

WHEN RECORDED, RETURN TO:
Farmington Brownstones, LLC
801 North 500 West, Suite 103
Bountiful, UT 84010
(801) 617-2100

E 3240188 B 7485 P 2016-2018
RICHARD T. MURPHY
DAVIS COUNTY, UTAH RECORDER
04/06/2020 01:59 PM
FEE \$54.00 Pgs: 3
DEP RTT REC'D FOR SHERRY FENN

Parcels: 07-337-0001 thru 0017

SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FARMINGTON BROWNSTONES P.U.D.

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Farmington Brownstones P.U.D. is executed this 6th day of April, 2020, by Farmington Brownstones, LLC, a Utah limited liability company, as "Developer," with regard to the real property located in the City of Farmington, County of Davis, State of Utah, described more particularly on Exhibit "A" attached hereto and incorporated herein by this reference.

RECITALS

WHEREAS, Developer executed the Declaration of Covenants, Conditions and Restrictions for Farmington Brownstones which was executed by Developer on February 2, 2019, and recorded in the records of Davis County, Utah, as Entry 3145617, in Book 7209, at Pages 342-365 on February 28, 2019, and that First Amendment to Declaration of Covenants, Conditions and Restrictions for Farmington Brownstones P.U.D., executed on December 11, 2019, recorded in the records of Davis County, Utah, as Entry 3210368, in Book 406, at Pages 1059-1062 (together, the "Farmington Brownstones CCRs"):

WHEREAS pursuant to Section 33 of the Farmington Brownstones CCRs, Developer now wishes to amend certain provision of the Farmington Brownstones CCRs in the manner set forth herein:

NOW, THEREFORE, by virtue of the provisions of Section 33 of the Farmington Brownstones CCRs, the undersigned Developer does hereby amend the Farmington Brownstones CCRs as follows:

A. SECTION 17 – OWNER-OCCUPIED. The first paragraph of Section 17 of the Farmington Brownstones CCRs shall be deleted in its entirety and replaced with the following:

In order to maintain the value of the purchased property and subdivision, a minimum of sixty percent (60%) of the Dwelling Units must be owner-occupied for a period of at least one (1) year after closing. The term "owner-occupied" shall mean a Dwelling Unit occupied by one of the following: (a) the vested owner (as shown on the records of the Davis County Recorder); (b) the vested owner and/or his spouse, children or siblings; or (c) the shareholder, partner, member, trustor, beneficiary or other legal representative of an institutional owner (provided such person holds a beneficial interest in such legal entity of at least 50.0%) and/or his spouse, children or parents. After such initial one-year period, rental or leasing of all Dwelling Units shall comply with the provisions set forth in the HOA Bylaws, and subject to the exceptions noted therein.

B. ALL OTHER TERMS UNCHANGED. The Farmington Brownstones CCRs, as amended hereby, are hereby ratified and shall be in full force and effect. The Farmington Brownstones CCRs are hereby amended to the extent necessary to conform to the terms of this Second Amendment, and the undersigned confirms that all terms, provisions, and conditions of the Farmington Brownstones CCRs which are not specifically modified by this Second Amendment shall remain in full force and effect as of the date first above written.


DEVELOPER:
FARMINGTON BROWNSTONES, LLC
a Utah limited liability company
By its Manager
Cottle Capital Group, LLC

By: 
Alan Cottle, Manager

ACKNOWLEDGMENT

State of Utah)
 : ss.
County of Davis)

The foregoing instrument was acknowledged before me this 6th day of April, 2020, by Alan Cottle, the Manager of Cottle Capital Group, LLC, the Manager of FARMINGTON BROWNSTONES, LLC, a Utah limited liability company, and said Alan Cottle duly acknowledged to me that said FARMINGTON BROWNSTONES, LLC executed the same.


NOTARY PUBLIC
Residing at:
My Commission Expires:

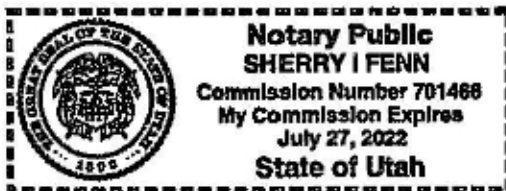


EXHIBIT "A"

PROPERTY DESCRIPTION

A portion of Block 1, Plat "A", Farmington Townsite Survey, Farmington Utah, more particularly described as follows:

Beginning at a point located 2 rods East and 80.25 feet South of the Northeast Corner of Lot 6, Block 1, Plat "A", Farmington Townsite Survey, said point also located N89°34'15"W along the Monument Line of State Street 33.00 feet and South 129.75 feet from the Monument found at the intersection of State Street and 200 East Street*; thence South 250.00 feet to the North line of that Real Property described in Deed Book 4318 Page 467 of the Official Records of Davis County; thence N89°34'15"W along said deed 198.00 feet; thence N89°26'00"W 20.33 feet to the Easterly line of State Road 106; thence N39°16'00"W along said road 33.00 feet to the Southwesterly corner of that Real Property described in Deed Book 1671 Page 249 of the Official Records of Davis County; thence N80°01'30"E along said deed 41.85 feet; thence North along said deed and extension thereof 122.00 feet to the Southwesterly corner of that Real Property described in Deed Book 2697 Page 974 of the Official Records of Davis County; thence S89°34'15"E along said deed 79.00 feet; thence North along said deed 95.00 feet; thence S89°34'15" E along said deed and along the South line of that Real Property described in Deed Book 1563 Page 373 of the Official Records of Davis County 119.00 feet to the point of beginning.

Containing: 0.99 Acres

*said point is also located S82°57'10"W 238.49 feet from the center corner of Section 19, T3N, R1E, SLB&M;

Davis County, Utah Parcel Numbers: 07-337-0001 thru 0017.