

07-362-0142 to 0147  
07-363-0148  
07-367-0106 to 0108, 0111 to 0113

3557290  
BK 8417 PG 275

E 3557290 B 8417 P 275-278  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
1/12/2024 10:44 AM  
FEE 46.00 Pgs: 4  
DEP AAM REC'D FOR SYMPHONY  
HOMES

When Recorded Return to:  
Summerhill Lane LLC  
Attn: Russell Wilson  
111 South Frontage Road  
Centerville, Utah 84014

**RETURNED**

**JAN 12 2024**

**AMENDMENT NO. 1  
TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND  
EASEMENTS  
FOR  
SUMMERHILL LANE**

THIS AMENDMENT, dated [Date], is made by Summerhill Lane Homeowners' Association, hereinafter referred to as the "Association," to the Declaration of Covenants, Conditions, Restrictions, and Easements for Summerhill Lane subdivision, recorded on February 22, 2022 as Entry No. 3458399, Book 7951, Page 570, recorded in the Official Records, Davis County Recorder, Davis County, Utah (referred to herein as the "Declaration").

WHEREAS, the Association desires to amend the Declaration to reflect changes in the plat of the Summerhill Lane subdivision, a copy of which is attached hereto as Exhibit A (the "Plat Amendment");

NOW, THEREFORE, pursuant to the authority granted in the Declaration and applicable law, the Declaration is hereby amended as follows:

**1. Amendment to Legal Description:**

- a. Pursuant to Section 13 of the Declaration, the Declaration and Plat may be amended with the approval of at least 67% of the Members, defined as "Any Person, including Declarant, holding a membership in the Association in accordance with Section 2.2" of the Declaration. Therefore, since the Declarant currently makes up more than 67% of the Members, they reserve the right to amend the Declaration and amend the plat. The Declarant has elected to amend the plat, which has been done as described in the Plat Amendment.

Therefore, upon the recordation of this Amendment No. 1, the covenants, conditions, restrictions, and easements contained in the Declaration shall apply to the Plat Amendments. Upon said recordation, the rights, privileges, duties and liabilities of the parties to the Declaration with regard to the Plat Amendments shall be the same as with regard to the original property, and the rights, privileges, duties and liabilities of the Owners and occupants of Lots within the Plat Amendments shall be the same as those of the Owners and occupants of Lots within the original property.

Upon the recordation of this Declaration of Expansion, the Plat Amendments shall become, and shall thereafter be, subject to the provisions of this Declaration, including, without limitation, the obligations regarding architectural review.

**2. Amendment to Section 1 – Definitions**

- a. The definitions section of the Declaration is hereby amended to include any new terms introduced in the plat amendment.

**3. Amendment to Lot Designations**

- a. The lot designations and boundaries as set forth in the Plat Amendment shall supersede and replace the lot designations and boundaries originally described in the Declaration.

**4. General Provisions**

- a. Except as expressly modified by this Amendment, all other terms and provisions of the Declaration shall remain in full force and effect.
- b. In the event of any conflict between the provisions of this Amendment and the original Declaration, the provisions of this Amendment shall prevail.

*[SIGNATURE PAGE TO FOLLOW]*

IN WITNESS WHEREOF, Declarant has executed this Amendment No. 1 to the Declaration as of this 11<sup>th</sup> day of January, 2024.

DECLARANT

Summerhill Lane LLC  
A Utah Limited Liability Company

By:   
Robert Miller  
Its: Manager

STATE OF UTAH

ss.

COUNTY OF Davis

On the 11<sup>th</sup> day of Jan., 2024, personally appeared before me, **ROBERT C. MILLER**, who being duly sworn did say that he is a **Manager** of **Summerhill Lane LLC**, and that the foregoing instrument was signed in behalf of said Limited Liability Company by authority of a resolution of its members, and said **ROBERT C. MILLER** acknowledged to me that said Limited Liability Company executed the same.

Witness my hand and official seal.





Notary Public

My commission expires: 11/2/27

Residing at: Davis County

**EXHIBIT A**

**PLAT AMENDMENT LEGAL DESCRIPTIONS**

The Plat Amendments are as follows:

Lots 142A through 148A inclusive, contained within Summerhill Lane Subdivision First Amendment, recorded in the official records of Davis County, Davis County Recorder's Office as Entry No. 3533211, Book 8279, Page 952, on June 20, 2023.

Lot 148B, contained within Summerhill Lane Subdivision Second Amendment, recorded in the official records of Davis County, Davis County Recorder's Office as Entry No. 3533224, Book 8279, Page 1012, on June 20, 2023.

Lots 106A through 108A inclusive, and Lots 111A through 113A inclusive, contained within Summerhill Lane Subdivision Third Amendment, recorded in the official records of Davis County, Davis County Recorder's Office as Entry No. 3553944, Book 8396, Page 183, on December 11, 2023.