

When Recorded Return To:  
Sam Drown  
Castle Creek Homes South LLC  
9067 South 1300 West #105  
West Jordan, Utah 84088

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12/9/2015 9:58:00 AM \$37.00  
Book - 10386 Pg - 817-819  
Gary W. Ott  
Recorder, Salt Lake County, UT  
PIONEER TITLE INS AGCY  
BY: eCASH, DEPUTY - EF 3 P.

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS  
FOR BECKSTEAD LANE PLANNED UNIT DEVELOPMENT (PUD)**

This *First Amendment to Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Beckstead Lane Planned Unit Development (PUD)* (this "**Amendment**") is made this 1<sup>st</sup> day of October 2015, by Castle Creek Homes South LLC, a Utah limited liability company ("**Declarant**").

**RECITALS**

- A. Declarant owns the real property located in South Jordan City, Salt Lake County, State of Utah, known as the "Beckstead Lane Planned Unit Development" (the "**Subdivision**"), which is more particularly described in Exhibit A attached hereto.
- B. The Declarant previously executed and caused to be recorded a *Declaration of Covenants, Conditions, Restrictions and Reservation of Easements* (the "**Declaration**"). The Declaration was recorded in the real property records of Salt Lake County, Utah, on February 13, 2015, as Entry No. 11992764.
- C. The Declaration subjects the Subdivision to the covenants, conditions, restrictions, easements, and limitations ("**Covenants**") identified therein.
- D. Section 6.4 of the Declaration provides Declarant with the right to amend the Declaration while it owns Lots in the Subdivision. Declarant still owns Lots in the Subdivision, and now desires to exercise its rights to amend the Declaration and the Covenants in certain respects, as more particularly set forth below.

NOW THEREFORE, Declarant does hereby amend the Declaration as follows, with the changes identified below to be effective and binding against the Property and to run with the land as of the date this Amendment is recorded in the real property records of Salt Lake County, Utah:

1. Background Information and Intent. The Declaration was originally created and recorded based on the understanding that a homeowners' association would be needed to collect assessment for, and maintain, certain open space parcels and common areas. Since the recording of the Declaration, a neighboring property/project has assumed all of the requirements to maintain and manage the applicable open space parcels and common areas. Accordingly, there


is no longer any need for a homeowners' association to exist in this Subdivision, and Declarant deems it advisable to eliminate the existence of a homeowners' association for this Subdivision so that Lot Owners are not burdened with the obligation to pay assessments or otherwise deal with the problems and conflicts that sometimes arise with homeowners' associations. Accordingly, this Amendment is intended to eliminate the existence of a homeowners' association, and to clarify which provisions of the Declaration remain in effect.

2. Amendments. All references in the Declaration to a Homeowners' Association, Common Areas, and assessments are hereby deleted and removed in their entirety, as well as all of Sections 1.1 through and including Section 1.9 of Article I. In addition, Parcels A and B of the Beckstead Lane PUD are hereby removed from this Subdivision. An amended plat of the Subdivision will be recorded to reflect the removal of Parcels A and B from this Subdivision.

3. Clarifications. The provisions in Article II regarding the Architectural Committee will remain in effect, as well as all of the provisions in Article III. In Article IV regarding enforcement, the Declarant and each Owner shall have the right to enforce the covenants of the Declaration, as amended by this Amendment, without any requirement to present the claims to a homeowners' association. All of the provisions in Articles V and VI will remain in full force and effect, except that Section 6.4 is hereby revised to provide that the Declaration may be amended or terminated by a vote of Owners of at least sixty-seven percent (67%) of the Lots (not 75%).

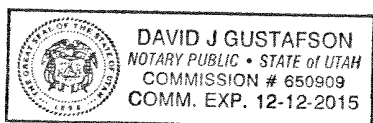
IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the date first set forth above.

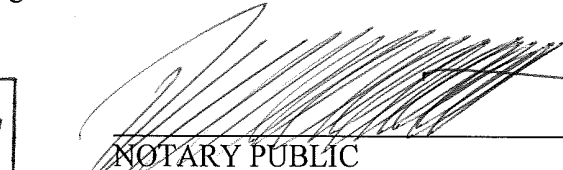
**DECLARANT**  
Castle Creek Homes South LLC

  
\_\_\_\_\_  
Samuel A. Drown, Manager

STATE OF UTAH            )  
  ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 2nd day of October, 2015, by Samuel A. Drown as Manager of Castle Creek Homes South LLC.



  
\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT A**

**Property Description**

All of Lots 101-124 of the Beckstead Lane PUD, according to the official plat thereof on file with the Salt Lake County Recorder's Office, State of Utah.

27-22-201-043 THRU 063

27-22-207-001 THRU 008