

9851-1

WHEN RECORDED RETURN TO:

M & Y Layton, LLC
c/o Ronald L. Marshall
460 South 100 East
Bountiful, Utah 84010

E 1947984 B 3450 P 466
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 JAN 7 12:04 PM FEE 46.00 DEP MJW
REC'D FOR WESTERN STATES TITLE COMPANY

CERTIFICATE OF FIRST AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS FOR THE LAYTON RIDGES SUBDIVISION

Recitals:

WHEREAS, M & Y Layton, LLC., a Utah limited liability company ("Developer"), is the record owner of real property situated in Layton City, Davis County, Utah, known as the Layton Ridges Subdivision (the "Project"), which is more particularly described as all of Lots 1 through 31 inclusive of the Layton Ridges Subdivision, Layton City, Utah, according to the official plat thereof on file with the Davis County, Utah Recorder's office.

WHEREAS, the Declaration of Protective Covenants Conditions and Restrictions For the Layton Ridges Subdivision (the Declaration") was recorded in the office of the Davis County Recorder on October 29, 2003, as Entry No. 1927549 in Book 3406 at Page(s) 216, *et seq.* of the official records of the Davis County Recorder's office.

WHEREAS, the Developer is the current Owner of all of the Lots in the Project, and as contemplated by Section 9.2 of the Declaration, the Owners desire to amend the Declaration as more particularly set forth below.

THEREFORE, to further the general purposes herein expressed, Developer for itself, its successors and assigns, as current Owner of all Lots in the Project, hereby certifies that the following First Amendment to the Declaration has been duly adopted at an election day called and held in accordance with the Articles and Bylaws of the Association, and was hereby duly approved by the affirmative vote of Owners holding title to more than seventy-five percent of the Lots.

1. The second full paragraph of Section 8.5 of the Declaration is hereby deleted in its entirety.
2. All other terms and conditions of the Declaration shall remain in full force and effect.
3. This Certificate of Amendment constitutes an amendment to the Declaration as contemplated by paragraph 9.2 of the Declaration.

89-342-0001-1-1-0033
Lots 1-31, Layton Ridges Subdiv., Layton City, Utah

IN WITNESS WHEREOF, Developer has hereunto caused its name to be signed by the signature of its duly authorized Manager as of the 6 day of January, 2004.

M & Y Layton, L.L.C.,
by its Manager




RONNARD L. MARSHALL, Manager

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

E 1947984 B 3450 P 467

On this 6 day of January, 2004, personally appeared before me Ronald L. Marshall, who being by me duly sworn, did say that he is the Manager of M & Y Layton, L.L.C., a Utah limited liability company, and that the foregoing instrument was signed on behalf of such Company by authority of its Operating Agreement, and that the Company thereby executed the same.

SEAL



NOTARY PUBLIC

746223/lgm

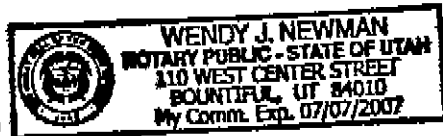


EXHIBIT "A"

BEGINNING AT A POINT WHICH IS NORTH $0^{\circ}20'23''$ EAST 1,317.39 FEET ALONG THE QUARTER SECTION LINE FROM THE SOUTH QUARTER CORNER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE NORTH $89^{\circ}57'03''$ WEST 2,042.31 FEET TO A POINT ON THE EAST BOUNDARY OF UTAH STATE HIGHWAY 89; THENCE ALONG SAID EAST BOUNDARY OF STATE HIGHWAY 89 IN THE FOLLOWING SEVEN COURSES: NORTH $15^{\circ}37'41''$ EAST 26.05 FEET, NORTHEASTERLY 11.58 FEET ALONG THE ARC OF AN 18.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $36^{\circ}51'37''$ (CHORD BEARS NORTH $34^{\circ}03'46''$ EAST 11.38 FEET), NORTHWESTERLY 93.00 FEET ALONG THE ARC OF A 42.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $126^{\circ}52'09''$ (CHORD BEARS NORTH $10^{\circ}56'14''$ WEST 75.13 FEET), NORTH $74^{\circ}22'19''$ WEST 52.85 FEET, NORTH $3^{\circ}32'16''$ EAST 102.80 FEET, NORTH $0^{\circ}35'24''$ WEST 493.81 FEET, NORTH $1^{\circ}32'49''$ WEST 54.84 FEET; THENCE SOUTH $89^{\circ}33'00''$ EAST 571.08 FEET; THENCE NORTH $0^{\circ}19'00''$ EAST 944.62 FEET; THENCE NORTH $89^{\circ}51'11''$ EAST 404.34 FEET; THENCE NORTH $0^{\circ}22'36''$ EAST 536.80 FEET; THENCE NORTH $89^{\circ}51'11''$ EAST 1,123.52 FEET; THENCE SOUTH $0^{\circ}20'23''$ WEST 958.78 FEET ALONG SAID QUARTER SECTION LINE TO THE CENTER OF SAID SECTION 1; THENCE SOUTH $0^{\circ}20'23''$ WEST 1,297.58 FEET ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING.

09-003-0033

E 1947984 B 3450 P 468