



W3254992

WHEN RECORDED RETURN TO:

Snell & Wilmer L.L.P.
Attn: Leeza Evensen
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101

E# 3254992 PG 1 OF 7
LEANN H KILTS, WEBER CTY. RECORDER
14-SEP-22 447 PM FEE \$40.00 TN
REC FOR: SNELL & WLMER

Tax Parcel Nos.: 22-016-0111, 22-016-0077, and
22-403-0001 through 22-403-0050

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
THE POINTE AT WOLF CREEK**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR THE
POINTE AT WOLF CREEK (this “**Amendment**”) is made as of August 30, 2022 by RS21
THE POINT LLC, a Utah limited liability company (the “**Declarant**”).

RECITALS

A. This Amendment amends that certain Declaration of Condominium for The
Pointe at Wolf Creek, recorded on April 13, 2022, as Entry Number 3229799, in the official
records of the Weber County Recorder’s Office (the “**Declaration**”). Any capitalized terms not
defined herein shall have the meanings assigned to them by the Declaration.

B. The Declaration has reference to that certain real property described on **Exhibit A**
attached hereto (the “**Property**”).

C. Declarant owns certain real property located adjacent to the Property, as generally
depicted and described on **Exhibit B** attached hereto (the “**Easement Property**”).

D. Pursuant to Section 25.2 of the Declaration, prior to the expiration of the
Declarant Control Period, Declarant may unilaterally amend the Declaration for any purpose so
long as such Amendment does not materially adversely affect title to any property.

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

1. **Access Easement.** Declarant hereby conveys, declares and grants a perpetual,
non-exclusive, and continuous easement and right-of-way over the Easement Property, for the
benefit of each Unit Owner and their respective Occupants and appurtenant to the Property and
each Unit, for the purpose of providing vehicular and pedestrian ingress and egress to and from
Wolf Creek Drive and the Property.

2. **Access and Maintenance Easement.** Declarant hereby conveys, declares and
grants a perpetual, non-exclusive, and continuous easement and right-of-way over the Easement
Property, for the benefit of the Management Committee and the Association and their respective
agents and/or contractors, for the purposes of providing vehicular and pedestrian ingress and
egress to and from Wolf Creek Drive and the Property and performing the maintenance
obligations detailed in Section 3 of this Amendment.

3. **Maintenance; Insurance; Common Expenses.** The Management Committee, on behalf of the Association, shall maintain, repair, improve and replace the Easement Property (including, without limitation, snow removal). The Management Committee shall at all times, to the extent reasonably available, maintain in force insurance for the Easement Property meeting the requirements of Article 20 of the Declaration. Any costs incurred by the Management Committee to maintain and insure the Easement Property shall be part of the Common Expenses and shall be paid by each Unit Owner through Regular Common Assessments. The Easement Property shall be considered a Private Road under the Declaration.

4. **Runs with the Land.** The benefits, obligations, and easements hereunder shall be perpetual and shall be a servitude upon the Easement Property that runs with the land.

5. **Declaration Terms Apply; Amendment Controls.** Except as specifically provided in this Amendment, the terms and conditions of the Declaration shall remain in full force and effect. If any provision of the Declaration is in conflict with any provisions of this Amendment, the terms of this Amendment shall control.

6. **Effective Date.** This Amendment shall be effective immediately upon recordation in the official records of the Weber County Recorder's Office.

IN WITNESS WHEREOF, this Amendment has been executed as of the day and year first above written.

DECLARANT:

RS21 THE POINT LLC, a Utah limited liability company

by *Reet Private Equity, LLC aka Callwater Equity Partners, LLC*

By: _____

Name: *Justin Bellbrean*

Its: *Manager*

Equity Partners, LLC its Manager

STATE OF UTAH)
)
) : ss.
COUNTY OF *Salt Lake*)

The foregoing instrument was acknowledged before me this 30 day of August, 2022, by Justin, the _____ of RS21 THE POINT LLC, a Utah limited liability company. *as Manager of Reet Private Equity, LLC its Manager.*

Lisha Barber

NOTARY PUBLIC

Residing at Salt Lake County

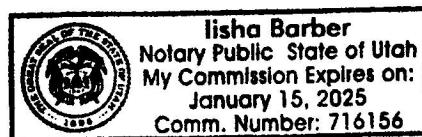


EXHIBIT A
Legal Description of the Property

That certain real property located in Weber County, Utah and more particularly described as follows:

A part of the Southwest quarter of Section 22, Township 7 North, Range 1 East of the Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point being located North 89°14'39" West 720.14 feet along the North line of the Southwest quarter of said section and South 00°00'00" East 169.10 feet from the Center quarter corner of said section; running thence along the boundary of Worldmark, The Club at Wolf Creek Village Phase 2 and its extension the following six (6) courses: (1) South 31°09'07" West 100.51 feet; (2) South 80°15'11" West 11.10 feet; (3) South 37°07'38" West 35.42 feet; (4) South 34°21'09" East 40.68 feet; (5) South 41°59'09" East 181.60 feet; (6) South 35°35'51" East 125.67 feet; thence along the arc of a curve to the left 41.28 feet, having a radius of 290.50 feet, a central angle of 08°08'31", and which chord bears South 46°09'26" West 41.25 feet; thence North 35°35'46" West 126.31 feet; thence North 41°36'00" West 80.66 feet; thence South 47°52'44" West 164.12 feet; thence North 30°39'12" West 187.57 feet; thence North 36°28'57" West 292.66 feet; thence North 33°05'24" West 54.54 feet; thence North 31°31'49" East 59.27 feet; thence North 86°10'25" East 27.12 feet; thence South 83°45'54" East 269.07 feet; thence South 49°10'16" East 157.48 feet to the point of beginning.

EXHIBIT B
Legal Description and General Depiction of the Easement Property

That certain real property located in Weber County, Utah and more particularly described as follows:

PARCEL 1:

Part of the South 1/2 of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian, US Survey: Beginning 352.79 Feet South 0°00'33" West along the Quarter Section line and North 75°36'42" West 745.27 Feet from the Center of said Section 22; running thence South 30°52'12" West 95.32 Feet; thence South 79°58'16" West 11.10 Feet; thence South 36°50'43" West 35.42 Feet; thence South 34°38'04" East 40.68 Feet; thence South 42°16'04" East 181.60 Feet; thence South 35°52'46" East 125.67 Feet; thence Northeastly along the arc of a 290.50 foot radius curve to the right a distance of 84.96 Feet (long chord bears North 57°42'21" East 84.66 Feet); thence South 43°30'00" East 48.45 Feet more or less; thence southwestly along the arc of a 245.50 foot radius curve to the left a distance of 133.55 Feet (central angle equals 31°10'02" and long chord bears South 54°17'03" West 131.90 Feet); thence North 35°52'46" West 173.54 Feet; thence North 41°53'00" West 80.66 Feet; thence South 47°35'44" West 164.12 Feet; thence North 30°46'12" West 187.57 Feet (Record North 30°56'12" West); thence North 36°45'57" West 292.66 Feet; thence North 42°09'04" East 51.82 Feet; thence North 71°55'50" East 39.43 Feet; thence South 75°36'42" East 351.54 Feet to the point of beginning.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of THE POINTE AT WOLF CREEK, according to the official plat thereof recorded January 5, 2022 as Entry Number 3208463 in Book 92 at Page 12 in the office of the Weber County Recorder.

PARCEL 2:

Part of the Southwest Quarter of Section 22, Township 7 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey. Beginning at a point on the Westerly line of Wolf Creek Drive (66 foot right of way) being 1072.00 feet South 0°00'33" West along the Quarter Section line and 115.75 feet North 89°59'27" West from the center of said Section 22; and running thence Southwesterly along the arc of a 2603.00 foot radius curve to the right a distance of 51.07 feet (central angle equals 1°07'27" and long chord bears South 37°17'05" West 51.07 feet) along said Westerly line; thence North 55°39'59" West 141.11 feet to a point of curvature; thence Westerly along the arc of a 50.00 foot radius curve to the left a distance of 42.77 feet (central angle equals 49°00'51" and long chord bears North 80°10'24" West 41.48 feet) to a point of tangency; thence South 75°19'10" West 109.16 feet; thence Westerly along the arc of a 110.50 foot radius curve to the right a distance of 47.13 feet (central angle equals 24°26'15" and long chord bears North 89°55'34" West 46.77 feet) to a point of compound curve; thence Westerly and Northwesterly along the arc of a 290.50 foot radius curve to the right a distance of 602.55 feet (central angle equals 118°50'33" and long chord bears North 18°17'11" West 500.20 feet); thence South 35°52'46" East 46.41 feet; thence Southwesterly, Southerly and Southeasterly along the arc of a 245.50 foot radius curve to the left a distance of 498.78 feet (central angle equals 116°24'29" and long chord bears South 19°30'13" East 417.32 feet) to a point of compound curve; thence along the arc of a 65.50 foot radius curve to the left a distance of 25.04 feet (central angle equals 21°54'20" and long chord bears South 88°39'37" East 24.89 feet) to a point of tangency; thence North 80°23'13" East 117.78 feet to a point of curvature; thence Southeasterly along the arc of a 142.62 foot radius curve to the right a distance of 109.39 feet (central angle equals 43°56'48" and long chord bears South 77°38'23" East 106.73 feet) to a point of tangency; thence South 55°39'59" East 103.97 feet to the point of beginning.

EXCEPTING THEREFROM the following:

That portion of the Southwest Quarter of Section 22, Township 7 North, Range 1 East, Salt Lake Base & Meridian, located in the County of Weber, State of Utah, described as follows: A circular parcel of land having a radius of 100.00 feet and a center point located South 89°07'33" East 2206.91 feet along the Southerly line of said Section 22 and North 00°00'00" East 1596.75 feet from the Southwest corner of said Section 22.

