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**DOC # 20220050775**

Restrictive Page 1 of 2  
Gary Christensen Washington County Recorder  
11/22/2022 09:28:33 AM Fee \$ 40.00  
By ST GEORGE CITY

When recorded return to:  
Corinne Schmalz, c/o Ence Homes  
619 South Bluff St., Tower 2  
St. George, UT 84770



**FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF WHITE TRAILS SUBDIVISION  
A RESIDENTIAL SUBDIVISION LOCATED IN WASHINGTON CITY, UTAH**

FACTION, LLC., a Utah limited liability company, (hereinafter "Declarant") hereby amends the following portions of the Declaration of Covenants, Conditions and Restrictions for White Subdivision (hereinafter "Declaration") as set forth herein, pursuant to its authority under Article 7 of said Declaration, which Declaration was recorded on the 20<sup>th</sup> day of July, 2022, as DOC No. 20220035850 in the records of the Washington County Recorder, affecting the real property located in Washington County, Utah, more particularly described as recorded phases of White Trails Subdivision, as follows:

Phase 1 Lots: per the Official Plat of White Trails Subdivision, Phase 1, said Lots being:  
W-WHTS-1-31 through W-WHTS-1-39, inclusive; and W-WHTS-1-45 through W-WHTS-1-56, inclusive; and W-WHTS-1-70 through W-WHTS-1-75, inclusive; and

All future Phases, including the Lots thereof, as annexed or expanded to White Subdivision, in accordance with the provisions of the Declaration thereof, as cited.

The Declarant, hereby amends and modifies the Declaration, as follows:

The language of Article 3, Section 4.3 shall be deleted, which Section language currently reads, as follows:

**"3.4.3. Minimum Area of Lot and Home.** Lot sizes as described on the Official Recorded Plat of the Subdivision are considered minimum Lot sizes and no person shall further subdivide any Lot other than as shown on the Recorded Plat of said subdivision. Lots may not be combined for construction of a single Home. "Vacant Lot" shall refer to any Lot which has not been improved with the construction of a Home thereon. Lot/Home shall refer to any Lot which has been improved with construction of a Home thereon. The minimum total square footage of living area on the ground floor located within the building envelope and foundation for any single-story residential home constructed on any Lot within the Property shall be not less than 1,200 square feet, exclusive of porches, balconies, patios and garages. Two-story structures may be allowed, subject to ACC-approval; the minimum square feet of living area of such, if approved, shall be 600 square feet on the ground level and 600 square feet on the upper, second level."

Said language, as above-quoted, shall be replaced in Article 3, Section 4.3 with language which shall read, as follows:

**"3.4.3. Minimum Area of Lot and Home.** Lot sizes as described on the Official Recorded Plat of the Subdivision are considered minimum Lot sizes and no person shall further subdivide any Lot other than as shown on the Recorded Plat of said subdivision. Lots may not be combined for construction of a single Home. "Vacant Lot" shall refer to any Lot which has not been improved with the construction of a Home thereon. Lot/Home shall refer to any Lot which has been improved with construction of a Home thereon. The minimum total square footage of living area on the ground floor located within the building

envelope and foundation for any single-story residential home constructed on any Lot within the Property shall be not less than 800 square feet, exclusive of porches, balconies, patios and garages. Two-story structures may be allowed, subject to ACC-approval; the minimum square feet of living area of such, if approved, shall be 600 square feet on the ground level and 600 square feet on the upper, second level.

IN WITNESS WHEREOF, Declarant does hereafter execute this 2<sup>nd</sup> Amendment as of the 8<sup>th</sup> day of November, 2022.

**DECLARANT: FACTION, LLC**

By: Troy Ence, Manager

**ACKNOWLEDGMENT**

STATE OF UTAH )

ss.

COUNTY OF WASHINGTON )

On this 8<sup>th</sup> day of November, 2022, before me personally appeared Troy Ence, whose identity is personally known to me, and who, being by me duly sworn did say that he is the Manager of FACTION, LLC, a Utah limited liability company, and that the foregoing document was signed by him on behalf of said company by proper authority and he acknowledged before me that the company executed the document and the document was the act of the company for its stated purpose.

Corinne Schmalz  
Notary Public, Residing in Washington County, UT

