

13-322-0001

3421837

BK 7851 PG 4057

13-323-0201 through 13-323-0226

13-345-0301 through 13-345-0324

13-357-0501 through 13-357-0509

13-018-0087

#### FOURTH AMENDMENT

TO THE

#### DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR RIVERSIDE PLACE SUBDIVISION

A Master Community in Davis County, Utah

This FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVERSIDE PLACE SUBDIVISION ("Fourth Amendment") is effective when recorded with the Davis County Recorder's Office by Visionary Homes 2020, LLC ("Declarant").

#### RECITALS

- A. The Declaration of Covenants, Conditions, and Restrictions for Riverside Place Subdivision was recorded on July 18, 2018 as Entry No. 3105536 in the office of the Davis County Recorder ("Declaration").
- B. The First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Riverside Place Subdivision was recorded on December 13, 2019 as Entry No. 3211223 in the office of the Davis County Recorder.
- C. The Supplemental Declaration of Covenants, Conditions, and Restrictions of Riverside Place Subdivision, a Master Community, was recorded on October 20, 2020 as Entry No. 3299945 in the office of the Davis County Recorder.
- D. Another Supplemental Declaration of Covenants, Conditions, and Restrictions of Riverside Place Subdivision, a Master Community, was recorded on April 28, 2021 as Entry No. 3376414 in the office of the Davis County Recorder.
- E. This Fourth Amendment affects the real property situated in Davis County, Utah, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated in this Fourth Amendment by reference (the "Project") and shall be binding on all parties having or acquiring any right, title, or interest to the Project or any part thereof.
- F. Pursuant to Section 21.8 of the Declaration, the Declarant may unilaterally amend the Declaration during the Class B Control Period.
- G. The Project is still subject to the Class B Control Period.
- H. As such, the Declarant has the unilateral right to adopt this Fourth Amendment.
- I. Unless specifically modified herein, all remaining provisions of the Declaration shall remain in full force and effect.

E 3421837 B 7851 P 4057-4059

RICHARD T. MAUGHAN

DAVIS COUNTY, UTAH RECORDER

9/24/2021 3:31:00 PM

Fee \$150.00 Pgs: 3

DEP eCASH REC'D FOR MILLER HARRISON LLC

- J. In case of any conflict between the terms of this Fourth Amendment and the terms of the Declaration, the provisions of this Fourth Amendment shall control.
- K. Unless otherwise provided in this Fourth Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

**FOURTH AMENDMENT**

NOW, THEREFORE, the Declaration is amended as follows:

**1. Section 21.3(f) (under the Section entitled "Repurchase Option for Construction Defect Claims") is hereby added to the Declaration and shall read as follows:**

(f) Declarant's option to repurchase granted herein shall be subordinate to any rights of a lender in and to the Dwelling and Lot.

IN WITNESS WHEREOF, the Declarant has caused this Fourth Amendment to be executed.

DATED as of the 16 day of September, 2021.

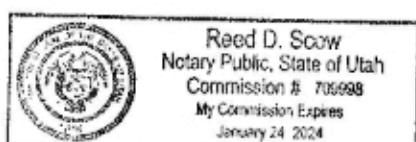
**VISIONARY HOMES 2020, LLC**  
A Utah Limited Liability Company

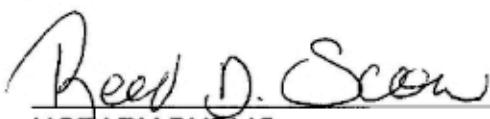
  
\_\_\_\_\_  
By: Alex Norr

Its: Authorized Representative

STATE OF UTAH )  
:ss  
COUNTY OF Washington)

The execution of the foregoing instrument was acknowledged before me this 16 day of September, 2021 by Alex Norr, an Authorized Representative of VISIONARY HOMES 2020, LLC to sign this document, and who is personally known to me or who has provided an acceptable and adequate identification.



  
\_\_\_\_\_  
NOTARY PUBLIC

## EXHIBIT A

### **Legal Description and Serial Numbers**

All of Lot 1-R, Riverside Place Phase 1 Subdivision. Cont. 0.17300 Acres.  
**Serial Number 13-322-0001**

All of Lot 201-R through Lot 226-R, Riverside Place Phase 2 Subdivision  
**Serial Numbers: 13-323-0201 through 13-323-0226**

All of Lot 301-R through Lot 328-R, Riverside Place Phase 3 Subdivision  
**Serial Numbers 13-345-0301 through 13-345-0328**

All of Lot 501-R through Lot 509-R, Riverside Place Phase 5 Subdivision  
**Serial Numbers 13-357-0501 through 13-357-0509**

PART OF THE NW 1/4 OF SEC 28-T5N-R1W, SLB&M, DESC AS FOLLOWS: BEG AT A PT, SD PT BEING S 00<sup>00</sup>'36"39" W 696.26 FT & S 89<sup>00</sup>'23"21" E 691.77 FT FR THE NW COR OF SD SEC 28; TH N 03<sup>00</sup>'55"30" E 276.18 FT TO THE S LINE OF PPTY CONV IN CORRECTIVE SPECIAL WARRANTY DEED RECORDED 04/19/2019 AS E# 3154733 BK 7245 PG 624; TH ALG SD LINE THE FOLLOWING THREE COURSES: S 85<sup>00</sup>'56"36" E 382.05 FT & TO THE LEFT ALG THE ARC OF A 1039.00 FT RADIUS CURVE, A DIST OF 52.28 FT (LC BEARS S 87<sup>00</sup>'23"05" E 52.27 FT) & S 88<sup>00</sup>'49"34" E 101.79 FT; TH S 01<sup>00</sup>'20"50" W 311.50 FT; TH N 88<sup>00</sup>'39"10" W 112.04 FT; TH S 57<sup>00</sup>'40"43" W 79.14 FT; TH N 85<sup>00</sup>'49"29" W 193.76 FT; TH N 04<sup>00</sup>'10"30" E 80.00 FT; TH N 85<sup>00</sup>'49"29" W 180.83 FT TO THE POB. CONT. 3.972 ACRES

**Serial Number 13-018-0087**