

**WHEN RECORDED, RETURN TO:**  
Christopher Homes  
Attention:  
136 Heber Avenue, Suite 204  
Park City, UT 84060

Ent 331520 Bk 0959 Pg 0891-0897  
ELIZABETH M PALMIER, Recorder  
WASATCH COUNTY CORPORATION  
2008 FEB 01 2:52pm Fee 69.00 JP  
FOR COALITION TITLE AGENCY, INC.  
ELECTRONICALLY RECORDED

**FIRST AMENDMENT  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
AND RESERVATION OF EASEMENTS  
FOR CHRISTOPHER COMMUNITIES AT TUHAYE  
(A UTAH EXPANDABLE RESIDENTIAL PLANNED COMMUNITY)**

This First Amendment To The Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Christopher Communities At Tuhaye (A Utah Expandable Residential Planned Community), hereinafter referred to as the "First Amendment", is made and executed this 18<sup>th</sup> day of January, 2008, by FRIENDS OF TUHAYE, LLC, a Delaware limited liability company, hereinafter referred to as the "Declarant". Any capitalized terms used but not defined herein shall have the meanings attributed to them in the Declaration Of Covenants, Conditions, And Restrictions And Reservation Of Easements For Christopher Communities At Tuhaye (A Utah Expandable Residential Planned Community), recorded in the official records of Wasatch County on August 8, 2005, as Entry No. 286794, Book No. 774, Pages 642-733 (as the same may have been or may hereafter be supplemented, amended and/or restated, the "Declaration").

**RECITALS**

A. Owners. Pursuant to Section 18.5 of the Declaration, the Declarant owns a portion of real property within Tuhaye, a Planned Community, described in Exhibit A of the Declaration.

B. Intent and Purpose. Declarant intends by recording this First Amendment to modify various use provisions of the Declaration.

NOW THEREFORE, the foregoing recitals are incorporated herein by reference and Declarant does hereby declare as follows:

1. Leasing of Residence. The last sentence of Section 10.1 of the Declaration shall be deleted and the following sentence added: "This provision shall not preclude any Owner from renting or leasing his entire Residence by means of a written lease or rental agreement subject to this Declaration, any Rules and Regulations and any applicable laws: provided that any such lease shall be for a term of at least thirty (30) consecutive days at a time."





Ent 286794 Bk 0774 Pg 0732

**EXHIBIT "A"**  
**ORIGINAL PROPERTY**

**Tuhaye - Pod X, Phase X1**

Beginning at a point which lies S89°56'26"E 1997.51 feet along the section line from the Northwest Corner of Section 27, T.2S., R.5E., S.L.B.&M. and running thence N00°55'28"E 172.46 feet to a point on the South right-of-way line of Tuhaye Park Drive; thence along said right-of-way the following (four) courses, (1) Easterly 10.03 feet along the arc of a 736.00 foot radius curve to the left, chord bears N83°57'39"E 10.03 feet; (2) N80°08'11"E 100.18 feet; (3) N83°34'13"E 456.69 feet; (4) Easterly 12.79 feet along the arc of a 1030.00 foot radius curve to the left, chord bears N83°12'52"E 12.79 feet; thence Southerly 12.88 feet along the arc of a 17.50 foot radius curve to the left, chord bears S12°29'52"W 12.59 feet; thence Southeasterly 141.47 feet along the arc of a 140.00 foot radius curve to the left, chord bears S37°31'43"E 135.53 feet; thence S23°31'21"W 50.00 feet; thence S19°52'06"W 101.04 feet; thence S17°11'49"E 93.71 feet to a point on the boundary of Parcel 2 of the Tuhaye Phase 1 Subdivision, recorded with Wasatch County, Entry No. 275649; thence along said subdivision the following (two) courses, (1) N76°58'56"W 182.01 feet; (2) S89°05'51"W 455.12 feet; thence N00°55'28"E 73.03 feet to the point of beginning.

Containing 4.03 acres.

**Tuhaye - Pod X, Phase X2**

Beginning at a point on the eastern boundary of the proposed Christopher Communities at Tuhaye, Phase X1 Subdivision, same said point lies S89°56'26"E 2607.06 feet along the section line from the Northwest Corner of Section 27, T.2S., R.5E., S.L.B.&M. and running thence along said subdivision the following (four) courses, (1) N19°52'06"E 83.28 feet; (2) N23°31'21"E 50.00 feet; (3) Northwesterly 141.47 feet along the arc of a 140.00 foot radius curve to the right, chord bears N37°31'43"W 135.53 feet (4) Northerly 12.88 feet along the arc of a 17.50 foot radius curve to the right, chord bears N12°29'52"E 12.59 feet to a point on the South right-of-way line of Tuhaye Park Drive; thence along said right-of-way the following (three) courses, (1) Easterly 142.39 feet along the arc of a 1030.00 foot radius curve to the left, chord bears N78°53'54"E 142.28 feet; (2) N74°56'17"E 265.08 feet; (3) Easterly 1252.80 feet along the arc of a 1470.00 foot radius curve to the right, chord bears S80°38'50"E 1215.23 feet to a point on the boundary of Parcel 2 of the Tuhaye Phase 1 Subdivision, recorded with Wasatch County, Entry No. 275649; thence along said subdivision the following (two) courses; (1) S74°20'53"W 1229.27 feet; (2) N76°58'56"W 367.16 feet to the Southeast corner of the proposed Christopher Communities at Tuhaye, Phase X1 Subdivision; thence along said subdivision the following (two) courses, (1) N17°11'49"W 93.71 feet, (2) N19°52'06"E 17.76 feet to the point of beginning.

Containing 13.40 acres.

**Tax Serial Nos.: OTC-X101, OTC-X102, OTC-X103  
OTC-X10A, OTC-X10B, OTC-X204  
OTC-X205, OTC-X206, OTC-X207,  
OTC-X208, OTC-X209, OTC-X210,  
OTC-X211, OTC-X212, OTC-X213,  
OTC-X214, OTC-X215, OTC-X216,  
OTC-X217, OTC-X218, OTC-X219  
OTC-X220**

## EXHIBIT "A"

## LEGAL DESCRIPTION OF POD B ADDITIONAL LAND

Beginning at a point on the boundary of Parcel 2 of the Tuhaye Phase 1 Subdivision, recorded with Wasatch County, Entry No. 275649, same said point lies S00°28'42"W 206.95 feet along the section line to the Northeast Corner of Section 28, T.2S., R.5E., S.L.B.&M. and S00°06'40"W 417.03 feet along the section line and East 2844.85 feet from the Northwest Corner of Section 27, T.2S., R.5E., S.L.B.&M. and running thence along Parcel 2 the following (four) courses: (1) thence N42°45'27"E 149.99 feet; (2) thence N53°11'44"E 400.70 feet; (3) thence N83°56'10"E 862.39 feet; (4) thence S51°09'02"E 399.21 feet to a point on the North right-of-way line of Tuhaye Park Drive; thence along said right-of-way the following (five) courses: (1) thence Westerly 79.87 feet along the arc of a 170.00 foot radius curve to the right, chord bears N86°58'20"W 79.14 feet; (2) thence N73°30'45"W 152.67 feet; (3) thence Westerly 262.00 feet along the arc of a 230.00 foot radius curve to the left, chord bears S73°51'12"W 248.07 feet; (4) thence S41°13'10"W 301.62 feet; (5) thence Southwesterly 79.47 feet along the arc of a 370.00 foot radius curve to the right, chord bears S47°22'22"W 79.32 feet; thence Northwesterly 17.94 feet along the arc of a 17.50 foot radius curve to the left, chord bears N23°43'43"W 17.16 feet; thence Northwesterly 48.10 feet along the arc of a 75.00 foot radius curve to the left, chord bears N71°28'04"W 47.28 feet; thence N89°50'26"W 64.04 feet; thence Westerly 115.62 feet along the arc of a 115.00 foot radius curve to the right, chord bears N61°02'18"W 110.81 feet; thence S49°33'43"W 184.94 feet; thence N78°38'12"W 97.35 feet; thence N60°30'15"W 155.26 feet; thence N81°08'26"W 260.03 feet; thence N69°35'40"W 31.28 feet to the point of beginning.

Containing 10.81 acres.

Tax Serial Nos. OTC-2001, OTC-2002, OTC-2003, OTC-2004, OTC-2005,  
OTC-2006, OTC-2007, OTC-2008, OTC-2009, OTC-2010, OTC-2011,  
OTC-2012, OTC-2013, OTC-2014, OTC-2015, OTC-2016, OTC-2017,  
OTC-2018, OTC-2019, OTC-2020, OTC-2021, OTC-2022, OTC-2023,  
OTC-2024 and OTC-20CA.