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Rhonda Francis Summit County Recorder

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By First American - Park City

Electronically Recorded

WHEN RECORDED RETURN TO:

The Woods of Parley's Lane, Inc.
1434 East 4500 South #103
Salt Lake City, UT 84117

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR THE WOODS OF PARLEYS LANE**

Parcel ID Nos.:

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WPL-2-AM
WPL-3-AM
WPL-4-AM
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WPL-42-AM
WPL-43-AM
WPL-OP-1-AM
WPL-TH-AM-X
WPL-OL-AM
PP-38-A

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR THE WOODS OF PARLEYS LANE**

This Amendment to Declaration of Covenants, Conditions and Restrictions for The Woods of Parleys Lane (the "***Amendment to Declaration***") is made and executed on this 5th day of November, 2018 by Declarant¹, a Utah corporation, in its capacity as the Declarant and Class "B" Member of the Association.

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for the Woods of Parleys Lane (the "***Declaration***") was recorded on February 7, 2007 as Entry No. 00804138 in Book 1846 commencing at Page 361 of the official records in the office of the County Recorder of Summit County, State of Utah. The Declaration affects certain real property located in Summit County, Utah as more particularly described in the attached Exhibit A, which is incorporated herein by this reference.

B. An Amendment to Declaration of Covenants, Conditions and Restrictions for the Woods of Parleys Lane was recorded on September 30, 2015 as Entry No. 01029338 in Book 2317 commencing at Page 0310 of the official records in the office of the County Recorder of Summit County, State of Utah.

C. Declarant is the Declarant under the Declaration and Class "B" Member of the Association.

D. As of the date of this Amendment to Declaration, the Class "B" Control Period has not expired or otherwise terminated.

E. Section 16.1 of the Declaration permits the Declarant to unilaterally amend the Declaration for any purpose so long as the Declarant owns property in the Community for development as part of The Woods of Parleys Lane and provided the amendment has no materially adverse effect upon the rights of more than 5% of the Members.

F. As of the date of this Amendment to Declaration, the Declarant owns property in the Community for development as part of The Woods of Parleys Lane and has determined that this Amendment to Declaration has no materially adverse effect upon the rights of more than 5% of the Members.

G. The Declarant has determined that this Amendment to Declaration is in the best interests of the Community and the Association.

¹ All capitalized terms not otherwise defined in this Amendment to Declaration shall have the meanings ascribed to them in the Declaration.

AMENDMENT

Pursuant to Section 16.1 of the Declaration, the Declaration is hereby amended as follows and shall become effective on the date it is recorded in the Office of the Summit County Recorder:

ARTICLE 2 – CONCEPTS AND DEFINITIONS

The term “Class ‘B’ Control Period,” which is defined in Article 2 of the Declaration, shall hereafter be defined as follows:

“Class ‘B’ Control Period”: The time period during which the Class “B” Member may appoint a majority of the Board members; remove any member of the Board; or exercise power or authority assigned to the Association under the Association’s governing documents as that term is defined by the Utah Community Association Act (the “Act”), Utah Code Ann. § 57-8a-101, *et seq.* (1953 as amended). During the Class “B” Control Period, all actions of the Association or Board shall be approved by the Class “B” Member before they become effective. The Class “B” Control Period ends when any one of the following occurs:

- (a) When all of the Lots are owned by Class “A” Members other than Builders;
- (b) On December 31, 2025; or
- (c) Prior to the date when all of the Lots are sold under (a) above, when the Class “B” Member, in its sole discretion, and after giving written notice to the Class “A” Members, records an instrument voluntarily surrendering all rights to control activities of the Association.

IN WITNESS WHEREOF, this Amendment to Declaration is executed by Declarant's duly authorized representative as of the date first set forth above.

“DECLARANT”

By: *Roger Knight*
Its: *pres.*

STATE OF UTAH)
 ss.
COUNTY OF SALT LAKE)

On the 5th day of November, 2018, personally appeared before me Roger Knight, who, by being duly sworn, did say that he or she is a duly authorized representative of Declarant, and that the within and foregoing instrument was executed on Declarant’s behalf.



Brandi Russell
Notary Public

EXHIBIT A

(Legal Description)

**LEGAL DESCRIPTION FOR
THE WOODS OF PARLEY'S LANE**

All lots in The Woods of Parley's Lane Subdivision, as amended.

Including:

REM DESC: THAT PORTION OF THE W1/2 OF THE NE1/4 SEC 10 T1SR3E SLBM LYING ON THE N'LY SIDE OF INTERSTATE HWY I-80 (LESS THE WOODS OF PARLEYS LANE SUBDIVISION) CONT. 0.41 AC M/L (NOTE: REM DESC WRITTEN FOR ASSESSMENT PURPOSES & IS DERIVED FROM PP-38-A & PP-38-A-4 LESS THE WOODS OF PARLEYS LANE SUBDIVISION) 1515-1653 1746-1179 1827-1615

(Parcel ID No. PP-38-A)

Including:

**OUTPARCEL 1
Legal Description**

Beginning at a point South 00°04'11" East 859.94 feet from the North quarter corner of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian (basis of bearing South 89°45'18" West 2683.63 feet from said North quarter corner to the Northwest corner of said Section 10), thence South 88°43'55" East 352.62 feet; thence South 23°26'29" West 135.84 feet; thence South 85°27'16" West 299.44 feet; thence North 00°00'06" East 156.16 feet to the point of beginning.

Containing 45,485 sq. ft. or 1.04 acres.

Together with an access easement described as follows:

Beginning at a point South 00°04'11" East 859.94 feet and South 88°43'55" East 79.24 feet from the North quarter corner of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian (basis of bearing South 89°45'18" West 2683.63 feet from said North quarter corner to the Northwest corner of said Section 10) and running thence North 01°16'05" East 37.00 feet; thence South 88°43'55" East 273.38 feet; thence South 81°53'45" East 83.42 feet; thence South 75°17'55" East 314.30 feet; thence South 75°07'09" East 481.36 feet to a point of curvature of a 20.00 foot radius curve to the left, the center of which bears North 14°52'51" East; thence easterly along the arc of said curve 12.53 feet through a central angle of 35°54'23" to a non-

tangent point of curvature of a 40.00 foot radius curve to the left, the center of which bears North 51°33'07" East; thence southeasterly along the arc of said curve 22.01 feet through a central angle of 31°31'46" to a non-tangent point of curvature of a 40.00 foot radius curve to the right, the center of which bears North 38°19'44" West; thence westerly along the arc of said curve 37.15 feet through a central angle of 53°12'35"; thence North 75°07'09" West 481.36 feet; thence North 75°17'55" West 313.09 feet; thence North 81°53'45" West 79.87 feet; thence South 01°16'05" West 16.86 feet; thence North 88°43'55" West 273.38 feet to the point of beginning.

(Parcel ID No. WPL-OP-1-AM).

Excepting therefrom the following:

All of Lots 44, 45, 46 and 47 as shown on The Woods of Parley's Lane, recorded January 16, 2007 as Entry No. 802055 in the Office of the Summit County Recorder.
Containing 0.83 of an acre.

Excepting therefrom the following:

A parcel of land situated in the Northwest Quarter of the Northeast Quarter of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point South 66 degrees 13'33" East, 804.7 feet from the North Quarter corner of Section 10, Township 1 South, Range 3 East, Salt Lake Base and Meridian; said point being the Northwest corner of said parcel; thence East a distance of 290.00 feet; thence South a distance of 150.00 feet; thence West a distance of 290.00 feet; thence North 150.00 feet to the point of beginning.

Containing 43,500.00 square feet or 0.9986 acres of land, more or less.

Further described as 290 ft. (E to W) by 150 ft. (N to S). The area known as the Sunrise Water Tank Knoll contained within this area the existing cell structures, the existing metal water tank (Sunrise), the South Ridge Water Tank, cell antennas, towers, and dishes. Along with the existing 15' wide access road starting on Hilltop Dr. and running West to the one acre excluded property known as Sunrise Water Tank Area, along with utilities servicing the approximate one acre property.

EXHIBIT "A"

LOTS 1 through 43, OF THE WOODS OF PARLEY'S LANE
SUBDIVISION, AS AMENDED, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY
RECORDER'S OFFICE.

PARCELS 1 & 2 UTAH OPEN LANDS CONSERVATION ASSOCIATION THE WOODS
OF PARLEYS LANE SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE
IN THE SUMMIT COUNTY RECORDERS OFFICE.

(Parcel ID WPL-OL-AM)

TRAILHEAD PARCEL THE WOODS OF PARLEYS LANE SUBDIVISION;
ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY
RECORDERS OFFICE.

(Parcel ID. No. WPL-TH-AM-X)