

WHEN RECORDED, MAIL TO:  
Fox Landing Homeowners Association  
c/o FCS Community Management  
PO Box 5555  
Draper, UT 84020

14036317 B: 11382 P: 6506 Total Pages: 4  
10/31/2022 10:14 AM By: zjorgensen Fees: \$86.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: FOX LANDING HOMEOWNERS ASSOCIATION  
PO BOX 5555 DRAPER, UT 84020



Affects 33 Parcels 27-23-476-023 through -030; and 27-23-478-003 through -016; and 27-23-479-003 through -006; and 27-23-479-010 through -011; and 27-23-480-002 through -006.

**SECOND SUPPLEMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
for Fox Landing  
a Planned Unit Development**

**Fox Landing Phase 3**

This Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Fox Landing ("Second Supplement") for the Fox Landing subdivision (the "Project") is executed by Fox Landing, LLC, of 527 E Pioneer Rd, Ste 100, Draper, UT 84020 (the "Declarant").

**RECITALS**

Whereas, the Declaration of Covenants, Conditions and Restrictions for Fox Landing was recorded in the official records of the Salt Lake County Recorder on November 30, 2016, as Entry No. 12423891 Book 10505 Pages 9477-9522, as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Fox Landing, recorded in the official records of the Salt Lake County Recorder on December 16, 2021, as Entry No. 13848320, Book 11283, Pages 472-475, and as further amended by that certain First Supplement to the Declaration of Covenants, Conditions and Restrictions for Fox Landing, recorded in the official records of the Salt Lake County Recorder on January 27, 2022, as Entry No. 13877815, Book 11299, Pages 13-54 (as amended, the "Declaration").

Whereas, under Article 25 of the Declaration, Declarant reserved the right to add and submit Additional Property to the terms and conditions of the Declaration and make such Additional Property part of the Property comprising the subdivision.

Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on **Exhibit A** attached hereto and incorporated herein by this reference (the "Phase 3 Property") and desires to add and subject the Phase 3 Property to the terms and conditions of the Declaration in accordance with Article 25 of the Declaration and make the Phase 3 Property part of the Project as well as other conditions specific to the Phase 3 Property.

Whereas, the Plat Map for Fox Landing Phase 3 subdivision comprising the Phase 3 Property has been recorded in the official records of the Salt Lake County on April 21, 2022, as entry no. 13937061, book 2022P, page 110.

Whereas, Declarant desires to expand the Project by creating additional Lots, Common Areas and other improvements as provided herein.

**NOW, THEREFORE**, for the reasons recited above, and for the benefit of the Project and the Lot Owners thereof, the Declarant hereby executes this Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Fox Landing for and on behalf of and for the benefit of all of the Lot Owners and Members of Fox Landing Homeowners Association.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified as follows:
  - a. **Declaration** shall mean and refer to the Declaration (as defined herein), as amended by this Second Supplement.
  - b. **Plat Map** shall mean and refer to the Plat Map, as amended and supplemented by the Plat Maps for Fox Landing Phase 2 and Fox Landing Phase 3.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The Phase 3 Property described in Exhibit A is hereby submitted to and made subject to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.
3. **Annexation.** Declarant hereby declares that the Phase 3 Property shall be and hereby is annexed into the Project and subject to the Declaration, which, upon recordation of this Second Supplement, shall constitute and effectuate an expansion of the Project, making the Phase 3 Property described in Exhibit A subject to the Declaration and the functions, powers, rights, duties and jurisdiction of the Association.
4. **Irrigation Waste Water Diversion Wall Easement.** The Owners of Lots 327, 328, 329, 330, 331, 332 and 333 of the Phase 3 Property (the "Diversion Wall Lots") are subject to the terms, conditions and obligations of the Declaration of Easement (the Diversion Wall Easement) recorded in the official records of the Salt Lake County Recorder on October 25, 2022, as Entry No. 14034116, Book 11381, Page 4103.

Under the terms of the Diversion Wall Easement, the Owners of the Diversion Wall Lots grant and convey to and for the benefit of, the Declarant, the Association, Draper City and the Owners of Lots adjacent to the Diversion Wall Lots, a perpetual non-exclusive easement as described in the Diversion Wall Easement for the purpose of maintaining, repairing and or replacing the Diversion Wall.



**EXHIBIT A – LEGAL DESCRIPTION**  
Phase 3 Property

That certain real property located in Salt Lake County, State of Utah, more particularly described as follows:

Fox Landing Phase 3 Subdivision, lots 301 through 333, as recorded in the office of the Recorder, Salt Lake County, State of Utah, on April 21, 2022, entry no. 13937061, book 11311, page 471.

Note: Lots 334 and 335 of said Phase 3 are specifically and intentional excluded and not subject to the Declaration or this Supplement.