

RETURNED

JUN 20 2001

12-351 - 0101 thru 0125

SECOND AMENDMENT TO
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
CRAIG ESTATES, A CLUSTER SUBDIVISION DATED MAY 31, 2001

All Craig Est. 1

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Craig Estates, a Cluster Subdivision, as described on the attached Exhibit A, dated the 25th day of June, 1999, was recorded on July 1, 1999, as Entry No. 1529355 in Book 2527 at Page 488, Records of Davis County, Utah ("the Declaration"); and

WHEREAS, the First Amendment to Declaration of Covenants, Conditions, and Restrictions for Craig Estates, a Cluster Subdivision, dated the 23rd day of April, 2001, was recorded on June 19, 2001, as Entry No. 1669001 in Book 2830 at Page 719 Records of Davis County, Utah ("First Amended Declaration"); and

WHEREAS, it is necessary and desirable that the Declaration, as amended, be further amended as follows:

1. To exclude Lot 121, Craig Estates Phase 1 Cluster Subdivision, Syracuse City, Davis County, Utah, according to the official plat thereof, from all requirements of the Declaration, as amended; and
2. To amend Paragraph 3.6 of the First Amended Declaration as more particularly set forth below; and

WHEREAS, the undersigned represent all owners of real property herein referred to or otherwise represent the holders of first mortgages or deeds of trust affected by said property.

NOW, THEREFORE, in consideration of the premises and the agreements and consents herein contained, it is hereby agreed that the Declaration and First Amended Declaration shall be, and the same is, hereby amended as follows:

1. Lot 121, Craig Estates Phase 1 Cluster Subdivision, Syracuse City, Davis County, Utah, according to the official plat thereof, is excluded from all rights, benefits, obligations, and/or responsibilities accruing or otherwise derived from the Declaration, as amended, or as hereinafter amended.

2. Paragraph 3.06 of the First Amended Declaration is amended to read as follows:

3.06 *Architectural Control*. No building, fence, wall, or other structure on any Lot shall be commenced, erected, or maintained, nor shall any exterior addition to or change (including painting) or alteration therein be made until the Plans and Specifications showing the nature, kind, shape, height, colors, materials, and location

SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR CRAIG ESTATES,
A CLUSTER SUBDIVISION

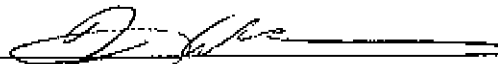
E 1669153 B 2831 P 126
SHERYL L. WHITE, DAVIS CNTY RECORDER
2001 JUN 20 9:10 AM FEE 37.001 DEP CAC
REC'D FOR BUEHLER, J. SCOTT

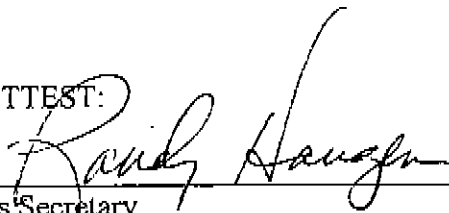
of the same shall have been submitted to and approved in writing as to harmony of external design and location to surrounding structures and topography by the Board or by an architectural control committee composed of three (3) or more representatives appointed by the Board. The Board will not impose minimum size limitations on Residential Units, nor will the Board restrict Residential Units to a single level. In the event said Board or its designated committee fails to approve or disapprove such design and location within sixty (60) days after said Plans and Specifications have been submitted to it, approval will not be required, and this Article will be deemed to have been fully complied with. No fence or fences of any nature whatsoever shall be constructed, placed upon, or maintained on any Lot or any portion thereof without the express prior written approval of the Board or the architectural control committee in accordance with the provisions of this Section 3.06. The front of each Residential Unit shall be surfaced with a minimum of one-third brick or rock (natural or man-made), with the remainder to be surfaced with stucco. The roof of each Residential Unit shall be finished with architectural shingles.

This Second Amended Declaration and every provision hereof shall take effect upon recording.

IN WITNESS WHEREOF, the undersigned have executed this Declaration the day and year first above written.

CRAIG ESTATES HOMEOWNERS ASSOCIATION, INC.

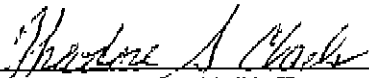
By: 
Its President

ATTEST:

Its Secretary

We consent to the foregoing Amendment:

CREEKSIDE HOME BUILDERS, L.L.C.
(Lots 101 and 102)

By: _____
Its Managing Member


THEODORE S. CLARK, Trustee of the
Theodore and Nancy Clark Family Trust
Dated the 30th Day of August, 1995 (Lot 114)

Tammy S. Boam
TAMMY S. BOAM, Trustee or her Successor
Trustee, of the Tammy S. Boam Family Trust
(Lot 121)

Nancy G. Clark
NANCY G. CLARK, Trustee of the Theodore
and Nancy Clark Family Trust Dated the
30th Day of August, 1995 (Lot 114)

Howard W. Cheney
HOWARD W. CHENEY (Lot 115)

Jonathan H. Cheney
JONATHAN H. CHENEY (Lot 118)

Louise K. Cheney
LOUISE K. CHENEY (Lot 115)

RKT HOLDING COMPANY, INC.

By: [Signature]
Its President
(Lots 103 through 113, inclusive;
Lots 116 and 117; and Lots 119 and 120)

Lot Lienholders:

WASHINGTON FEDERAL SAVINGS BANK
(Lots 101 and 102)

CHENEY FINANCIAL SERVICES, INC.
(Lots 101, 102, 114, and 118)

By: [Signature]
Its Assistant Vice President

By: Howard W. Cheney
Its President

CENTENNIAL BANK (Lots 108 through 113,
116 through 120, and part of Lots 105, 106,
and 107)

WASHINGTON MUTUAL BANK d/b/a
WESTERN BANK (Lots 115 and 121)

By: _____
Its _____

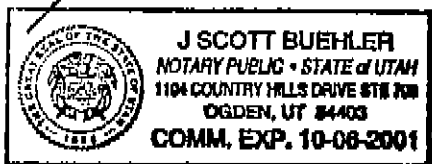
By: _____
Its _____

STATE OF UTAH)
 : ss.
COUNTY OF WEBER)

On this 3/rd day of May 2001, personally appeared before me Kip D. Cashmore, known to me to be the President of Craig Estates Homeowners Association, Inc., and known to me to be the person who executed the within instrument on behalf of said entity.



NOTARY PUBLIC



STATE OF UTAH)
 : ss.
COUNTY OF WEBER)

On this 3/rd day of May 2001, personally appeared before me Randy Haugen, known to me to be the Secretary of Craig Estates Homeowners Association, Inc., and known to me to be the person who executed the within instrument on behalf of said entity.



NOTARY PUBLIC

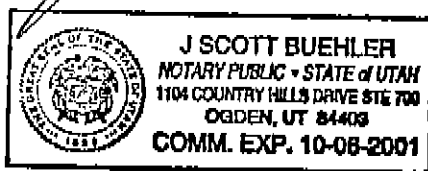


EXHIBIT A

Beginning at a point which is North 0° 06' 28" East 482.02 feet along the Section line from the East Quarter corner of Section 16, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and running thence South 89° 43' 28" West 33.00 feet; thence South 0° 06' 28" West 100.00 feet; thence South 89° 43' 28" West 221.43 feet; thence South 0° 06' 28" West 96.66 feet to the North line of West Sunset View Estates No. 1; thence South 89° 43' 28" West 404.25 feet along said Subdivision line; thence North 0° 06' 28" East 198.66 feet; thence North 0° 23' 32" West 403.26 feet; thence North 89° 51' 32" West 185.07 feet; thence North 0° 08' 28" East 91.68 feet; thence North 89° 59' 25" East 186.15 feet; thence South 0° 23' 33" East 135.36 feet; thence South 44° 22' 40" East 111.86 feet; thence North 89° 43' 28" East 300.70 feet; thence South 0° 06' 28" West 199.77 feet; thence North 89° 43' 28" East 114.01 feet; thence South 0° 06' 28" West 93.50 feet; thence North 89° 41' 32" West 15.71 feet; thence South 0° 06' 28" West 72.59 feet; thence North 89° 43' 28" East 185.71 feet; thence South 0° 06' 28" West 60.00 feet to the point of beginning. Containing 7.92 acres.

Land Serial Nos. 12-351-0101 through 12-351-0121, inclusive.

**thence North 0° 08' 28" East 85.94 feet; thence North 03° 00' 09" West 60.09 feet;