

When Recorded Return to:

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

Tax Parcel No.: 01-047-0367

**SECOND 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"). THE DECLARATION WAS PREVIOUSLY AMENDED BY A FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON MARCH 9, 2015, AS ENTRY NO. 2852727, BOOK NO. 6219, PAGE NOS. 68-71 (THE "FIRST AMENDMENT").

THIS SECOND 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 the First Amendment; and

WHEREAS, the Declarant has added Common Areas to the Project, and wishes to correct a provision which does not reflect that change; and

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 5.5 of Article V of the Declaration shall be deleted in its entirety and replaced with the following:

5.5 **Liability Insurance**. The Association shall obtain liability insurance for the Project to cover common areas and other liability concerns, as determined by the Association.

2. 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.

3. 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.

(Signature Page to Follow)

IN WITNESS WHEREOF, this Amendment is executed by the undersigned to be effective on this 12th day of November, 2015.

DECLARANT:

BRYCEWOOD DEVELOPMENT, LLC
a Utah limited liability company

By: [Signature]
Bryce D. Johnson, Manager

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

On this 12th day of November, 2015, before me, the undersigned notary public, personally appeared Bryce D. Johnson, 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.



[Signature]
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 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.