

When Recorded Return To:

D.R. Horton, Inc.  
12351 South Gateway Park Place, Suite D-100  
Draper, Utah 84020  
Attention: Krisel Travis

13998479 B: 11363 P: 4133 Total Pages: 6  
08/10/2022 01:52 PM By: dkilpack Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: DHI TITLE - UTAH  
421 W 12300 SDRAPER, UT 840202366

*Tax No: 14-32-351-002-0000 , 14-32-376-006-0000*

**SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
GATEWAY TO LITTLE VALLEY**

THIS SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GATEWAY TO LITTLE VALLEY (this “**Second Amendment**”) is made as of *August 9*, 2022, by D.R. HORTON, INC., a Delaware corporation (“**Declarant**”), with reference to the following:

A. On January 22, 2021, Forestar (USA) Real Estate Group Inc., a Delaware corporation (“**Original Declarant**”), caused to be recorded as Entry No. 13540701 in Book 11103, beginning at Page 6206, in the official records of the Office of the Recorder of Salt Lake County, Utah (the “**Official Records**”), that certain Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Original Declaration**”) pertaining to a master planned development known as Gateway to Little Valley or Little Valley Gateway.

B. On June 16, 2021, Original Declarant caused to be recorded as Entry No. 13693275 in Book 11192, beginning at Page 1110, in the Official Records that certain First Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**First Supplemental Declaration**”).

C. On October 25, 2021, Original Declarant caused to be recorded as Entry No. 13806819 in Book 11258, beginning at Page 8978, in the Official Records that certain Assignment of Declarant’s Rights for Gateway to Little Valley, pursuant to which Original Declarant assigned to Declarant all of Original Declarant’s rights, title and interest as the declarant under the Original Declaration, as supplemented by the First Supplemental Declaration, and Declarant accepted the assignment of all rights, title and interest as declarant under the Original Declaration, as supplemented by the First Supplemental Declaration.

D. On November 10, 2021, Declarant caused to be recorded as Entry No. 13820627 in Book 11267, beginning at Page 2989, in the Official Records that certain Second Supplemental Declaration and Amendment to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Second Supplemental Declaration**”).

E. On June 2, 2022, Declarant caused to be recorded as Entry No. 13963148 in Book 11344, beginning at Page 9365, in the Official Records that certain Third Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Gateway to Little Valley (the “**Third Supplemental Declaration**”).

F. Section 17.2.2 of the Original Declaration provides that until the expiration of the Period of Declarant Control, Declarant may unilaterally amend the Original Declaration for any purpose that Declarant deems to be in the best interest of the Project.

G. Pursuant to Section 17.2.2 of the Original Declaration, Declarant is executing and recording this Second Amendment for the purpose of the amending certain provisions of the Original Declaration, as hereinafter set forth.

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. All defined terms as used in this Second Amendment shall have the same meanings as those set forth in the Original Declaration, as previously amended and supplemented, unless otherwise defined in this Second Amendment.


2. Pursuant to Section 17.2.2 of the Original Declaration, Declarant hereby amends the legal description of the Additional Land, as set forth in Exhibit B attached to the Original Declaration. The amended legal description of the Additional Land shall be and shall refer to that certain real property described in Exhibit A attached hereto and incorporated herein by this reference.

3. Except as amended by the provisions of this Second Amendment, the Original Declaration, as previously amended and supplemented, shall remain unmodified and in full force and effect.

4. The Original Declaration, as previously amended and supplemented, and as amended by this Second Amendment, shall collectively be referred to as the "**Declaration.**"

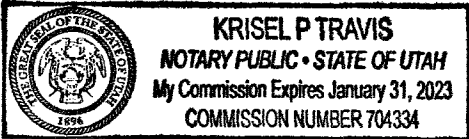
IN WITNESS WHEREOF, Declarant has executed this Second Amendment as of the day first above written.

D.R. HORTON, INC.,  
a Delaware corporation

By:   
Name: Jonathan S. Thornley  
Title: DIVISION CFO

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

The foregoing instrument was acknowledged to me this 9 day of August, 2022,  
by Jonathan S. Thornley, in such person's capacity as the  
DIVISION CFO of D.R. Horton, Inc., a Delaware corporation.



*Krisel P Travis*  
NOTARY PUBLIC

**EXHIBIT "A"**  
**TO**  
**SECOND AMENDMENT TO THE**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR**  
**GATEWAY TO LITTLE VALLEY**

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**Amended Legal Description of the Additional Land**

The Additional Land consists of that certain real property located in Salt Lake County, Utah more particularly described as follows:

**Gateway to Little Valley Phase 2B and 5 – HOA Removal Parcel**

A parcel of land situate in the Southwest Quarter of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 00°01'06" East 393.40 feet along the section line and West 609.31 feet from the South Quarter Corner of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running

thence South 00°01'06" West 250.00 feet;

thence South 89°40'50" East 165.00 feet;

thence South 00°01'06" West 107.00 feet to the West Valley City Boundary Line as defined on Hercules Annexation to West Valley City, recorded as Entry No. 4603394, in Book 88-3, at Page 21, in the Office of the Salt Lake County Recorder;

thence North 89°40'50" West 1,312.11 feet along said West Valley City Boundary Line and its extension;

thence North 43°48'26" West 191.31 feet;

thence North 46°10'42" East 462.00 feet;

thence North 67°58'58" East 80.77 feet to the Easterly Right-of-Way Line of Cloud Peak Drive;

thence along said Easterly Right-of-Way Line the following three (3) courses:

(1) North 46°10'46" East 260.64 feet;

(2) Northeasterly 300.50 feet along the arc of a 1,179.68 foot radius curve to the left (center bears North 43°49'14" West and the chord bears North 38°52'55" East 299.68 feet with a central angle of 14°35'41");

(3) North 30°37'51" East 39.36 feet to the southerly boundary line of Ascend at Little Valley Plat, recorded October 25, 2021 in Book 2021P at Page 267 in the Office of the Salt Lake County Recorder;

thence along said southerly boundary line the following five (5) courses:

(1) Southeasterly 22.47 feet along the arc of a 15.00 foot radius curve to the left (center bears South 60°19'32" East and the chord bears South 13°14'12" East 20.43 feet with a central angle of 85°49'20");

(2) Southeasterly 148.56 feet along the arc of a 175.00 foot radius curve to the right (center bears South 33°51'08" West and the chord bears South 31°49'43" East 144.14 feet with a central angle of 48°38'18");

(3) North 89°52'36" East 83.60 feet;

(4) South 25.35 feet;

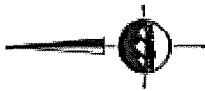
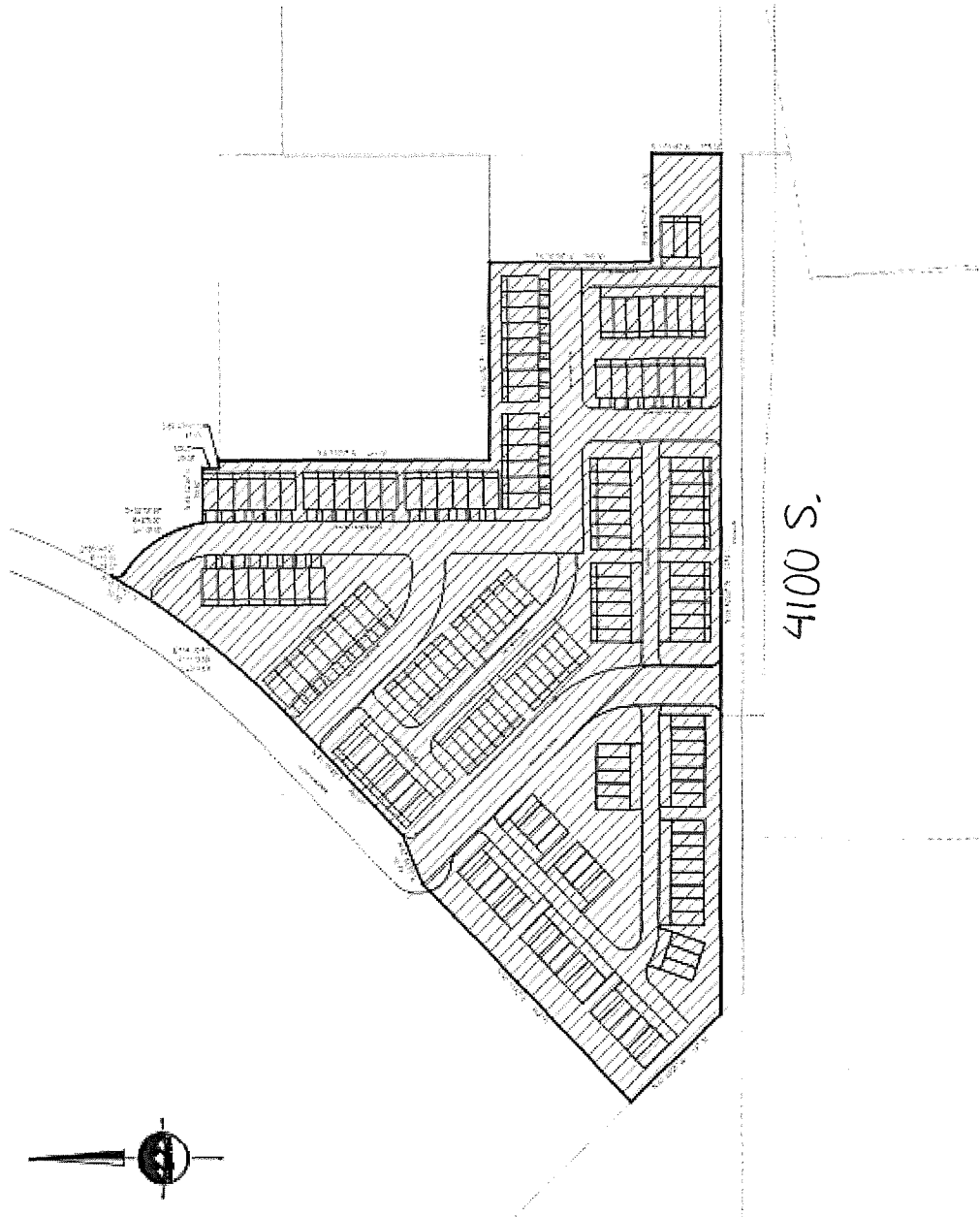
(5) South 89°40'50" East 12.03 feet to the westerly boundary line of the Magna Water District property in that certain Special Warranty Deed recorded September 22, 2019 as Entry No. 13057350 in Book 10819 at Page 6242 in the Office of the Salt Lake County Recorder;

thence along the westerly and southerly boundary line of said Magna Water District property the following two (2) courses:

(1) South 00°19'22" West 416.00 feet;

(2) South 89°40'50" East 301.22 feet to the point of beginning.

Contains 670,852 Square Feet or 15.401 Acres



PROJECT NO. 8106 DATE 7/8/02 <b>1 OF 1</b> <small>NOT FOR CONSTRUCTION</small>	<b>GATEWAY TO LITTLE VALLEY</b>  4100 SOUTH 3400 WEST MAGNA, UTAH HCA REMOVAL PARCEL EXHIBIT	<small>BY</small> DR - 0475N 12050 SO GATEWAY PARK PLACE SANDY, UTAH 84070 PHONE: 801.434.1263	45 W. 10800 S. Ste 500 Sandy, UT 84070 Phone: 801.255.8529 Fax: 801.255.4448 <a href="http://www.ensignenv.com">www.ensignenv.com</a>
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