

9851 - 1 Am

WHEN RECORDED RETURN TO:

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

E 1975695 B 3510 P 2053
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 APR 2 4:41 PM FEE 23.00 DEP MT
REC'D FOR WESTERN STATES TITLE COMPANY

CERTIFICATE OF SECOND 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, and was subsequently amended by a Certificate of First Amendment to said Declaration, recorded January 7, 2004 as Entry No. 1947984 in Book 3450 at Page(s) 466 et seq. of said Official Records.

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 Second 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 total number of Lots in the Project is hereby reduced from 31 to 29. Pursuant to an amendment to the Plat for the Project, the former Lots 22 through 31 inclusive are hereby deleted from the Project, and are replaced by Lots 201, 202, 203, 204, 205, 206, 207 and 208 inclusive. The deleted Lots and the new renumbered Lots pertain to the real property located in Davis County, State of Utah and more particularly described in Exhibit "A" attached hereto and incorporated herein.

Layton Ridges Am
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2. All other terms and conditions of the Declaration shall remain in full force and effect, except as previously amended.

3. This Certificate of Second Amendment constitutes an amendment to the Declaration as contemplated by paragraph 9.2 of the Declaration.

IN WITNESS WHEREOF, Developer has hereunto caused its name to be signed by the signature of its duly authorized Manager as of the 25 day of February, 2004.

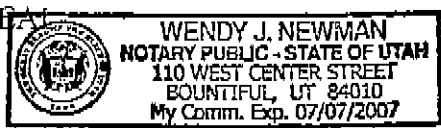
M & Y Layton, L.L.C.,
by its Manager




RONNARD L. MARSHALL, Manager

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this 25 day of February, 2004, personally appeared before me Ronnald 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.

SPAY

WENDY J. NEWMAN
NOTARY PUBLIC - STATE OF UTAH
110 WEST CENTER STREET
BOUNTIFUL, UT 84010
My Comm. Exp. 07/07/2007



NOTARY PUBLIC

746223/lgm

EXHIBIT "A"

The real property located in the County of DAVIS, State of Utah and more particularly described as follows:

CONTAINING ALL OF THE FORMER LOTS 22 THROUGH 31 OF LAYTON RIDGES SUBDIVISION IN LAYTON CITY, DAVIS COUNTY, UTAH, BEING ALSO DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID FORMER LOT 22 WHICH POINT IS SOUTH $0^{\circ}20'23''$ WEST 1,656.19 FEET ALONG THE QUARTER SECTION LINE FROM THE NORTH QUARTER CORNER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG THE BOUNDARY OF SAID FORMER LOT 22 IN THE FOLLOWING THREE COURSES: (1) SOUTH $0^{\circ}20'23''$ WEST 529.65 FEET ALONG SAID QUARTER SECTION LINE, (2) WEST 587.48 FEET, (3) SOUTH $60^{\circ}00'00''$ WEST 45.84 FEET THENCE ALONG THE WESTERLY BOUNDARY OF LAYTON RIDGE DRIVE (A 50 FOOT WIDE RIGHT OF WAY) IN THE FOLLOWING EIGHT COURSES: (1) NORTHWESTERLY 193.00 FEET ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $221^{\circ}09'25''$ (CHORD BEARS NORTH $82^{\circ}52'55''$ WEST 93.62 FEET), (2) SOUTHWESTERLY 36.14 FEET ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $41^{\circ}24'35''$ (CHORD BEARS SOUTH $7^{\circ}14'40''$ WEST 35.36 FEET), (3) SOUTH $27^{\circ}56'57''$ WEST 113.91 FEET, (4) SOUTHWESTERLY 423.89 FEET ALONG THE ARC OF A 675.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $35^{\circ}58'50''$ (CHORD BEARS SOUTH $9^{\circ}57'32''$ WEST 416.95 FEET), (5) SOUTHWESTERLY 363.23 FEET ALONG THE ARC OF A 325.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $64^{\circ}02'05''$ (CHORD BEARS SOUTH $23^{\circ}59'09''$ WEST 344.62 FEET), (6) SOUTHWESTERLY 276.53 FEET ALONG THE ARC OF A 470.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $33^{\circ}42'36''$ (CHORD BEARS SOUTH $39^{\circ}08'54''$ WEST 272.55 FEET), (7) SOUTHWESTERLY 252.95 FEET ALONG THE ARC OF A 375.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $38^{\circ}38'50''$ (CHORD BEARS SOUTH $41^{\circ}37'01''$ WEST 248.18 FEET), (8) SOUTHEASTERLY 51.26 FEET ALONG THE ARC OF A 270.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $10^{\circ}52'36''$ (CHORD BEARS SOUTH $55^{\circ}30'08''$ WEST 51.18 FEET); THENCE NORTH $25^{\circ}36'18''$ WEST 380.09 FEET ALONG THE SOUTHWEST BOUNDARY OF SAID FORMER LOT 31; THENCE ALONG THE BOUNDARY OF SAID LAYTON RIDGES SUBDIVISION IN THE FOLLOWING FOUR COURSES: (1) NORTH $0^{\circ}19'00''$ EAST 944.62 FEET (2) NORTH $89^{\circ}51'11''$ EAST 404.34 FEET, (3) NORTH $0^{\circ}22'36''$ EAST 536.80 FEET, (4) NORTH $89^{\circ}51'11''$ EAST 1,123.52 FEET.

BEING ALL OF LAYTON RIDGES AMENDED.

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