

Office of the Davis County Recorder

E 3605530 B 8685 P 389-394
KELLY A. SILVESTER
DAVIS COUNTY, UTAH RECORDER
2/12/2025 12:37 PM
FEE 118.00 Pgs: 6
DEP JMF REC'D FOR FALCON
RIDGE CONDO HOA



Davis
COUNTY

RETURNED
FEB 12 2025

Recorder
Kelly A. Silvester

THE UNDERLYING DOCUMENT ATTACHED HERETO IS AN ORIGINAL DOCUMENT SUBMITTED FOR RECORDING IN THE OFFICE OF THE COUNTY RECORDER OF DAVIS COUNTY, UTAH. THE DOCUMENT HAS INSUFFICIENT MARGIN SPACE FOR THE REQUIRED RECORDING ENDORSEMENT STAMP. THIS PAGE BECOMES THE FRONT PAGE OF THE DOCUMENT FOR RECORDING PURPOSES.

THE DOCUMENT HEREIN RECORDED IS A _____
(Document Type)

Tax Serial Number(s)

Parcel No.: 13-361-⁰⁵⁰⁶~~0505~~

Of "Lofts at Falcon Ridge Building 1 Condominium" and all common areas to include the following units:

Tax Id #s 13-361-(101-111,) Tax Id #s 13-361-(201-211,) Tax Id #s 13-361-(301-311,) Tax Id #s 13-361-(401-411,) Tax Id #s 13-361- (501-504.)

WHEN RECORDED, RETURN TO:

Falcon Hill Development, LLC
784 Parkway Drive
North Salt Lake, Utah 84054
Attn: Joseph Cook

Parcel No.: 13-361-0505

SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR THE
FALCON RIDGE CONDOMINIUM PROJECT
NKA
LOFTS AT FALCON RIDGE BUILDING 1 CONDOMINIUMS

This Fifth Amendment to the Declaration of Condominium for the Falcon Ridge Condominium Project nka Lofts at Falcon Ridge Building 1, Condominiums, is made and entered into this ____ day of January 2025, by **FALCON HILL DEVELOPMENT, LLC**, a Utah limited liability company, the Declarant of the project.

RECITALS:

WHEREAS, on August 13, 2021, the original Declaration of Condominium of the Falcon Ridge Condominium Project (the "Declaration"), was recorded in the Office of the Davis County Recorder, as Entry No. 3409159, in Book 7822, Pages 1812-1862; and

WHEREAS, on September 10, 2021, the Declaration was amended by the Declarant (the "First Amendment"); and

WHEREAS, on September 17, 2021, the Declaration was amended by the Declarant (the "Second Amendment"); and

WHEREAS, on October 13, 2021, the Declaration was amended by the Declarant (the "Third Amendment"); and

WHEREAS, on November 18, 2021, the Declaration was amended by the Declarant (the "Fourth Amendment"); and

WHEREAS, on May 31, 2023, the Declaration was amended by the Declarant in what was incorrectly labeled as the Fourth Amendment (the "Fifth Amendment"); and

WHEREAS, Article 17.4 of the Declaration provides that the Declaration may be amended by the affirmative vote of at least ninety percent (90%) of the Total Votes of the Association; and

WHEREAS, Declarant currently holds ninety-two percent (92%) of the Total Votes of the Association; and

WHEREAS, Declarant desires to amend the Declaration as more particularly set forth herein.

DECLARATION

NOW, THEREFORE, in consideration of the mutual promises herein contained, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

1. Recitals Incorporated. The foregoing recitals are incorporated herein by this reference.

2. Section 1.22(g). Section 1.22(g) of the Declaration is amended and restated in its entirety as follows:

(g) Any use involving bar-b-q grills, whether they be of gas, electric, pellet fed, or charcoal or any type of smoker within any unit or on any deck or within 15 feet of any structure. Likewise, any use involving unusual fire, explosive or other damaging or hazards;

3. Section 10.3 Section 10.3 of the Declaration is amended and restated in its entirety as follows:

10.3 Owner's Insurance. Each Owner, at its own expense, shall procure and maintain at all times an HO6 insurance policy protecting against fire and covering its personal property, covering personal liability and additional fixtures and improvements added by such Owner against loss by such other risks as it may deem appropriate, provided that each such policy shall provide that it does not diminish the insurance carrier's coverage for liability arising under insurance policies obtained by the Association pursuant to this article. Such insurance shall also cover the \$75,000.00 deductible of the "master" or "blanket" policy maintained by the Association. If obtainable under industry practice without an unreasonable additional charge for such waiver, all such insurance shall contain a waiver of the insurance company's right of subrogation against the Association, the Declarant, the Manager, other Owners and their respective servants, agents and guests.

Furthermore, in the event that an Owner leases their unit to a Tenant for any length of term, Tenant shall maintain a renters policy other than the Owner's policy mentioned above. Both Owners and Tenants must annually submit evidence of insurance to the Association no later than January 31 of each year.

4. Effect of Amendment. Except as modified by this Fifth Amendment, the Declaration, including all prior amendments, remains in full force and effect. All references in the Declaration to the "Declaration" shall be deemed references to the Declaration and all prior amendments as modified by this Fourth Amendment.

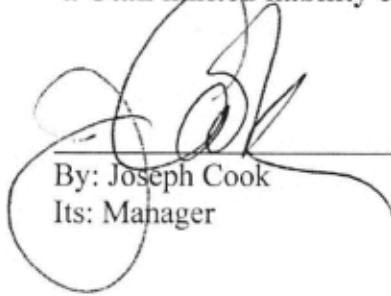
5. Governing Provision. In the event of a conflict between provisions of this Fifth Amendment and the Declaration, including prior amendments, the provisions of this Fifth Amendment shall govern, control, and prevail.

[Signature Page Follows]

IN WITNESS WHEREOF, this Fourth Amendment is executed as of the day and year first above written.


DECLARANT:

FALCON HILL DEVELOPMENT, LLC,
a Utah limited liability company


By: Joseph Cook
Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 11 day of FEBRUARY, 2025, by Joseph M. Cook, the Manager of Falcon Hill Development, LLC, a Utah limited liability company, the Declarant, on behalf of said limited liability company for its stated purpose.

 **KAITLYN PRYOR**
NOTARY PUBLIC • STATE OF UTAH
COMMISSION NO. 733609
COMM. EXP. 10/11/2027


Notary Public

EXHIBIT "A"

(Legal Description)

All the Common Area depicted on the dedication plat for the Lofts at Falcon Ridge Building 1 Condominiums (Entry #3409158, Davis County Recorder), a subdivision located in the Northeast Quarter of Section 26, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah.

Of "Lofts at Falcon Ridge Building 1 Condominium " and all common areas to include the following units: ¹³⁻³⁶¹⁻⁰⁵⁰⁶

Tax Id #s 13-361-(101-111,) Tax Id #s 13-361-(201-211,) Tax Id #s 13-361-(301-311,) Tax Id #s 13-361-(401-411,) Tax Id #s 13-361- (501-504.)

Less and excepting Building Lot 2, described as follows:

Beginning at a point that is South 0°02'19" West 1141.19 feet along the section line, being the basis of bearing, and North 89°57'41" West 60.00 feet from the northeast corner of Section 26, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, said point being the northeast corner of said Building Lot 2, Lofts at Falcon Ridge Building 1 Condominiums, and running thence South 00°02'19" West 88.50 feet along a line that is 10.0 feet distant from and parallel to the west line of Main Street; thence North 89°57'40" West 159.71 feet to the east line of a public access and utility easement dedicated as part of said condominium plat; thence along said east line the following three (3) courses: 1) Northerly 6.69 feet along a non-tangent, 28.00-foot-radius curve to the right through a central angle of 13°41'04", chord bears North 06°48'13" West 6.67 feet, to a point of tangency; 2) North 00°02'19" East 75.25 feet to a tangent, 28.00-foot-radius curve to the right; 3) Northerly 6.69 feet along said curve through a central angle of 13°41'18", chord bears North 06°52'58" East 6.67 feet; thence South 89°57'40" East 159.71 feet to the point of beginning.

Also, less and excepting Building Lot 3, described as follows:

Beginning at a point that is South 0°02'19" West 1295.89 feet along the section line, being the basis of bearing, and North 89°57'41" West 64.20 feet from the northeast corner of Section 26, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, said point being the northeast corner of Building Lot 3, Lofts At Falcon Ridge Building 1 Condominiums, and running thence South 00°02'19" West 88.50 feet along a line that is 14.20 feet distant from and parallel to the west line of Main Street to the south line of said condominiums; thence North 89°57'41" West 160.50 feet along said south line to the east line of a public utility easement dedicated as part of said condominium plat; thence North 00°02'19" East 88.50 feet along said easement and its extension; thence South 89°57'40" East 160.50 feet to the point of beginning.