

AFTER RECORDING RETURN TO:

Greg Lundell
Porter Walton Townhomes P.U.D.
PO Box 540265
North Salt Lake, UT 84054

E 3403121 B 7808 P 3127-3131
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
07/26/2021 02:11 PM
FEE \$116.00 Pgs: 5
DEP RTT REC'D FOR PORTER WALTON TOWNHOMES INC

03-270-0101-0104	03-270-0520-0524	03-270-0938-0942
03-270-0205-0209	03-270-0625-0628	03-270-0047
03-270-0310-0314	03-270-0729-0732	03-270-1043-1046
03-270-0415-0419	03-270-0833-0837	COMMON AREA 03-270-1047

RETURNED
JUL 26 2021

(Space Above Line for Recorder's Use Only)

**FIRST CERTIFICATE OF AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND
RESERVATION OF EASEMENTS
FOR
PORTER WALTON TOWNHOMES P.U.D.
A PLANNED UNIT DEVELOPMENT**

This First Certificate of Amendment to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Porter Walton Townhomes P.U.D. (this "*Amendment*") is made as of this 7th day of May 2021, by the Board of Directors (the "*Board*") for Porter Walton Townhomes P.U.D, INC., a Utah non-profit corporation (the "*Association*"). Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Declaration (as defined below).

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions of Porter Walton Townhomes P.U.D was executed January 4, 2016, and was recorded in the official real estate records of Davis County on January 19, 2016, as Entry Number 2916379 in Book Number 6434 beginning at Page Number 784-815 (the "*Declaration*"), as amended to date; and

WHEREAS, the Board has obtained the requisite consent of the Association to amend the Declaration and the undersigned officer of the Association acknowledges and certifies below that such vote for amendment has occurred as required by the Declaration and Bylaws of the Association.

CERTIFICATION:

This Amendment was approved by a vote of at least 67% of the Association pursuant to the requirements of the Declaration and Bylaws of the Association and with the consent of the Board.

Certified by:

PORTER WALTON TOWNHOMES P.U.D, INC.
a Utah non-profit corporation

By: Gregory Lundell
Name: Gregory Lundell
Its: President

WHEREAS, the Board and the Association hereto desire to amend the Declaration as set forth herein.

NOW, THEREFORE, in consideration of the foregoing premises, and the provisions herein contained, the Declaration is hereby amended as follows:

1. **Addition of 20% Lease cap.** Section 9.13 Renting of Living Units of Article IX Use Restrictions of the Declaration is retained in its entirety with addition of the following:
"No more than twenty percent (20%) of the Living Units can be used as rentals within the community at a given time."
3. **Effect of Amendment.** Except as expressly modified by this Amendment, the Declaration shall remain unmodified and in full force and effect.
4. **Counterparts.** This Amendment may be executed via facsimile or other electronic transmission and in one or more counterparts, each of which shall be deemed an original, and all of which shall constitute one instrument.
5. **Effective Date.** This Amendment shall take effect upon its being filed for record in the office of the County Recorder of Davis County, Utah.

IN WITNESS WHEREOF, the Board for the Association has executed this Amendment the day and year first written above.

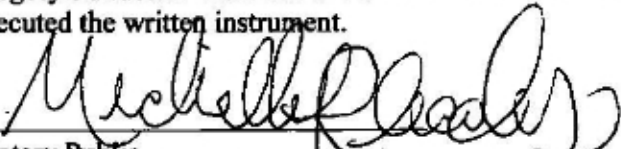
ASSOCIATION:

Porter Walton Townhomes, Inc.
a Utah non-profit corporation

By: Gregory Lundell
Gregory Lundell, President

STATE OF UTAH)
) ss
County of Davis)

On the 7 day of June, 2021, personally appeared before me Gregory Lundell who being by me duly sworn did say that he, Gregory Lundell is President of Porter Walton Townhomes P.U.D, Inc., a Utah non-profit corporation, that executed the written instrument.


Notary Public
Residing at: Centerville, UT
My Commission Expires: 08/20/2024



LEGAL DESCRIPTION – PORTER WALTON TOWNHOMES P.U.D.

BOUNDREY DESCRIPTION

BEGINNING AT A POINT 831.04 FEET N89°40'15"E ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID NORTHWEST CORNER BEING 111.17 FEET S89°56'06"E FROM A FOUND WITNESS CORNER TO SAID SECTION CORNER; AND RUNNING THENCE N00°03'06"E 80.00 FEET TO THE SOUTHWEST CORNER OF THE CENTERVILLE MARKETPLACE SUBDIVISION PHASE 2; THENCE N89°56'35"E ALONG THE SOUTHERLY BOUNDRY OF SAID PLAT 442.89 FEET; THENCE S00°19'45"E 440.81 FEET; THENCE S89°40'15"W 95.02 FEET; THENCE S00°19'44"E 204.95 FEET A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF PORTERS LANE; THENCE N89°54'03"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 352.17 FEET; THENCE N00°03'06"E 565.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 267921 SQUARE FEET OR 6.151 ACRES AND 47 LOTS

PIN'S FOR PORTER WALTON TOWNHOMES PUD

03-270-0101, 0102, 0103, 0104

03-270-0205, 0206, 0207, 0208, 0209

03-270-0310, 0311, 0312, 0314, 0313

03-270-0415, 0416, 0417, 0418, 0419

03-270-0520, 0521, 0522, 0523, 0524

03-270-0625, 0626, 0627, 0628

03-270-0729, 0730, 0731, 0732

03-270-0833, 0834, 0835, 0836, 0837

03-270-0938, 0939, 0940, 0941, 0942

03-270-0047

03-270-1043, 1044, 1045, 1046

COMON AREA: 03-270-1047