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4/30/2019 4:47:00 PM \$87.00  
Book - 10775 Pg - 8894-8898  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
AMERICAN SECURE TITLE SL  
BY: eCASH, DEPUTY - EF 5 P.

When Recorded, Please Mail to:

Richmond American Homes of Utah, Inc.  
c/o Benson Whitney  
849 West Levoy Drive  
Salt Lake City, Utah 84123

Tax Parcel No(s). See attached Exhibit B

**CERTIFICATE OF AMENDMENT TO DECLARATION OF PROTECTIVE  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
SOUTH HILLS POD 4**

(Expansion of South Hills Pod 4 to Add Phase 2)

THIS CERTIFICATE OF AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOUTH HILLS POD 4 (this "*Certificate of Amendment*") is made and executed effective as of the this 26 day of April, 2019, by RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation, with an address of 849 West Levoy Drive, Salt Lake City, Utah 84123 ("*Declarant*").

**RECITALS**

A. Declarant previously recorded that certain Declaration of Protective Covenants, Conditions and Restrictions for South Hills Pod 4, recorded with the Salt Lake County Recorder on March 13, 2018 as Entry No. 12732616, in Book 10654, at Pages 9448-9484 (the "*Declaration*"). The Declaration subjects the Project commonly known as "South Hills Pod 4" to certain covenants, conditions and restrictions. Capitalized terms not otherwise defined in this Certificate of Amendment shall have the meaning ascribed to such terms in the Declaration.

B. Section 11.4 of the Declaration grants Declarant the right to expand the Project at any time and from time to time by adding to the Project additional land or a portion or portions thereof, by recording a Certificate of Amendment containing the information required under Section 11.4 of the Declaration. Furthermore, Section 11.2 of the Declaration grants Declarant the right to unilaterally amend the Declaration for certain purposes.

C. Declarant is the owner of all of that certain real property located in Salt Lake County, Utah, more particularly described on Exhibit A attached hereto ("*South Hills Pod 4 Phase 2*"). Pursuant to this Certificate of Amendment, Declarant is annexing South Hills Pod 4 Phase 2 into the Project, such that the provisions of the Declaration shall run with the land and be binding upon and inure to the benefit of all persons who hereafter become the Owner of any Lot, parcel, unit and/or other interest in South Hills Pod 4 Phase 2. Accordingly, this Certificate of Amendment supplements the Declaration as contemplated in Section 11.4 of the Declaration.

## DECLARATION

1. Annexation of South Hills Pod 4 Phase 2. Declarant for itself, its successors, and assigns, hereby confirms that all of the real property, residential dwellings, utilities, streets and other improvements (now existing or hereafter constructed or installed) located on or providing any access and service to South Hills Pod 4 Phase 2 be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, and that the provisions of the Declaration and this Certificate of Amendment shall run with the land and be binding upon all persons who hereafter become the Owner of any Lot, parcel, unit and/or other interest in South Hills Pod 4 Phase 2. Furthermore, Owners of Lots, parcels or units within South Hills Pod 4 Phase 2 shall be Members of the Association.

2. Incorporation; Amendment. Declarant hereby incorporates by reference the covenants, conditions and restrictions in the Declaration, as if repeated and fully set forth herein. Furthermore, Declarant hereby amends the Declaration to the extent necessary to reflect the expansion of the Project to include South Hills Pod 4 Phase 2, and Section 11.4 is also amended by referencing South Hills Pod 4 as the Project that may be expanded by Declarant pursuant to the rights contained therein

3. Severability. Any determination by any court of competent jurisdiction that any provision of this Certificate of Amendment is invalid or unenforceable shall not affect the validity or enforceability of any of the other provisions hereof.

*Remainder of Page Intentionally Left Blank.*

IN WITNESS WHEREOF, Declarant has executed this Certificate of Amendment effective as of the date stated above.

RICHMOND AMERICAN HOMES OF UTAH, INC., a Colorado corporation

By: [Signature]  
Name: Benson J. Whitney  
Title: V.P. of Land Acquisition

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

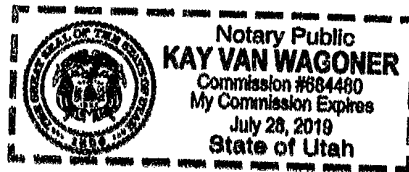
The foregoing instrument was acknowledged before me this 26 day of April, 2019, by BENSON WHITNEY, the VP Land Acquisition of Richmond American Homes of Utah, Inc., a Colorado corporation.

[Signature]  
Notary Public  
Residing at SALT LAKE COUNTY

My Commission Expires:

7.28.2019

1488610



**EXHIBIT A**

**(Legal Description of the Property)**

The following real property located in Salt Lake County, State of Utah:

Lots 201 through 268, inclusive, SOUTH HILLS POD 4 SUBDIVISION PHASE 2, according to the official plat thereof, filed in Book "2019p" of Plats, at Page 47 of the Official Records of the Salt Lake County Recorder.

**EXHIBIT B**

**Tax Parcel Numbers**

33-17-202-092, 33-17-202-093, 33-17-202-094, 22-17-202-095, 33-17-202-096, 33-17-202-097, 33-17-202-098, 33-17-202-099, 33-17-202-100, 33-17-202-101, 33-17-202-102, 33-17-202-103, 33-17-202-104, 33-17-202-105, 33-17-202-106, 33-17-202-107, 33-17-202-108, 33-17-202-109, 33-17-202-110, 33-17-202-111, 33-17-202-112, 33-17-202-113, 33-17-202-114, 33-17-202-115, 33-17-202-116, 33-17-202-117, 33-17-202-118, 33-17-202-119, 33-17-202-120, 33-17-202-121, 33-17-202-122, 33-17-202-123, 33-17-202-124, 33-17-202-125, 33-17-202-126, 33-17-202-127, 33-17-202-128, 33-17-202-129, 33-17-202-130, 33-17-202-131, 33-17-202-132, 33-17-202-133, 33-17-202-134, 33-17-202-135, 33-17-202-136, 33-17-202-137, 33-17-202-138, 33-17-202-139, 33-17-202-140, 33-17-202-141, 33-17-202-142, 33-17-202-143, 33-17-202-144, 33-17-202-145, 33-17-251-001, 33-17-251-002, 33-17-251-003, 33-17-251-004, 33-17-251-005, 33-17-251-006, 33-17-251-007, 33-17-251-008, 33-17-251-009, 33-17-251-010, 33-17-251-011, 33-17-251-012, 33-17-251-013, 33-17-251-014, 33-17-251-015