

26/4

When Recorded Return to:

Preston E. Wood
101 North Scenic Hills Circle
North Salt Lake, Utah 84054

E 2852727 B 6219 P 68-71
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
03/09/2015 09:02 AM
FEE \$26.00 Pgs: 4
DEP RTT REC'D FOR NORTH SALT LAKE
CITY

Tax Parcel No.: 01-047-0367

01-476-0001 -> 0011

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
OF
THE LOFTS @ 99TH, A PLANNED UNIT DEVELOPMENT**

NOTE TO TITLE SEARCHERS:

THIS AMENDMENT, WHEN FILED FOR RECORD IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH, MODIFIES AND AMENDS THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE LOFTS @ 99TH, A PLANNED DEVELOPMENT, RECORDED ON JANUARY 15, 2015, AS ENTRY NO. 2843565, BOOK NO. 6184, PAGE NOS. 354-395 (THE "DECLARATION").

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (hereafter "Amendment") approved by Brycewood Development, LLC ("Brycewood"), the Declarant under the Declaration, (the "Declarant"), is hereby submitted for recording in the Official Records on file in the Office of the Recorder of Davis County, State of Utah.

RECITALS

WHEREAS, Brycewood was the original developer of a planned development consisting of certain real property located in North Salt Lake, Davis County, State of Utah, commonly known as The Lofts @ 99th ("The Lofts"); and

WHEREAS, Brycewood, as Declarant under the Declaration, recorded or caused to be recorded the Declaration; and

WHEREAS, the Declarant has decided to add Common Areas to the Project, as shown on the plat to be recorded in conjunction with development of the Project; and

WHEREAS, the Declarant has also changed the legal description for the Project; and

WHEREAS, the Declarant has renamed the Project as a “planned unit development” rather than a “planned development.”

WHEREAS, Declarant desires to amend the Declaration, pursuant to Paragraph 13.2 of the Declaration, as set forth herein.

DECLARATION

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Paragraph 1.18 of Article 1 of the Declaration shall be deleted in its entirety and replaced with the following:

1.18 “Project” means the residential subdivision project known or referred to as “The Lofts @ 99th, a Planned Unit Development” which comprises the entire Property and which is made subject to this Declaration.

The words “planned unit development” shall be substituted in the Declaration for references to “planned development”.

2. Paragraph 2.3 of Article 2 of the Declaration shall be deleted in its entirety and replaced with the following:

2.3. **Common Areas.** The Project shall have common areas (“Common Areas”), as designated on the plat recorded with the Davis County Recorder, as it may be amended from time to time. The Association shall have the right to regulate and control use and improvement of the Common Areas and to require Owners to comply with such rules and regulations established by the Association.

2. The description of real property included on Exhibit B to the Declaration shall be deleted in its entirety and replaced with the description of real property included on Exhibit A to this Amendment. The real property included on Exhibit A to this Amendment shall hereafter be known as the Property.

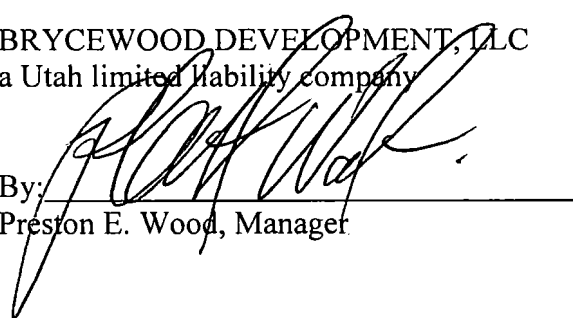
3. Any term or phrase used in this Amendment that has its first capital letter capitalized that is not defined herein shall have the meaning and definition ascribed to it in the Declaration.

4. This Amendment is executed for the sole purpose of amending a section of the Declaration as set forth above, and does not constitute or in any way operate as an amendment, alteration, release or discharge of any other terms, conditions, rights or obligations as set forth in the Declaration. In the event of any conflict or discrepancy between the terms of the Declaration and this Amendment, the terms of this Amendment shall govern and control.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned to be effective on this 6th day of March, 2015.

DECLARANT:

BRYCEWOOD DEVELOPMENT, LLC
a Utah limited liability company

By: 
Preston E. Wood, Manager

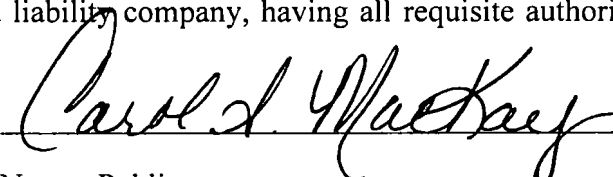
STATE OF UTAH)

: ss

County of Davis)

On this 6th day of March, 2015, before me, the undersigned notary public, personally appeared Preston E. Wood, the Manager of Brycewood Development, LLC, a Utah limited liability company, who duly acknowledged to and before me that he signed the foregoing instrument for and on behalf of said limited liability company, having all requisite authority to so act.




Notary Public

[seal]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The following real property is located in Davis County, Utah:

Lots 1 through 10 of a proposed planned unit development known or to be known as The Lofts @ 99th, a Planned Unit Development, according to the official plat thereof to be recorded in the official records of the Davis County Recorder, and consisting of the following real property:

BEGINNING AT A POINT EAST 71.16 FEET AND NORTH 557.80 FEET FROM THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH (BASIS OF BEARING IS NORTH89°54'24"EAST BETWEEN SAID CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION) AND RUNNING THENCE NORTH21°47'33"EAST 163.87 FEET ALONG THE BOUNDARY OF NORTH TOWN STATION PUD AND SAID LINE EXTENDED; THENCE SOUTH67°58'20"EAST 156.94 FEET TO THE WEST LINE OF HIGHWAY 89; THENCE SOUTH22°00'53"WEST 163.76 FEET ALONG SAID LINE; THENCE NORTH68°00'49"WEST 156.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.589 ACRES.