

2296306
AUG 09 2007

2296306
BK 4342 PG 1288

AFTER RECORDING RETURN TO:

Nathan W. Pugsley
39 East Eagleridge Drive, Suite 100
North Salt Lake, UT 84054

E 2296306 B 4342 P 1288-1292
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
08/09/2007 04:31 PM
FEE \$71.00 Pgs: 5
DEP RTT REC'D FOR WOODSIDE HOMES C
ORP

Parcel ID Nos. (APN's)

~~06-082-0199~~
06-082-0198
06-082-0195

*all, Foxboro Stonehaven PUD 1
SE 34-2n-1w*

06-279-0101 thru 0152

(Space Above Line for Recorder's Use Only)

**FIRST CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND
RESERVATION OF EASEMENTS
FOR
FOXBORO NORTH STONEHAVEN**

THIS FIRST CERTIFICATE OF AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR FOXBORO NORTH STONEHAVEN (this "Amendment"), is made as of this ~~July~~ ^{8th} day of ~~July~~ ^{August}, 2007, by WOODSIDE STONEHAVEN, LLC, a Utah limited liability company ("Declarant").

WITNESSETH:

WHEREAS:

A. The original Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Foxboro North Stonehaven (the "Original Declaration") was recorded in the official real estate records of Davis County on June 29, 2007, as Entry Number 2284620 in Book Number 4315 beginning at Page Number 2647; and

B. Declarant desires to amend the Original Declaration to make it conform to correct certain scrivener's errors.

C. Pursuant to Section 9.2.1 of the Original Declaration, the Original Declaration can be unilaterally amended by Declarant from time to time.

NOW, THEREFORE, in consideration of the foregoing premises, and the provisions herein contained, Declarant hereby declares as follows:

1. The Original Declaration is hereby amended to delete the existing text of Section 5.5.1 and replacing the same in its entirety with the following:

5.5.1 The initial Annual Assessment for the Assessment Period beginning on January 1, 2007 shall be \$600.00 per Unit. Annual Assessments for each Assessment Period thereafter shall continue at the rate of \$600.00 per Unit unless and until increased or decreased in accordance with this Declaration..

3. This Amendment pertains to the real property described on Exhibit "A" attached hereto and to the other real property that may become subject to the Original Declaration in the future.

4. Except as expressly modified herein, the Original Declaration shall remain in full force and effect.

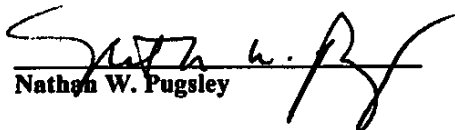
5 Capitalized terms used, but not otherwise defined, herein shall have the meanings set forth in the Original Declaration.

[Signatures to follow on next page.]

IN WITNESS WHEREOF, Declarant has executed this Amendment the day and year first written above.

DECLARANT:

WOODSIDE STONEHAVEN, LLC,
a Utah limited liability company

By: 
Nathan W. Pugsley

Its: **Manager**

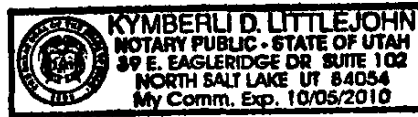
STATE OF UTAH)

) ss

County of Davis)

On the 8th day of ^{August}~~July~~, 2007, personally appeared before me Nathan W. Pugsley who being by me duly sworn did say that he, Nathan W. Pugsley is Manager of said WOODSIDE STONEHAVEN, LLC, that executed the within instrument.

Kyberli D. Littlejohn
Notary Public



Residing at: North Salt Lake, Davis County, Utah

My Commission Expires: 10/5/2010

(seal)

EXHIBIT A

LEGAL DESCRIPTION

The following real property in Davis County, Utah:

A parcel of land located in the Southeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah described as follows:

BEGINNING at a point on the east line of Foxboro North Plat 2 and the west right-of-way line of Cutler Drive said point being North 01°33'01" West 1754.79 feet coincident with the east line of Section 34 and West 601.70 feet to the intersection of Kettering Drive and Cutler Drive and West 33.00 feet and North 00°37'35" West 25.52 feet from the Southeast Corner of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, and thence coincident with the west line of Cutler Drive and its extension, South 00°37'35" East 535.84 feet to a point of tangency of a 783.00 foot radius curve to the left; thence southerly 77.92 feet along said curve through a central angle of 05°42'07"; thence West 591.79 feet; thence coincident with the easterly line of Foxboro North Plat 2 and the extension thereof North 470.90 feet to the south line of said Plat 2 and a point of non-tangency of a 30.00 foot radius curve to the left of which the radius point bears North 41°48'37" East; thence coincident with the south line of Foxboro North Plat 2 the following 13 courses, (1) easterly 21.89 feet along said curve through a central angle of 41°48'37", (2) East 72.63 feet, (3) North 15°31'27" East 18.68 feet to a point of non tangency of a 64.00 foot radius curve to the right of which the radius point bears south, (4) southwesterly 74.01 feet along said curve through a central angle of 66°15'31" (5) South 55°37'20" West 14.83 feet, (6) East 148.90 feet, (7) North 00°37'35" West 131.15 feet, (8) East 146.79 feet; (9) North 70°18'06" West 18.65 feet to a point of non tangency of a 67.00 foot radius curve to the right of which the radius point bears South 76°29'14" East, (10) northeasterly 80.66 feet along said curve through a central angle of 68°58'39", (11) South 26°40'47" East 19.50 feet, (12) East 78.18 feet to a point of tangency of a 26.00 foot radius curve to the left and (13) northeasterly 18.81 feet along said curve through a central angle of 41°27'31" to the POINT OF BEGINNING. Contains 6.99 acres.