92	33-05-251-033-0000	L	38	33-05-254-003-0000
L	85	33-05-251-040-0000	L	39	33-05-254-002-0000
L	86	33-05-251-039-0000	L	40	33-05-254-001-0000
L	87	33-05-251-038-0000	L	33	33-05-254-008-0000
L	88	33-05-251-037-0000	L	34	33-05-254-007-0000
L	81	33-05-251-044-0000	L	35	33-05-254-006-0000
L	82	33-05-251-043-0000	L	36	33-05-254-005-0000
L	83	33-05-251-042-0000	L	29	33-05-254-012-0000
L	84	33-05-251-041-0000	L	30	33-05-254-011-0000
L	77	33-05-251-048-0000	L	31	33-05-254-010-0000
L	78	33-05-251-047-0000	L	32	33-05-254-009-0000
L	79	33-05-251-046-0000	L	25	33-05-254-013-0000
L	80	33-05-251-045-0000	L	26	33-05-254-014-0000
L	73	33-05-251-052-0000	L	27	33-05-254-015-0000
L	74	33-05-251-051-0000	L	28	33-05-254-016-0000
L	75	33-05-251-050-0000	L	57	33-05-254-020-0000
L	76	33-05-251-049-0000	L	58	33-05-254-019-0000
L	69	33-05-251-061-0000	L	59	33-05-254-018-0000
L	70	33-05-251-062-0000	L	60	33-05-254-017-0000
L	71	33-05-251-063-0000	L	21	33-05-253-029-0000
L	72	33-05-251-064-0000	L	22	33-05-253-030-0000
L	65	33-05-251-057-0000	L	23	33-05-253-031-0000
L	66	33-05-251-058-0000	L	24	33-05-253-032-0000
L	67	33-05-251-059-0000	L	17	33-05-253-025-0000
L	68	33-05-251-060-0000	L	18	33-05-253-026-0000
L	61	33-05-251-053-0000	L	19	33-05-253-027-0000
L	62	33-05-251-054-0000			
L	63	33-05-251-055-0000			
L	64	33-05-251-056-0000			
L	53	33-05-254-033-0000			
L	54	33-05-254-034-0000			
L	55	33-05-254-035-0000			
L	56	33-05-254-036-0000			
L	49	33-05-254-029-0000			

L	20	33-05-253-028-0000
L	13	33-05-253-021-0000
L	14	33-05-253-022-0000
L	15	33-05-253-023-0000
L	16	33-05-253-024-0000
L	9	33-05-253-017-0000
L	10	33-05-253-018-0000
L	11	33-05-253-019-0000
L	12	33-05-253-020-0000
L	5	33-05-253-013-0000
L	6	33-05-253-014-0000
L	7	33-05-253-015-0000
L	8	33-05-253-016-0000
L	1	33-05-253-009-0000
L	2	33-05-253-010-0000
L	3	33-05-253-011-0000
L	4	33-05-253-012-0000