

When Recorded Return To:

D.R. Horton, Inc.
12351 South Gateway Park Place, Suite D-100
Draper, Utah 84020
Attention: Krisel Travis

E 3260396 B 7533 P 999-1002
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
06/12/2020 11:18 AM
FEE \$40.00 Pgs: 4
DEP RT REC'D FOR LAYTON CITY

**FOURTH AMENDMENT AND SUPPLEMENTAL DECLARATION
TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR MECHAM MEADOWS**

09-446-0151, 0152, 0153

THIS FOURTH AMENDMENT AND SUPPLEMENTAL DECLARATION TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MECHAM MEADOWS (this "**Fourth Supplemental Declaration**") is made as of May 29, 2020, by D.R. HORTON, INC., a Delaware corporation ("**Declarant**"), with reference to the following:

A. On December 20, 2018, Declarant caused to be recorded as Entry No. 3134903 in Book 7164, beginning at Page 326 in the official records of the Office of the Recorder of Davis County, Utah (the "**Official Records**"), that certain Declaration of Covenants, Conditions and Restrictions for Mecham Meadows (the "**Original Declaration**") pertaining to a residential subdivision known as Mecham Meadows.

B. On November 21, 2019, Declarant caused to be recorded as Entry No. 3205318 in Book 7394, beginning at Page 161 in the Official Records that certain First Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Mecham Meadows (the "**First Supplemental Declaration**").

C. On December 13, 2019, Declarant caused to be recorded as Entry No. 3210929 in Book 7408, beginning at Page 94 in the Official Records that certain Second Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Mecham Meadows (the "**Second Supplemental Declaration**").

D. On May 14, 2020, Declarant caused to be recorded as Entry No. 3252176 in Book 7515, beginning at Page 763 in the Official Records that certain Third Amendment and Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for Mecham Meadows (the "**Third Supplemental Declaration**").

E. Article 11 of the Original Declaration provides that Declarant shall have the absolute right and option, from time to time at any time, to subject some or all of the Additional Land described in the Original Declaration to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, which shall be effective upon recording a supplemental declaration in the Official Records.

F. Pursuant to Article 11 of the Original Declaration, Declarant desires to subject that portion of the Additional Land described on Exhibit A, which is attached hereto and incorporated herein by this reference (the "**Subject Property**"), to the Original Declaration, as previously

supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration and by the third Supplemental Declaration.

G. Declarant is executing and recording this Fourth Supplemental Declaration for the purpose of subjecting the Subject Property to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration and by the Third Supplemental Declaration.

NOW, THEREFORE, for the reasons recited above, Declarant hereby declares as follows:

1. Defined Terms. All defined terms as used in this Fourth Supplemental Declaration shall have the same meanings as those set forth in the Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration and by the Third Supplemental Declaration, unless otherwise defined in this Fourth Supplemental Declaration.

2. Subject Property Subjected to the Original Declaration As Amended. The Subject Property is hereby subjected to the Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration, and by the Third Supplemental Declaration, and as amended and supplemented by this Fourth Supplemental Declaration, and the Subject Property shall be held, transferred, sold, conveyed, occupied, improved and developed subject to the covenants, restrictions, easements, charges and liens set forth in the Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration and by the Third Supplemental Declaration, and as amended and supplemented by this Fourth Supplemental Declaration, which provisions are hereby ratified, approved, confirmed and incorporated herein by this reference, with the same force and effect as if fully set forth herein and made again as of the date hereof, and which provisions shall run with the Subject Property and shall be binding upon all Persons having any right, title, or interest in the Subject Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof, and such provisions. The Subject Property shall hereafter be deemed to be a part of the Property, as such term is defined in Section 2.42 of the Original Declaration.

3. Declaration Redefined. The Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration, and by the Third Supplemental Declaration, and as amended and supplemented by this Fourth Supplemental Declaration, shall collectively be referred to as the "**Declaration.**" Except as amended by the provisions of this Fourth Supplemental Declaration, the Original Declaration, as previously supplemented and amended by the First Supplemental Declaration, by the Second Supplemental Declaration, and by the Third Supplemental Declaration, shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Fourth Supplemental Declaration to be executed by a person duly authorized to execute the same on the date first above written.

D.R. HORTON, INC.,
a Delaware corporation

By: [Signature]
Name: Jonathan S. Thornley
Title: Division CFO

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

The foregoing instrument was acknowledged to me this 29 day of May, 2020, by Jonathan S. Thornley, in such persons' capacity as the Division CFO of D.R. Horton, Inc., a Delaware corporation.



[Signature]
NOTARY PUBLIC

**EXHIBIT A
TO
FOURTH AMENDMENT AND SUPPLEMENTAL DECLARATION
TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR MECHAM MEADOWS**

Legal Description of the Subject Property

The Subject Property consists of that certain real property located in Davis County, Utah more particularly described as follows:

PHASE 4 BOUNDARY DESCRIPTION

A portion of the NW1/4 of Section 10, Township 4 North, Range 1 West, Salt Lake Base & Meridian, located in Layton, Utah, more particularly described as follows:

Beginning at the Southeast Corner of Lot 150, MECHAM MEADOWS PHASE 1, according to the Official Plat thereof recorded in the Davis County Recorder's Office, located N0°07'20"E along the Section line 368.61 feet and East 429.29 feet from the West 1/4 Corner of Section 10, T4N, R1W, S.L.B. & M.; thence N20°52'30"E along the Easterly line of said lot 89.18 feet to the Southerly line of Bigelow Avenue; thence along said street the following 3 (three) courses: 1) Easterly along the arc of a non-tangent curve to the left having a radius of 50.00 feet (radius bears: N09°52'09"E) a distance of 12.87 feet through a central angle of 14°44'40" Chord: S87°30'11"E 12.83 feet to a point of reverse curvature; 2) along the arc of a curve to the right having a radius of 15.00 feet a distance of 6.77 feet through a central angle of 25°50'31" Chord: S81°57'15"E 6.71 feet; 3) S69°02'02"E 81.28 feet to the Northwest Corner of Parcel C of said MECHAM MEADOWS PHASE 1; thence along said parcel the following 3 (three) courses: 1) S20°52'30"W 94.97 feet; 2) N68°54'16"W 30.16 feet; 3) S1°22'00"W 42.32 feet to the Easterly extension of a line described in a Boundary Line Agreement recorded as Entry No. 3008937 of the Official Records of Davis County; thence along said extension and line thereof the following 2 (two) courses: 1) West 50.44 feet; 2) N76°11'00"W 251.85 feet to the Southerly line of said Parcel C; thence along said parcel the following 2 (two) courses: 1) East 249.77 feet; thence N68°54'16"W 20.28 feet to the point of beginning.

Contains: 19,451 square feet+/-