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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
04/22/2009 03:04 PM  
FEE \$67.00 Pgs: 36  
DEP RTT REC'D FOR CENTERVILLE CITY

WHEN RECORDED RETURN TO:  
CityView Pineae Village 227, L.P.,  
a Delaware limited partnership  
6150 South Redwood Road  
Taylorsville, Utah 84123  
(801) 856-0840

*02-229-0001  
thru 0052*

**AMENDMENT  
TO  
PINEAE VILLAGE MASTER DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS, AND RESERVATION OF EASEMENTS  
(an Expandable Utah Real Estate Project.);  
AND  
AMENDMENT  
TO  
NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR PINEAE VILLAGE  
TOWN HOMES  
FOR  
PINEAE VILLAGE PLAT II  
(AMENDING PINEAE VILLAGE P.U.D. PLAT II PROPERTY)**

This Amendment to Pineae Village Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements (an Expandable Utah Real Estate Project); and Amendment to Neighborhood Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Pineae Village Town Homes for Pineae Village Plat II (Amending Pineae Village P.U.D. Plat II Property (collectively, "Amendment") is made and executed by CityView Pineae Village 227, L.P., a Delaware limited partnership, whose Utah address is 6150 South Redwood Road, Taylorsville, Utah 84123 (the "Declarant").

**RECITALS**

Whereas, the Pineae Village Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements was recorded in the office of the County Recorder of Davis County, Utah on April 27, 2007 as Entry No. 2265491 in Book 4271 at Pages 392-468 of the official records (the "Master Declaration").

Whereas, the related Plat Map has also been recorded in the office of the County Recorder of Davis County, Utah.

Whereas, the Neighborhood Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Pineae Village Town Homes was recorded in the office of the County Recorder of Davis County, Utah on April 27, 2007, as Entry No. 2265492 in book 4271 at Pages 469-496 of the official records (the "Town Home Neighborhood Declaration").

Whereas, the related Plat Map has also been recorded in the office of the County Recorder of Davis County, Utah.

Whereas, under Article XII, Sections 12.2, 12.3 and 12.4 of the Master Declaration, Declarant reserved the unilateral right to amend the Master Declaration.

Whereas, under Article III, Section 16 of the Town Home Neighborhood Declaration, Declarant reserved the unilateral right to amend the Town Home Neighborhood Declaration.

Whereas this Amendment affects the real property described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference.

Whereas, Declarant is the fee simple owner of record of that certain real property known as Pineae Village Plat II located in Davis County, Utah and described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference ("Pineae Village Plat II Property").

Whereas, the Declarant desires to change the name of the Plat Map to remove the word "Condo" from the name of this Town Home subdivision.

Whereas, the Declarant desires to have the name of this Town Home subdivision "Pineae Village Plat II".

### A G R E E M E N T

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners thereof, Declarant hereby executes this Amendment to change the name of this Town Home subdivision.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

1.1 The term **Final Plat** as used herein shall mean and refer to the Final Plat for Pineae Village Plat II Property or if the context requires the Final Plat Maps for the entire Project.

1.2 The term **Amendment** as used herein shall mean and refer to this Amendment to Pineae Village Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements (an Expandable Utah Real Estate Project); and Amendment to Neighborhood Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Pineae Village Town Homes for Pineae Village Plat II (Amending Pineae Village P.U.D. Plat II Property).

2. **Change of Name.** The word "Condo" is hereby removed from the name of this subdivision and the name of this subdivision is Pineae Village Plat II.

3. **Legal Description.** The legal description of the Pineae Village Plat II Property is attached hereto, marked Exhibit "A" and incorporated herein by this reference.


4. **Conflict.** In the event of any conflict, inconsistency or incongruity between the provisions of the Master Declaration or Neighborhood Declaration and this Amendment, the latter shall in all respects govern and control.

5. **Effective Date.** The effective date of this Amendment and the Final Plat shall be the date on which said instruments are filed for record in the Office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand this \_\_\_ day of December, 2008.

DECLARANT:  
CityView Pineae Village 227, L.P.,  
a Delaware limited partnership

By: CityView Pineae Village, LLC  
a Delaware limited liability company  
Its: General Partner

By:   
Name: Quinn Mortensen  
Title: Authorized Person

STATE OF UTAH )  
 )ss:  
COUNTY OF SALT LAKE )

On the 10 day of December, 2008, personally appeared before me Quinn Mortensen, who by me being duly sworn, did say that he is the Authorized Person of CityView Pineae Village, LLC, a Delaware limited liability company, the General Partner of CityView Pineae Village 227, L.P., a Delaware limited partnership, and that the within and foregoing instrument was signed in behalf of said Partnership by authority of a resolution of its Partners or its Limited Partnership Agreement, and said Quinn Mortensen, duly acknowledged to me that said Limited Partnership executed the same.



NOTARY PUBLIC  
Residing at: Taylorville, UT  
My Commission Expires: 11-13-2011



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The land described in the foregoing document identifying the Pineae Village Plat II Property is located in Davis County, Utah and is described more particularly as follows:

**LOT 154:**

ALL OF LOT 154 OF PINEAE VILLAGE P.U.D., RECORDED APRIL 27, 2007 AS ENTRY NO. 2285490 IN THE DAVIS COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SOUTHWEST CORNER OF SAID LOT 154, SAID POINT BEING NORTH 0°09'49" EAST 1151.32 FEET AND NORTH 89°50'11" WEST 1358.23 FEET FROM THE MONUMENT AT THE INTERSECTION OF MAIN STREET AND PARISH LANE, SAID POINT ALSO BEING NORTH 0°02'34" EAST 3607.55 FEET AND NORTH 89°57'26" WEST 447.35 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 WEST, AND RUNNING THENCE NORTH 0°08'04" EAST, 165.38 FEET TO A POINT ON 15.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 90°20'16"; THENCE ALONG SAID CURVE A DISTANCE OF 23.65 FEET, (CHORD BEARS NORTH 45°18'12" EAST 21.28 FEET); THENCE SOUTH 89°31'40" EAST, 243.93 FEET TO A POINT ON 58.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 10°55'12"; THENCE ALONG SAID CURVE A DISTANCE OF 11.05 FEET, (CHORD BEARS S84°04'04"E 11.04 FEET) TO A POINT ON A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 108°31'36"; THENCE ALONG SAID CURVE, A DISTANCE OF 28.41 FEET (CHORD BEARS N24°20'41"W 24.35 FEET) TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 122.00 FEET AND A CENTRAL ANGLE OF 28°50'11"; THENCE ALONG SAID CURVE A DISTANCE OF 83.53 FEET (CHORD BEARS S15°00'02"W 62.62 FEET); THENCE SOUTH 0°04'57" WEST, 94.91 FEET TO A POINT ON 12.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 90°02'38"; THENCE ALONG SAID CURVE A DISTANCE OF 18.86 FEET, (CHORD BEARS S45°06'16"W 16.98 FEET); THENCE NORTH 89°52'25" WEST, 240.08 FEET TO A POINT ON A 12.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 90°00'28"; THENCE ALONG SAID CURVE A DISTANCE OF 18.86 FEET, (CHORD BEARS N44°52'11"W 16.97 FEET) TO THE POINT OF BEGINNING.

CONTAINS 51,161 SQUARE FEET OR 1.175 ACRES.

**LOT 155:**

ALL OF LOT 155 OF PINEAE VILLAGE P.U.D., RECORDED APRIL 27, 2007 AS ENTRY NO. 2285490 IN THE DAVIS COUNTY RECORDERS OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 155, SAID POINT BEING NORTH 0°09'49" EAST 1897.57 FEET AND NORTH 89°50'11" WEST 1389.64 FEET FROM THE MONUMENT AT THE INTERSECTION OF MAIN STREET AND PARISH LANE, SAID POINT ALSO BEING NORTH 0°02'34" EAST 4153.88 FEET AND NORTH 89°57'26" WEST 487.80 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 WEST, AND RUNNING THENCE NORTH 90°00'00" EAST, 500.88 FEET; THENCE SOUTH 00°00'00" EAST, 125.33 FEET; THENCE NORTH 90°00'00" EAST, 37.38 FEET; THENCE SOUTH 00°08'04" WEST, 292.61 FEET TO A POINT ON A 125.00 FOOT NON-TANGENT CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 25°37'17"; THENCE ALONG SAID CURVE A DISTANCE OF 55.90 FEET, (CHORD BEARS S87°53'36"W 55.43 FEET); THENCE SOUTH 45°04'57" WEST, 110.53 FEET TO A POINT ON 115.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 26°57'29"; THENCE ALONG SAID CURVE A DISTANCE OF 54.11 FEET, (CHORD BEARS S58°33'42"W 53.61 FEET) TO A POINT OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A CENTRAL ANGLE OF 108°02'31"; THENCE ALONG SAID CURVE, A DISTANCE OF 22.63 FEET; THENCE NORTH 00°04'57" EAST, 88.87 FEET TO A POINT ON A 75.00 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 45°00'00"; THENCE ALONG SAID CURVE A DISTANCE OF 58.90 FEET, (CHORD BEARS N22°34'57"E 57.40 FEET); THENCE NORTH 45°04'57" EAST, 35.39 FEET TO A POINT ON 125.00 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 44°56'53"; THENCE ALONG SAID CURVE A DISTANCE OF 98.06 FEET, (CHORD BEARS N22°36'31"E 85.57 FEET); THENCE NORTH 00°08'04" EAST, 130.58 FEET TO A POINT ON A 62.00 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 90°08'04"; THENCE ALONG SAID CURVE A DISTANCE OF 97.53 FEET, (CHORD BEARS N44°55'58"W 87.78 FEET); THENCE SOUTH 90°00'00" WEST, 317.43 FEET TO A POINT ON A 62.00 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 64°04'33"; THENCE ALONG SAID CURVE A DISTANCE OF 69.34 FEET, (CHORD BEARS S57°57'44"W 65.78 FEET); THENCE NORTH 00°00'00" EAST, 128.06 FEET TO THE POINT OF BEGINNING.

CONTAINS 97,430 SQUARE FEET OR 2.237 ACRES.