

Ent 1216427 Bk 2066 Pg 1102
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Michael Gleed, Rec. - Filed By SA
Cache County, UT
For HICKMAN LAND TITLE LOGAN
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Logan, Utah 84321

**SECOND AMENDED DECLARATION OF
COVENANTS, CONDITIONS, and RESTRICTIONS
OF
SUMMER WILDE SUBDIVISION
(ANNEXATION OF PHASE II)**

This Second Amended Declaration of Covenants, Conditions and Restrictions, hereinafter referred to as the "Second Amended Declaration", is made and executed this 11 day of April, 2019 by Summer Wilde Development, LLC, hereinafter referred to as the "Declarant".

RECITALS

A. Declarant has previously executed a Declaration of Covenants, Conditions and Restrictions of the Summer Wilde Subdivision, hereinafter referred to as the "Declaration" and recorded on 29th day of May, 2014, as Filing Number 2208556, at Book 1810, Page 428, of the records of the Cache County Recorders Offices as amended by the First Amendment to the Declaration of Covenants, Conditions and Restrictions of Summer Wilde Subdivision recorded on 03/29/19 Entry 19508 Book 2064 Page 1398 ;

B. Description of Land. The Declarant is the record title owner of the following described parcel of land, referred to hereinafter as "Phase II Land", which is located in Logan City, Cache County, State of Utah, to wit:

See Exhibit "E"

D. Record of Survey Map. The Declarant has or shall execute and record in the office of the Cache County Recorder concurrently with the recording of this Second Amended Declaration, as defined below, an instrument entitled the "Summer Wilde Subdivision, Phase 2 2019 Amended Plat";

C. Buildings and Improvements. The Declarant has constructed or will construct on Phase II Land certain improvements as shown more specifically on said Summer Wilde Subdivision, Phase 2 2019 Amended Plat.

E. Intent and Purpose. Declarant, by recording this Second Amended Declaration and the Record of Survey Map as required by statute, intends to submit the land, buildings and other improvements presently existing or to be constructed upon the Phase II Land to the provisions of the original Declaration, and to impose upon said Phase II Land mutually beneficial covenants, conditions, and restrictions pursuant to a general plan of improvement for the benefit of all Units in the Project as well as the Owners thereof;

ARTICLE I

ANNEXATION OF PHASE II

1.1 Declarant hereby declares that in accordance with Article XI of the Declaration, that the property to be annexed, the Phase II Land (Exhibit "E"), becomes subject to the Declaration. Upon recordation of this Second Amended Declaration, it shall constitute and effectuate the annexation of the Phase II Land, making it subject to the functions, powers and jurisdiction of the Declaration and of the Summer Wilde Subdivision Home Owners Association. Once this Second Amended Declaration is recorded, and thereafter, all owners of lots or interests in the Phase II Land shall automatically become Members of the Summer Wilde Subdivision Home Owners Association.

1.2 Declarant reserves the right to annex more property, subjecting it to the functions, powers and jurisdiction of the Declaration and of the Summer Wilde Subdivision Home Owners Association.

ARTICLE II

AMENDMENT OF UNDIVIDED INTEREST IN COMMON AREAS AND FACILITIES

2.1 The undivided interest in the Common Areas and Facilities appurtenant to each Residential Unit in the Project shall be as set forth in the Exhibit "C AMENDED" attached hereto. The allocations to each Unit as shown in said Exhibit "C AMENDED" shall have a permanent character and shall not be altered except:

2.1.1 With the unanimous written consent of all Owners expressed in an amendment to the Declaration duly recorded; or

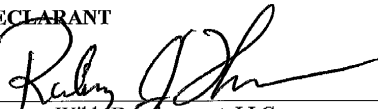
2.1.2 To the extent necessary to allow for the expansion or phasing of the project as provided in Article XI of the Declaration.

2.2 Except as otherwise provided in the Declaration, any Owner shall be entitled to nonexclusive use of the Common Areas and Facilities in any manner that does not hinder or encroach upon the rights of the other Owners and is not contrary to any rules and regulations promulgated by the Association. All of the Common Areas and Facilities of both Phase I and Phase II are subject uniformly to this provision. An Owner in either Phase has an undivided interest in all of the Common Areas and Facilities of both Phases as set forth in Exhibit "C AMENDED".

2.3 Lots 14C and 14 D will be developed as paid covered parking and will be separately titled and not part of the Common Area.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Second Amended Declaration the day and year first above written.

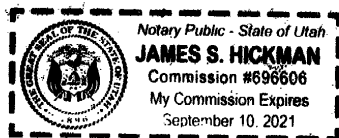
DECLARANT



Summer Wilde Development, LLC
By: Rodney J. Thompson
Its: Agent

STATE OF UTAH)
 ss
County of CACHE)

On the 11 day of April, 2019, personally appeared before me, Rodney J. Thompson, who, being by me duly sworn, did say, each for himself, that he is the agent of Summer Wilde Development, LLC, a Utah Limited Liability Corporation; that the within and foregoing instrument was signed on behalf of said Limited Liability Corporation by authority of its Articles of Organization and each duly acknowledged to me that said Limited Liability Corporation executed the same.


Notary Public

SCHEDULE "C AMENDED"

TO
DECLARATION OF COVENANTS, CONDITIONS, and RESTRICTIONS
 OF
SUMMER WILDE SUBDIVISION

Undivided Ownership Interest in Common Areas and Facilities & Voting Rights

Lot Number	Common Areas Fraction	Votes ¹
Phase 1 1	4/112	4
Phase 1 2	4/112	4
Phase 1 3	4/112	4
Phase 1 4	4/112	4
Phase 1 5	4/112	4
Phase 1 6	4/112	4
Phase 1 7	4/112	4
Phase 1 8	4/112	4
Phase 1 9	4/112	4
Phase 1 10	3/112	3
Phase 1 11	3/112	3
Phase 1 12	4/112	4
Phase 1 13	4/112	4
Phase 1 14A	.5/112	.5
Phase 1 14B	.5/112	.5
Phase 2 14	4/112	4
Phase 2 15	4/112	4
Phase 2 16	4/112	4

¹ Votes set forth herein assume a Class A Membership pursuant to Section 5.4. Should any Lot be held in such a way as to qualify as a Class B Membership, then the votes allocated to said Lot shall be increased three times.

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Phase 2 17	4/112	4
Phase 2 18	4/112	4
Phase 2 19	4/112	4
Phase 2 20	4/112	4
Phase 2 21	4/112	4
Phase 2 22	4/112	4
Phase 2 23	4/112	4
Phase 2 24	4/112	4
Phase 2 25	4/112	4
Phase 2 26	4/112	4
Phase 2 27	4/112	4
Phase 2 28	4/112	4
Phase 2 14C	.5/112	.5
Phase 2 14D	.5/112	.5

Total Common Areas Fraction 112/112 Total Votes 112

Subject to adjustment as the Subdivision is expanded as more particularly described in Article XI of the Declaration.

Second Amended

TO
DECLARATION OF COVENANTS, CONDITIONS, and RESTRICTIONS
OF
SUMMER WILDE SUBDIVISION
Legal Description

Additional Land of Subdivision for Phase 2: The Additional Land which may, at the option of Declarant, be made part of the Subdivision is located in the City of Logan, Cache County, State of Utah, includes that Land which is more particularly described as follows:

Land other than that described herein may, at the option Declarant, also be made part of the Subdivision.

Legal Description: - A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, ALSO PART OF LOTS 1 AND 2, BLOCK 6, PLAT "D" LOGAN FARM SURVEY, ALSO A PART OF PARCELS 04-081-0018, 0019, 0020, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE EAST LINE OF SAID BLOCK 6, NORTH 00°35'58" EAST 370.87 FEET; THENCE NORTH 89°37'31" WEST 16.50 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING IN THE NEW WEST RIGHT OF WAY LINE OF 400 WEST STREET; THENCE NORTH 89°37'31" WEST 1187.65 FEET TO THE EAST LINE OF THE OREGON SHORT LINE RAILROAD RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 01°53'30" WEST TO THE SOUTH LINE OF SAID LOT 2, BLOCK 6, ALSO BEING IN THE NORTH LINE OF 1400 NORTH STREET; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT AND NORTH LINE OF SAID STREET, 1200 FEET MORE OR LESS TO THE NEW WEST LINE OF 400 WEST STREET; THENCE NORTH 00°18'35" EAST, ALONG SAID STREET, 371.07 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM: THE SOUTHERLY 7 FEET, MORE OR LESS, OF LOTS 1 AND 2, BLOCK 6, OF PLAT "D" LOGAN FARM SURVEY.

ALSO LESS AND EXCEPTING: THE EASTERLY 16.5 FEET OF LOTS 1 AND 2, BLOCK 6 OF PLAT "D" LOGAN FARM SURVEY.

LESS:

A PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, ALSO PART OF LOTS 1 AND 2, BLOCK 6, PLAT "D", LOGAN FARM SURVEY DESCRIBED AS FOLLOWS:

COMMENCING AT A RECORD SOUTHEAST CORNER, LOT 1, BLOCK 6, PLAT "D", LOGAN FARM SURVEY THENCE N00°35'58"E 370.87 FEET; THENCE N89°37'31"W 16.50 FEET TO THE SOUTHEAST CORNER OF BRIDGEHILL MEADOWS TOWNHOMES PHASE 1; THENCE N88°45'58"W 617.69 FEET TO THE POINT OF BEGINNING AND RUNNING THENCE S01°18'05"W 387.03 FEET TO A POINT 7.00 FEET NORTH OF THE SOUTH LINE OF BLOCK 6, PLAT "D", LOGAN FARM SURVEY; THENCE N88°41'24"W 579.51 FEET ALONG A LINE PARALLEL TO AND 7.00 FEET NORTH OF SAID BLOCK 6 TO THE EAST RIGHT OF WAY LINE OF THE OREGON SHORTLINE RAILROAD; THENCE N02°46'30"E 386.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE S88°45'58"E 589.86 FEET ALONG THE SOUTH LINE OF BRIDGEHILL MEADOWS TOWNHOMES, PHASE 2 TO THE POINT OF BEGINNING.

Acresage(s): Containing 5.2 Acres +/-

Tax Roll Nos: 04-220-0006, 04-220-0010, 04-220-0013, 04-220-0001
04-220-0004, 04-220-0005, 04-220-0011, 04-220-0003, 04-220-0012
04-220-0002, 04-220-0009, 04-220-0007, 04-220-0008, 04-220-0030

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS SUMMER WILDE SUBDIVISION

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Phase 2
Legal Description

A part of the Southwest Quarter of Section 21, Township 12 North, Range 1 East of the Salt Lake Base and Meridian, also part of Lots 1 and 2, Block 6, Plat "D" LOGAN FARM SURVEY, also a part of Parcels 04-081-0018, 0019, 0020, further described as follows: Commencing at the Southeast corner of said Lot 1; thence along the East line of said Block 6, North 00°35'58" East 370.97 feet; thence North 89°37'31" West 16.50 feet to the true point of beginning, said point also being in the new West right of way line of 400 West Street; thence North 89°37'31" West 1187.55 feet to the East line of the Oregon Short Line Railroad right of way; thence along said right of way South 01°53'30" West to the South line of said Lot 2, Block 6, also being in the North line of 1400 North Street; thence East along the South line of said Lot and North line of said Street, 1200 feet more or less to the new West line of 400 West Street; thence North 00°19'35" East, along said Street, 371.07 feet to the true point of beginning.

Less and Except: Summer Wilde Subdivision Phase 1, according to the official plat of said subdivision filed May 23, 2014 as Entry No. 1107366, on file and of record in the office of the Recorder of Cache County, Utah.

Tax Roll Nos: 04-220-0014, 04-220-0015, 04-220-0016, 04-220-0017
04-220-0018, 04-220-0019, 04-220-0020, 04-220-0021, 04-220-0022,
04-220-0023, 04-220-0024, 04-220-0025, 04-220-0026, 04-220-0027,
04-220-0028, 04-220-0029