

RETURNED

OCT 11 2000

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS & RESTRICTIONS FOR THE
SOMERSET FARM & HOLLOW
PLANNED RESIDENTIAL DEVELOPMENTS

This Amendment to the Somerset Farm & Hollow Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as this "Amendment") is made and executed this 6th day of June 2000, by the Somerset Farm & Hollow Homeowners Association (hereinafter referred to as the "Association").

E 1617928 B 2700 P 745
SHERYL L. WHITE, DAVIS CNTY RECORDER
2000 OCT 11 8:31 AM FEE 263.00 DEP MT
REC'D FOR ARMSTRONG, TOM

Recitals

A. Declaration. The Declaration of Covenants, Conditions and Restrictions for the Somerset Farm & Hollow Planned Residential Developments was recorded November 10, 1978, as Entry No. 514064, in Book 738, at Page 232 of the official records of Davis County, Utah (hereinafter referred to as the "Declaration"). Capitalized terms not otherwise defined herein shall have the meaning as set forth in the Declaration;

B. Property Description. This Amendment affects that certain real property located in Davis County, Utah described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference;

C. Control. The control, operation and management of Somerset Farm and Somerset Hollow has been transferred by the Developer to the Association;

D. Intent. The Association desires by this Amendment to supplement Article XII of the Declaration to provide for attorneys fees to enforce the Declaration; and

E. Procedure. All of the requirements of Article XII, Section 3 of the Declaration have been satisfied, and the proposed amendment to Article XII of the Declaration has been approved by at least 67% of all votes which Members present in person or represented by proxy were entitled to cast at a meeting duly called for such purpose.

NOW, THEREFORE, for the reasons set forth above, the Association hereby amends the Declaration as follows:

1. The following Section is hereby added to Article XII of the Declaration:

12. Attorneys Fees. In the event of any dispute relating to this Declaration, the prevailing party in any resulting mediation, arbitration, or litigation will be entitled to collect from the other party all direct reasonable costs (including attorney's fees) incurred by the prevailing party, which relief will be in addition to any other relief to which the prevailing party is entitled.

2. The effective date of this Amendment to the Declaration shall be the date on which this document is recorded in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the Association has executed this instrument on the day and year first above written.

SOMERSET FARM & HOLLOW HOMEOWNERS ASSOCIATION

By: Tom Armstrong
Tom Armstrong, President

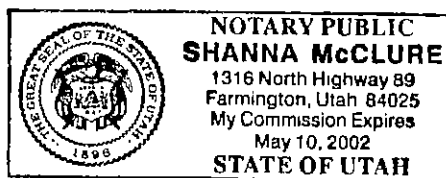
By: John R. Hoffman
John Hoffman, Secretary

STATE OF UTAH)
)ss.
COUNTY OF DAVIS)

On the 10 day of October, 2000, personally appeared before me Tom Armstrong and John Hoffman, who by me being duly sworn, did say that they are the President and Secretary of SOMERSET FARM & HOLLOW HOMEOWNERS ASSOCIATION, and that the within and foregoing instrument was signed in behalf of said ASSOCIATION by authority of a Resolution of its Board of Trustees, and said Tom Armstrong and John Hoffman, duly acknowledged to me that said ASSOCIATION executed the same.

Shanna McClure
NOTARY PUBLIC
Residing at: Davis City

My Commission Expires:
5-10-02



The real property described in the foregoing document is located in Davis County, Utah and is known more particularly as follows:

PARCEL I:

30-89
92-121 -

Beginning at the center of Section 12, T3N, R1W, SLB&M, and running thence N 89°05'58" E 339 ft.; thence N 25°30' E 120.0 ft.; thence N 3°43' W 728.0 ft.; thence N 17°49' E 496.45 ft.; thence S 89°08'10" W 496.42 ft.; thence N 0°02'44" W 304.16 ft.; thence S 89°57'16" W 521.90 ft.; thence S 0°02'44" E 899.63 ft.; thence S 71°40'05" W 26.335 ft.; thence S 0°02' 44" E 163.11 ft.; thence S 89°53'16" W 301.0 ft.; thence N 0°02'44" W 72.40 ft.; thence S 71°40'05" W 67.97 ft.; thence Southwesterly along a 173.54 ft. radius curve left, 125.70 ft.; thence Southwesterly along a 245.42 ft. radius curve right, 231.73 ft.; thence S 84°16' W 122.21 ft.; thence S 1°31'17" E 149.97 ft.; thence S 0°05' E 146.35 ft.; thence S 67°43' W 295.93 ft.; thence S 32°12'23" E 157.50 ft.; thence West 86.26 ft.; thence S 32°12'23" E 38.79 ft.; thence S 53°03' W 204.68 ft.; thence S 26°52'09" E 121.49 ft.; and Southeasterly along a 539.96 ft. radius curve to the left 34.52 ft. along an existing highway right-of-way line; thence N 53°03' E 291.38 ft.; thence S 32°12'23" E 518.15 ft.; thence N 57°56" E 1359.35 ft. to the point of beginning.

THE FOREGOING PARCEL I HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS:

Beginning at the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°05'58" East 339 feet; thence North 25°30' East 120.0 feet; thence North 3°43' West 728.0 feet; thence North 17 degrees 49' East 496.45 feet; thence South 89°08'10" West 496.42 feet; thence North 0°02'44" West 304.16 feet; thence South 89°57'16" West 546.90 feet; thence South 0°02'44" East 1071.0 feet; thence South 89°53'16" West 301.0 feet; thence North 0°02'44" West 72.40 feet; thence South 71°40'05" West 67.97 feet;

thence southwesterly along a 173.54 foot radius curve left, 125.70 feet; thence southwesterly along a 245.42 foot radius curve right, 231.73 feet; thence South $84^{\circ}16'$ West 122.21 feet; thence South $1^{\circ}31'17''$ East 149.97 feet; thence South $0^{\circ}05'$ East 146.35 feet; thence South $67^{\circ}43'$ West 295.93 feet; thence South $32^{\circ}12'23''$ East 157.50 feet; thence West 86.26 feet; thence South $32^{\circ}12'23''$ East 38.79 feet; thence South $53^{\circ}03'$ West 204.68 feet; thence South $26^{\circ}52'09''$ East 121.49 feet; and southeasterly along a 539.96 foot radius curve to the left 34.52 feet along an existing highway right-of-way line; thence North $53^{\circ}03'$ East 291.38 feet; thence South $32^{\circ}12'23''$ East 518 feet; thence North $57^{\circ}56'$ East 1359.35 feet to the point of beginning.

PARCEL II:

Beginning at a point S $89^{\circ}46'52''$ W 1362.05 feet along the section line and South 165.53 feet from the North $1/4$ corner of Section 12 T.3N., R.1W., Salt Lake Base and Meridian, and running thence S $62^{\circ}00'48''$ W, 44.82 feet, thence S $50^{\circ}08'51''$ W, 275.38 feet, thence S $48^{\circ}04'11''$ W, 168.05 feet, thence S $41^{\circ}10'$ W, 92.96 feet, thence S $41^{\circ}33'$ W, 842.51 feet, thence S $25^{\circ}13'$ W, 59.81 feet, thence N 88° W, 120.00 feet, thence S 14° W, 222.00 feet, thence S 14° E, 168.98 feet, thence Southeasterly along a 925.66 foot radius curve to the right, 79.70 feet, whose long chord bears S $67^{\circ}25'$ E, 79.67 feet, thence S $64^{\circ}57'$ E 57.74 feet, thence Southeasterly along a 1476.84 foot radius curve to the right 565.78 feet, whose long chord bears S $53^{\circ}58'30''$ E 562.32 feet, thence S 43° E 227.21 feet, thence Southeasterly along a 108.22 foot radius curve to the left 99.60 feet, whose long chord bears S $69^{\circ}22'$ E 96.12 feet, thence N $84^{\circ}16'$ E 138.27 feet, thence Northeasterly along a 379.30 foot radius curve to the left 180.51 feet, whose long chord bears N $70^{\circ}38'$ E 178.81 feet, thence N 57° E 75.50 feet, thence Northeasterly along a 572.42 foot radius curve to the right 129.88 feet, whose long chord bears N $63^{\circ}30'$ E 129.60 feet, thence N 20° W 136.13 feet, thence S $80^{\circ}40'22''$ W 73.44 feet, thence N $1^{\circ}18'45''$ W 431.04 feet, thence N $0^{\circ}05'01''$ E 83.79 feet, thence N $1^{\circ}08'37''$ W 801.31 feet, thence N $0^{\circ}56'25''$ W 222.41 feet, thence N $2^{\circ}26'21''$ W 199.25 feet, to the point of beginning. Contains 34.33 acres.

THE FOREGOING PARCEL II HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS: The northeasterly 11.98 acres, together with frontage and the northwesterly 28.25 acres together with frontage of the following described tract:

Beg at NE cor of W 1/2 of NW 1/4 of Sec 12, T3N, R1W, th S 47° W 191.40 ft m o l to the NE'ly ln of ppty conv by 469-12; th S 62°11'20" E 75 ft m o l to a fence ln; th S 51°12'40" W 478.76 ft alg a fence ln as desc by Bndy Line Agree 46853 th S 42°34' W 200.73 ft alg sd fence ln; th S 41°20' W 1175.77 ft to a pt on W ln sd Sec 12; th S alg Sec ln to a pt of inter with N ln of a Farm City Rd; th SE'ly alg N ln sd rd to a pt 7.41 chs N & S 84°16' W 450 ft fr SE cor of W 1/2 of NW 1/4 Sec 12; th N 84°16' E 450 ft to E ln of W 1/2 of NW 1/4 sd Sec 12; th N alg sd E ln 33.07 chs, m o l to the p o b.

PARCEL III:

Beginning at a point which is S 57°56' W 1359.35 feet and N 32°12'23" W 215.67 feet from the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, said point being on the East line of the Old Bamberger Railroad right-of-way which is marked by an existing fence line; thence S 58°30' W 40.0 feet to station 922+01.8 along the former railroad center line, said point being marked by an existing fence line; thence S 58°30' W 33.0 feet; thence N 32°12'23" W 12.24 feet along the West line of the railroad right-of-way; thence S 52°46' W 189.98 feet to the state highway right-of-way line, thence N 39°08'09" W 202.45 feet and Northwesterly along a 539.96 feet radius curve to the right 81.08 feet along said highway right-of-way line; thence N 53°03' E 291.38 feet; thence S 32°12'23" E 302.49 feet along the railroad right-of-way line to the point of beginning. Contains 1.84 acres.

Somerset Farm PUD Lots 1 to 150 + Common
area

Somerset Hollow PUD Lots 1 to 94 + common area

Somerset Hollow Amd PUD - Lots 185 + 186

Serial numbers =

08-045-~~0001~~⁰¹⁰⁴, 0003, 0004, 0008, 0009, 0030 to 0033, 0037
to 0043, 0045, 0073, 0074, 0078 to 0083, 0091 to 0101,
0105 to 0110

08-046- 0010 to 0013, 0017 to 0020, 0023 to 0029, 0048
to 0050, 0053 to 0056, 0059 to 0063, 0066 to 0070,
0074 to 0078, 0081 to 0083

08-047- 0030 to 0040, 0043 to 0046, 0049 to 0061, 0065,
0066, 0070 to 0089, 0092 to 0121, 0124, 0127, 0129,
0130, 0132 to 0134, 0136 to 0138

08-048- 0003 to 0014, 0016, 0019 to 0029, 0090 to 0091,
0122 to 0152, 0159, 0156, 0163, 0165

08-265- 0185, 0186