REC FOR: OUT OF THE BOX

WHEN RECORDED RETURN TO:

M. Darin Hammond SMITH KNOWLES, P.C. 2225 Washington Blvd., Suite 200 Ogden, Utah 84401 Telephone: (801) 476-0303 Fax: (801) 476-0399

12-277-0001-0005 B

BT ds

MENDMENT TO DECLARATION OF COVENANTS. AND RESTRICTIONS OF VILLAGE AT PLUM CREEK.

The purpose of this instrument is to record certain limited amendments to the Covenants, Conditions, and Restrictions of Village at Phun Creek which was originally recorded with the Weber County Recorder's Office on September 5, 2015 as Entry Number 2129163 (hereinafter "the Declaration"). This instrument affects the real property identified in Exhibit "A" and Exhibit "B" hereto and is executed by officers of the Plum Creek Homeowners Association and the owners of the undeveloped land referenced herein.

I. ANNEXATION OF ADDITIONAL REAL PROPERTY.

Pursuant to Article 2 of the Declaration, the undeveloped land contemplated by the Declaration is hereby officially adopted as a part of the homeowners association and is subject to the covenants of the Phum Creek Homeowners Association. The proposed expansion of this planned residential unit development is hereby approved by the Plum Creek Homeowners Association to be divided into 36 additional lots. The land identified in Exhibit "B" hereto is hereby incorporated into the Plum Creek Homeowners Association.

II. COVENANTS TO RUN WITH THE LAND.

Article 13.7 of the Declaration is hereby replaced and amended to read as follows:

The covenants and restrictions of this Declaration shall run with the land unless amended or terminated as per the amendment provisions of the Declaration.

Ш. HOMEOWNER'S DUES TO BEGIN UPON SALE OF UNITS.

Article 5.12 of the Declaration is hereby added to the Declaration as follows:

No property owner shall be required to make any payment of any homeowners assessments from the Plum Creek Homeowners Association until a final occupancy permit is issued by Ogden City for that respective lot/unit and said lot/unit is sold to a buyer. Otherwise, the owner(s) of the individual lots and/or undeveloped land shall not be required to make payment of any assessments.

Plum Creek Homeowners Association. The undersigned two signers of this instrument certify that they are each duly appointed officers of the Plum Creek Homeowners Association, that this document has been approved by a 2/3 vote of the existing owners of lots in the Plum Creek Homeowners Association and that the written consent for this amendment document has been provided by Ogden City.

DATED this Of day of May, 2019: 45

PLUM CREEK HOMEOWNERS ASSOCIATION

By: President
Its: Officer

STATE OF UTAH

COUNTY OF WEBER)

On this day of May, 2019, personally appeared before me and duly acknowledged to me that (s)he is an Officer of Plum Creek Homeowners Association and that (s)he is the signer of the foregoing Declaration on behalf of Plum Creek Homeowners Association, who duly acknowledged to me that (s)he executed the same.

NOTARY PUBLIC

LEIGH ANN BEAL Notary Public, State of Utah Commission #704125 My Commission Expires On January 18, 2023 DATED this OH day of May, 2019.

PLUM CREEK HOMEOWNERS ASSOCIATION

Ma	UL ANN	Anto	
By: Its: Officer	N.P.		

STATE OF UTAH)	
	: 8	
COUNTY OF WEBER)	

On this day of May, 2019, personally appeared before me May Avin Oriological, and duly acknowledged to me that (s)he is an Officer of Plum Creek Homeowners Association and that (s)he is the signer of the foregoing Declaration on behalf of Plum Creek Homeowners Association, who duly acknowledged to me that (s)he

executed the same.

LEIGH ANN BEAL
Notery Public, State of Utah
Commission # 704125
My Commission Expires On
January 18, 2023

Owners of Undeveloped Land. The undersigned additional signers of this document hereby execute the same and agree to the terms of the Declaration and of this instrument as owners of the land referenced in Exhibit "B" hereto.

DATED this	day of May , 20	000 000 000 000 000 000 000 000 000 00			
	·	OUT OF TI By: Its: Manager	HE BOX INV	ESTING, LI	L C
STATE OF UTAH COUNTY OF WEBER) : ss)	m 2020	Ro		
On this On this On this On this On the Box Investing behalf of Out of the Box Investment.	, LLC and tha	day, 2019, duly acknow t (s)he is the	personally ledged to me signer of the	foregoing De	eclaration on
JULIA STOCKMASTER Motary Public - State of Comm. No. 706408 My Commission Expires Jul 5, 2023	Jeah	NOTARY PI	1871CLV UBLIC	vaster	

DATED this 25 day of May, 2019.

GRULZ MANAGEMENT, P.C.

Its: Manager

STATE OF UTAH

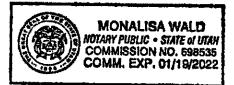
) : ss)

COUNTY OF WEBER

7eb 2020

On this 25 day of May 2019, personally appeared before me and duly acknowledged to me that (s)he is the Manager of Grulz Management, P.C. and that (s)he is the signer of the foregoing Declaration on behalf of Grulz Management, P.C., who duly acknowledged to me that (s)he executed the same.

NOTARY PUBLIC



DATED this 28 day of May, 2019. Phil B. Douglass
STATE OF UTAH)
: ss
COUNTY OF WEBER)
On this 28 day of May, 2019, the undersigned Notary Public in and for said State, personally appeared, Phil B. Douglass, and acknowledged to me that he executed the same.
ALLA STDCKMASTER Notary Public - State of Utah Commission, No. 706-408 My Commission and Jul 5, 2023 NOTARY PUBLIC
DATED this 28 day of May, 2019.
Tracy G. Douglass
STATE OF UTAH)
: ss COUNTY OF WEBER)
On this 28 day of May, 2019, the undersigned Notary Public in and for said State, personally appeared, Tracy G. Douglass, and acknowledged to me that he executed the same. Just Traci G. Douglass
HOTARY PUBLIC ANY COMMISSION EXPIRES ON NOTARY PUBLIC NOTARY PUBLIC

EXHIBIT "A"

Parcel Number: 12-212-0001 Parcel Number: 12-212-0002 Parcel Number: 12-212-0003 Parcel Number: 12-212-0004 Parcel Number: 12-212-0005 Parcel Number: 12-212-0006 Parcel Number: 12-212-0007 Parcel Number: 12-212-0008 Parcel Number: 12-212-0009

 Parcel Number:
 12-211-0001

 Parcel Number:
 12-211-0002

 Parcel Number:
 12-211-0003

EXHIBIT "B"

UNDEVELOPED LAND

A part of the Southwest Quarter of Section 16, Township 6 North, Range 1 West, Salt Lake Base and Meridian, Ogden City, Weber County, and more particularly described as follows:

Beginning at a point 1167.94 feet N00°52'04"E, 657.34 feet N89°09'45"W, from the South Quarter corner of said section 16 and running; Thence N89°09'45"W 231.10 feet; Thence N00°58'00"E 207.42 feet; thence N44°35'40"W 275.18 feet; thence N41°11'40"W 175.49 feet; Thence N38°15'41"W 183.65 feet; Thence S89°30'00"E 121.95 feet; Thence the following seven (7) courses along the West boundary line of Quail Run Subdivision; (1) Thence S10°52'16E" 15.97 feet; (2) Thence S55°45'00"E 103.90 feet; (3) Thence S57°28'00"E 103.85 feet; (4) Thence S40°°07''00"E 16.30 feet; (5) Thence N80°43'50"E 188.15 feet; (6) Thence S21°23'15"E 239.61 feet; (7) Thence N89°45'00"E 129.13 feet; Thence the following two (2) courses along the West boundary line of Shady Brook Subdivision Phase #1; (1) Thence S00°48'00"W 66.00 feet; (2) Thence S18°00'00"E 66.93 feet; Thence the following four (4) courses along the boundary line of the Village of Plum Creek Phase #2; (1) Thence S50°23'07"W 99.72 feet; (2) Thence S83°18'16"W 34.56 feet; (3) Thence S47°17'39"W 88.73 feet; Thence S46°47'29"E 131.11 feet to the point of beginning.