

5293.00

E 1073265 B 1684 P 882
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1993 NOV 4 9:29 AM FEE 293.00 DEP JB
REC'D FOR SOMERSET HOMEOWNERS ASSN

WHEN RECORDED RETURN TO:
James R. Blakesley
2102 East 3300 South
Salt Lake City, Utah 84109
(801) 486-5634

RETURNED

NOV 3 1993

All - Somerset Farm
All - Somerset Hollow
All - Somerset Farm II

AMENDMENT TO JOINT DECLARATION OF COVENANTS,
CONDITIONS & RESTRICTIONS OF THE SOMERSET FARM
PLANNED UNIT DEVELOPMENT, SOMERSET HOLLOW
PLANNED UNIT DEVELOPMENT, AND SOMERSET FARM II
PLANNED UNIT DEVELOPMENT

This Amendment is made and executed this 24th day of May,
1993, by the Somerset Homeowners Association, Somerset Farm
Homeowners Association, and Somerset Hollow Homeowners Association
(hereinafter referred to collectively as the "Association").

RECITALS

A. Declaration. The original Amended and Restated Joint
Declaration of Covenants, Conditions and Restrictions was recorded
November 10, 1978, as Entry No. 514064, in Book 738, at Page 232 of
the official records of Davis County, Utah (hereinafter referred to
as the "Declaration").

B. Property Description. This Amendment affects that certain
real property located in Davis County, Utah described with
particularity on Exhibit "A" attached hereto and incorporated
herein by this reference.

C. Control. The control, operation and management of
Somerset Farm, Somerset Hollow and Somerset Farm II has been
transferred by the Developer to the Association.

08-045-0001 thru 0003, 0100, 0098, 0099, 0008, 0009, 0096, 0073 thru 0087,
08-045-0103, 0102, 0097, 0091 thru 0094, 0095, 0030 thru 0043, 0101, 0045 thru 0047,
08-046-0017 thru 0020, 0075, 0022 thru 0029, 0048 thru 0050, 0077, 0052 thru 0063,
08-046-0076, 0066 thru 0070, 0077, 0010 thru 0013, 0073, 0075, 0074

08-047-0030 thru 0040, 0127, 0043 thru 0046, 0124, 0049 thru 0061, 0129, 0125,
08-047-0065 thru 0089, 0092 thru 0121,
08-048-0160, 0003 thru 0014, 0016, 0159, 0019 thru 0029, 0122 thru 0149, 0155, 0150
08-048-0151, 0152, 0163

D. Intent. The Association desires by this amendment to modify Article V of the Declaration to allow for the assessment of a late fee on tardy payments; and

E. All of the requirements of Article XII, Section 3 of the Declaration have been satisfied and the proposed amendment to Article V of the Declaration has been approved by at least 67% of all votes which members of the Association were entitled to cast.

NOW, THEREFORE, for the reasons set forth above, the Association hereby amends the Declaration as follows:

1. The following Section is hereby added to Article V of the Declaration:

10. Late Fee. The Management Committee may assess a late fee of \$10.00 for any assessment payment not made within ten (10) days of its due date.

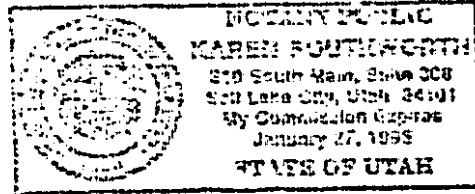
2. The effective date of this Amendment to the Declaration shall be the date on which this document is filed for record in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the Somerset Homeowners Association has executed this instrument on the day and year first above written.

SOMERSET HOMEOWNERS ASSOCIATION

By R. Todd Carlie
President

By Sally Hess
Secretary



STATE OF UTAH)
) ss:
COUNTY OF DAVIS)

On the 2nd day of ^{October}~~SEPTEMBER~~, 1993, personally appeared before me R. TODD CARLILE and SALLY HESS who by me being duly sworn, did say that they are the President and Secretary of SOMERSET HOMEOWNERS ASSOCIATION, and that the within and foregoing instrument was signed in behalf of said ASSOCIATION by authority of a Resolution of its Board of Directors, and said R. TODD CARLILE and SALLY HESS duly acknowledged to me that said ASSOCIATION executed the same.

Karen Southworth
NOTARY PUBLIC
Residing at:

My Commission Expires:
1-27-95

E 1073265 B 1684 P 884

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LEGAL DESCRIPTION

The LAND described in the foregoing document is located in DAVIS County, UTAH and is known more particularly as follows:

PARCEL I:

Same as Section

Beginning at the center of Section 12, T3N, R1W, SLB&M, and running thence N 89°05'58" E 339 ft.; thence N 25°30' E 120.0 ft.; thence N 3°43' W 728.0 ft.; thence N 17°49' E 496.45 ft.; thence S 89°08'10" W 496.42 ft.; thence N 0°02'44" W 304.16 ft.; thence S 89°57'16" W 521.90 ft.; thence S 0°02'44" E 899.63 ft.; thence S 71°40'05" W 26.335 ft.; thence S 0°02' 44" E 163.11 ft.; thence S 89°53'16" W 301.0 ft.; thence N 0°02'44" W 72.40 ft.; thence S 71°40'05" W 67.97 ft.; thence Southwesterly along a 173.54 ft. radius curve left, 125.70 ft.; thence Southwesterly along a 245.42 ft. radius curve right, 231.73 ft.; thence S 84°16' W 122.21 ft.; thence S 1°31'17" E 149.97 ft.; thence S 0°05' E 146.35 ft.; thence S 67°43' W 295.93 ft.; thence S 32°12'23" E 157.50 ft.; thence West 86.26 ft.; thence S 32°12'23" E 38.79 ft.; thence S 53°03' W 204.68 ft.; thence S 26°52'09" E 121.49 ft.; and Southeasterly along a 539.96 ft. radius curve to the left 34.52 ft. along an existing highway right-of-way line; thence N 53°03' E 291.38 ft.; thence S 32°12'23" E 518.15 ft.; thence N 57°56" E 1359.35 ft. to the point of beginning.

THE FOREGOING PARCEL I HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS:

Beginning at the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°05'58" East 339 feet; thence North 25°30' East 120.0 feet; thence North 3°43' West 728.0 feet; thence North 17 degrees 49' East 496.45 feet; thence South 89°08'10" West 496.42 feet; thence North 0°02'44" West 304.16 feet; thence South 89°57'16" West 546.90 feet; thence South 0°02'44" East 1071.0 feet; thence South 89°53'16" West 301.0 feet; thence North 0°02'44" West 72.40 feet; thence South 71°40'05" West 67.97 feet;

thence southwesterly along a 173.54 foot radius curve left, 125.70 feet; thence southwesterly along a 245.42 foot radius curve right, 231.73 feet; thence South $84^{\circ}16'$ West 122.21 feet; thence South $1^{\circ}31'17''$ East 149.97 feet; thence South $0^{\circ}05'$ East 140.35 feet; thence South $67^{\circ}43'$ West 295.93 feet; thence South $32^{\circ}12'23''$ East 157.50 feet; thence West 86.26 feet; thence South $32^{\circ}12'23''$ East 38.79 feet; thence South $53^{\circ}03'$ West 204.68 feet; thence South $26^{\circ}52'09''$ East 121.49 feet; and southeasterly along a 539.96 foot radius curve to the left 34.52 feet along an existing highway right-of-way line; thence North $53^{\circ}03'$ East 291.38 feet; thence South $32^{\circ}12'23''$ East 518 feet; thence North $57^{\circ}56'$ East 1359.35 feet to the point of beginning.

PARCEL II:

Don't want Parcel II

Beginning at a point S $89^{\circ}46'52''$ W 1362.05 feet along the section line and South 165.53 feet from the North $1/4$ corner of Section 12 T.3N., R.1W., Salt Lake Base and Meridian, and running thence S $62^{\circ}00'48''$ W, 44.82 feet, thence S $50^{\circ}08'51''$ W, 275.38 feet, thence S $48^{\circ}04'11''$ W, 168.05 feet, thence S $41^{\circ}10'$ W, 92.96 feet, thence S $41^{\circ}33'$ W, 842.51 feet, thence S $25^{\circ}13'$ W, 59.81 feet, thence N 88° W, 120.00 feet, thence S 14° W, 222.00 feet, thence S 14° E, 168.98 feet, thence Southeasterly along a 925.66 foot radius curve to the right, 79.70 feet, whose long chord bears S $67^{\circ}25'$ E, 79.67 feet, thence S $64^{\circ}57'$ E 57.74 feet, thence Southeasterly along a 1476.84 foot radius curve to the right 565.78 feet, whose long chord bears S $53^{\circ}58'30''$ E 562.32 feet, thence S 43° E 227.21 feet, thence Southeasterly along a 108.22 foot radius curve to the left 99.60 feet, whose long chord bears S $69^{\circ}22'$ E 96.12 feet, thence N $84^{\circ}16'$ E 138.27 feet, thence Northeasterly along a 379.30 foot radius curve to the left 180.51 feet, whose long chord bears N $70^{\circ}38'$ E 178.81 feet, thence N 57° E 75.50 feet, thence Northeasterly along a 572.42 foot radius curve to the right 129.88 feet, whose long chord bears N $63^{\circ}30'$ E 129.60 feet, thence N 20° W 136.13 feet, thence S $80^{\circ}40'22''$ W 73.44 feet, thence N $1^{\circ}18'45''$ W 431.04 feet, thence N $0^{\circ}05'01''$ E 83.79 feet, thence N $1^{\circ}08'37''$ W 801.31 feet, thence N $0^{\circ}56'25''$ W 222.41 feet, thence N $2^{\circ}26'21''$ W 199.25 feet, to the point of beginning. Contains 34.33 acres.

THE FOREGOING PARCEL II HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS: The northeasterly 11.98 acres, together with frontage and the northwesterly 28.25 acres together with frontage of the following described tract:

Beg at NE cor of W 1/2 of NW 1/4 of Sec 12, T3N, R1W, th S 47° W 191.40 ft m o l to the NE'ly ln of ppty conv by 469-12; th S 62°11'20" E 75 ft m o l to a fence ln; th S 51°12'40" W 478.76 ft alg a fence ln as desc by Bndy Line Agree 46853 th S 42°34' W 200.73 ft alg sd fence ln; th S 41°20' W 1175.77 ft to a pt on W ln sd Sec 12; th S alg Sec ln to a pt of inter with N ln of a Farm City Rd; th SE'ly alg N ln sd rd to a pt 7.41 chs N & S 84°16' W 450 ft fr SE cor of W 1/2 of NW 1/4 Sec 12; th N 84°16' E 450 ft to E ln of W 1/2 of NW 1/4 sd Sec 12; th N alg sd E ln 33.07 chs, m o l to the p o b.

PARCEL III:

North of Sec 12
 Beginning at a point which is S 57°56' W 1359.35 feet and N 32°12'23" W 215.67 feet from the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, said point being on the East line of the Old Bamberger Railroad right-of-way which is marked by an existing fence line; thence S 58°30' W 40.0 feet to station 922+01.8 along the former railroad center line, said point being marked by an existing fence line; thence S 58°30' W 33.0 feet; thence N 32°12'23" W 12.24 feet along the West line of the railroad right-of-way; thence S 52°46' W 189.98 feet to the state highway right-of-way line, thence N 39°08'09" W 202.45 feet and Northwesterly along a 539.96 feet radius curve to the right 81.08 feet along said highway right-of-way line; thence N 53°03' E 291.38 feet; thence S 32°12'23" E 302.49 feet along the railroad right-of-way line to the point of beginning. Contains 1.84 acres.