

Ent: 439193 - Pg 1 of 10
Date: 11/10/2016 09:17 AM
Fee: \$78.00
Filed By: cf
Jerry Houghton, Recorder
Tooele County Corporation
For: SADDLEBACK PASTURES LC

When recorded, please mail to:

PASTURES AT SADDLEBACK P.U.D.
HOMEOWNERS' ASSOCIATION
c/o Christopher F. Robinson
P. O. Box 540478
North Salt Lake, Utah 84054

APNs: 19-059-0-0301 thru 19-059-0-347; 19-059-0-000E;
FIRST AMENDMENT 19-059-0-000F; and
19-059-0-000G

TO

**AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF PASTURES AT SADDLEBACK P.U.D.**

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PASTURES AT SADDLEBACK P.U.D., (the "First Amendment") is made effective as of November 10th, 2016 (the "Effective Date"), by the undersigned Owners (as defined in the Declaration) of sixty-seven point seven percent (67.7%) of the Lots (as defined in the Declaration) which are contained within the Property (as defined in the Declaration) legally described in Exhibit "A" attached hereto and which are encumbered by that certain AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PASTURES AT SADDLEBACK P.U.D. (the "Declaration") dated and recorded on August 4, 2015, as Entry No. 416674 in the official records of the Recorder of Tooele County, Utah (the "Official Records"), as expanded by that certain PLAT 3 AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PASTURES AT SADDLEBACK P.U.D. dated November 10th, 2016, and recorded on November 10th, 2016 as Entry No. 439190 in the Official Records.

Unless otherwise defined in this First Amendment, capitalized terms shall have the same meaning as in the Declaration.

Pursuant to Section 6 of the Declaration, the undersigned Owners, owning more than sixty-seven (67%) of the Lots, do hereby amend the Declaration as follows:

1. Section 8.2 (D) of the Declaration is hereby modified to reduce the Plan Review Fee from five hundred dollars (\$500.00) to two hundred dollars (\$200), increased by an annual compounded escalator of 3% per annum on January 1 of every year, beginning with January 1, 2018.
2. Section 9.3 is hereby deleted in its entirety and replaced by the following:

"No storage of any articles, materials, equipment or vehicles (recreational or otherwise, including but not limited to boats, campers and trailers) of any nature is permitted in the front yard of any Lot, except that regularly used passenger vehicles properly licensed and in running order may be parked upon driveway areas. Trailers, trucks, campers, boats,

and all types of accessory equipment are permitted to be stored or repaired only (a) in garages or approved accessory buildings located to the rear of the house or (b) upon a hard surface pad located on one side of the house and then only if located to the rear of the front of the house and if screened from public view by an opaque six foot (6') high fence erected and maintained on both the front yard and side yard."

3. The Plan Submittal Worksheet attached as Exhibit "B" to the Declaration is hereby deleted and replaced in its entirety with the Plan Submittal Worksheet attached hereto as Exhibit "B".

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK;

SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the undersigned, as the Owners of approximately sixty-seven point seven percent (67.7%) of the Lots within the Property, have executed this First Amendment as of the Effective Date.

OWNERS:

SADDLEBACK PASTURES, L.C., a Utah limited liability company

(as the Owner of: (a) Lots 234-238, Pastures At Saddleback P.U.D. Plat 2, according to the official plat thereof on file in the Official Records and (b) Lots 301-347, Pastures At Saddleback P.U.D. Plat 3, according to the official plat thereof on file in the Official Records)

By: Christopher F. Robinson
Christopher F. Robinson
Manager

STATE OF UTAH)
) : ss.
COUNTY OF Davis)

On the 5th day of November, 2016, personally appeared before me CHRISTOPHER F. ROBINSON who being by me duly sworn did say is the Manager of SADDLEBACK PASTURES, L.C., a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

Denise Bagley
NOTARY PUBLIC

My Commission Expires
06/28/2020

Residing at: Salt Lake City



D.R. HORTON, INC., a Delaware corporation
(as the Owner of Lots 240-243, Pastures At
Saddleback P.U.D. Plat 2, according to the official
plat thereof on file in the Official Records)

By: [Signature]
Print Name: Jonathan S. Thornley
Title: Division CFO

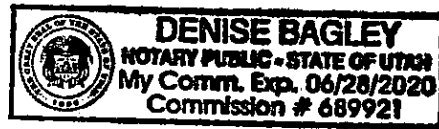
STATE OF UTAH)
 Salt Lake : ss.
COUNTY OF Davis Co 11/7/16

On the 7th day of November, 2016, personally appeared before me
Jonathan S. Thornley who being by me duly sworn did say is the CFO of
D.R. HORTON, INC., a Delaware corporation, and that the within and foregoing instrument was
signed on behalf of said corporation.

[Signature: Denise Bagley]
NOTARY PUBLIC


My Commission Expires
06/28/2020

Residing at: Salt Lake City



LIGHTYEAR CONSTRUCTION AND REAL ESTATE, LLC, DBA LIGHTYEAR CONSTRUCTION, a Utah limited liability company

(as the Owner of Lots 211, 215, 219, 229, 231, 232, 233, 239, 246, and 249, Pastures At Saddleback P.U.D. Plat 2, according to the official plat thereof on file in the Official Records)

By: 
Print Name: Matthew Milar
Title: Manager

STATE OF UTAH)
) : ss.
COUNTY OF Utah)

On the 7th day of November, 2016, personally appeared before me Matthew Milar who being by me duly sworn did say is the Manager of LIGHTYEAR CONSTRUCTION AND REAL ESTATE, LLC, DBA LIGHTYEAR CONSTRUCTION, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.


NOTARY PUBLIC

My Commission Expires
06/28/2020

Residing at: Salt Lake City



AGREED to and ACCEPTED this 5th day of November, 2016 by:

Pastures at Saddleback P.U.D. Homeowners' Association, a Utah nonprofit corporation

By: Christopher F. Robinson
Christopher F. Robinson
President

STATE OF UTAH)
) : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 5th day of November, 2016, by Christopher F. Robinson, in his capacity as the President of Pastures at Saddleback P.U.D. Homeowners' Association, a Utah nonprofit corporation.

Denise Bagley
NOTARY PUBLIC

My Commission Expires
06/28/2020

Residing at: Salt Lake City

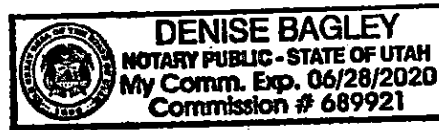


EXHIBIT "A"

LEGAL DESCRIPTION FOR THE PROPERTY

The following parcels located in Tooele County, State of Utah:

Plat 2:

Beginning at a point which lies North $89^{\circ}24'19''$ West along the section line 1,889.95 feet and South $00^{\circ}35'41''$ West 2,318.72 feet from the North Quarter Corner of Section 1, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah, (basis of bearing being North $00^{\circ}23'14''$ East between the South Quarter Corner and North Quarter Corner of Section 1, T2S, R4W) and running southerly along the arc of a 1,988.39 foot radius non-tangent curve to the left, the center of which bears South $86^{\circ}13'50''$ East, through a central angle of $36^{\circ}03'20''$, a distance of 1,251.27 feet more or less to the westerly right-of-way line of the Union Pacific Railroad, thence South $29^{\circ}56'18''$ West along said right-of-way line 2,162.70 feet more or less to a point which is on the east line of Kone Subdivision Amendment No. 1 (Book 495 at Page 347) extended south, said point also lies South $11^{\circ}50'09''$ West 90.21 feet from the Tooele County survey monument representing common corners of Sections 1, 2, 11 and 12, of the Dependent Resurvey of portions of Township 2 South, Range 4 West, Salt Lake Base and Meridian, recorded as Entry No. 365712 in Book 226 at Page 93 of official records, thence North $00^{\circ}26'52''$ East along said line extended 91.03 feet; thence South $89^{\circ}57'31''$ West 132.69 feet; thence northeasterly along the arc of a 170.00 foot radius non-tangent curve to the left, the center of which bears N $00^{\circ}02'29''$ W through a central angle of $60^{\circ}08'54''$ a distance of 178.46 feet; thence North $29^{\circ}48'37''$ East 221.31 feet; thence North $60^{\circ}11'23''$ West 140.54 feet to more or less to the east line of Lot 2 Kone Subdivision (Book 222 at Page 347); thence North $00^{\circ}32'29''$ East along the east line of said Lot 2 303.42 feet to the southeast corner of Stoney Mountain Estates (Entry No. 76478 in Book 401 at Page 336); thence North $00^{\circ}23'21''$ East along the East line of said Stoney Mountain Estates 1,574.03 feet to the Southeast corner of Thomasville Subdivision (Entry No. 068574 in Book 382 at Page 475); thence North $00^{\circ}25'14''$ East along the east line of said subdivision and the extension thereof 399.58 feet to the center line of a public roadway known as Shepard Lane and a found Tooele County Survey monument re-establishing the West Quarter Corner of Section 1, said Township and Range, said found monument lies South $26^{\circ}38'04''$ West 28.51 feet from said Dependent Resurvey monument representing the same west quarter corner, thence North $89^{\circ}56'38''$ East along the center line of said Shepard Lane 427.51 feet to an intersection point with the centerline of Lakeshore Drive; thence North $22^{\circ}28'45''$ East along said center line 450.24 feet; thence South $67^{\circ}31'15''$ East 169.46 feet; to the POINT OF BEGINNING.

Containing 1,817,701 Square Feet or 41.729 Acres.

APN's: 18-083-0-0201 through 18-083-0-0249, inclusive, and 18-083-0-000A, 18-083-0-000B, and 18-083-0-000C.

Plat 3:

Beginning at a point which lies South 00°23'14" West along the section line 351.04 feet and West 813.71 feet from the North Quarter Corner of Section 1, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah, (basis of bearing being South 00°23'14" West between the North Quarter Corner and South Quarter Corner of Section 1, T2S, R4W), said point also being on the westerly right-of-way line of the Union Pacific Railroad, and running thence North 89°28'52" West 360.84 feet; thence South 89°33'47" West 347.43 feet; thence northerly along the arc of a 464.00 foot radius non-tangent curve to the right, the center of which bears North 83°08'47" East, through a central angle of 00°47'03", a distance of 6.35 feet; thence North 06°04'10" West 67.50 feet; thence South 83°56'13" West 66.00 feet; thence North 89°28'52" West 163.71 feet; thence North 24°35'12" West 88.11 feet; thence North 10°49'35" West 343.96 feet; thence North 39°21'29" West 70.00 feet; thence northeasterly along the arc of a 540.00 foot radius non-tangent curve to the right, the center of which bears South 39°21'29" East, through a central angle of 13°57'09", a distance of 131.50 feet; thence North 04°10'12" West 728.31 feet; thence North 02°05'40" West 121.40 feet; thence easterly along the arc of a 230.00 foot radius non-tangent curve to the right, the center of which bears South 26°37'37" East, through a central angle of 24°31'58", a distance of 98.48 feet; thence North 87°54'20" East 34.50 feet; thence northeasterly along the arc of a 20.00 foot radius tangent curve to the left, the center of which bears North 02°05'40" West, through a central angle of 90°00'00", a distance of 31.42 feet; thence North 87°54'20" East 66.00 feet; thence southeasterly along the arc of a 20.00 foot radius non-tangent curve to the left, the center of which bears North 87°54'20" East, through a central angle of 90°00'00", a distance of 31.42 feet; thence North 87°54'20" East 260.00 feet; thence northeasterly along the arc of a 20.00 foot radius tangent curve to the left, the center of which bears North 02°05'40" West, through a central angle of 90°00'00", a distance of 31.42 feet; thence North 87°54'20" East 434.81 feet more or less to said westerly right-of-way line of the Union Pacific Railroad; thence along said right-of-way line the following three (3) courses and distances: 1) South 01°27'29" East 1,174.14 feet to the north line of the Northwest Quarter said Section 1, 2) South 89°24'10" East along the section line 50.00 feet, and 3) South 01°27'23" East 359.92 feet to the point of beginning.

Containing 1,419,244 Square Feet or 32.58 Acres, 47 Lots, 3 Open Space Parcels, and 4 streets.

APN's: 04-071-0-0022, 04-071-0-0025, 05-016-0-0005, 05-016-0017, and 05-016-0-0026

Now known as PASTURES AT SADDLEBACK P.U.D. PLAT 3

APN's: 19-059-0-0301 thru 19-059-0-0347; 19-059-0-000E;
19-059-0-000F; and 19-059-0-000G.

EXHIBIT "B"

PASTURES AT SADDLEBACK PLAN SUBMITTAL WORKSHEET
(Refer to Sections 8.2 and 8.3 of CC&Rs)

Lot No. _____

Section 1: Owner Information

Owner's Name _____

Current Address _____

Telephone No. _____ Fax No. _____

Email: _____

Architect's Name _____

Address _____

Telephone No. _____ Fax No. _____

Email: _____

Builder's Name _____

Address _____

Telephone No. _____ Fax No. _____

Email: _____

Section 2: Dates

Plan Submittal Date: _____

Construction Commencement Date: _____ (within 9 mos. of approval)

Construction Completion Date: _____ (within 15 mos. of beginning)

Section 3: Site Plan Information

Front Setback (feet) _____

[if corner lot] (feet) _____

Left Side Yard (facing lot) (feet) _____

Right Side Yard (feet) _____

Rear Yard Setback (feet) _____

Accessory Building Setback (feet) _____

No. Of Stories _____

Section 4: Structure Information (see CC&R's for complete information)

Height (elevation calculated from a designated point on the lot):

Basement Floor Elevation _____ Main floor Elevation _____

Upper Floor Elevation _____

Elevation of Lowest Point of Footprint of Structure at Existing Natural Grade _____

Elevation of Highest Point of Top of Roof _____

Square Footage of Main floor _____

Square Footage of Basement _____

Square Footage of Additional Level _____

TOTAL SQUARE FOOTAGE _____

Garage Square Footage _____

No. of Car Garage _____ (not less than 2 nor more than 4) Information on Additional Structures (attach additional sheets if necessary)(must contain same information as home, e.g. square footage, materials, location, setbacks, elevations, etc.)

Exterior Building Material—Siding _____ (samples to be provided on request of Committee)

Exterior Building Color—Siding _____ (samples to be provided on request of Committee)
 Exterior Building Material—Trim _____

Exterior Building Color—Trim _____ (samples to be provided on request of Committee)
 Roof Material or Type _____

Roof Color _____

Driveway Material _____

Fencing Type/Material _____

Fence Color _____ Fence Maximum Height _____
 (a separate fencing plan must also be provided)

<p>Submittal Checklist:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Site Plan required by Section 8.2 A. <input type="checkbox"/> Floor plans and elevations as required by Section 8.2 B. <input type="checkbox"/> Completed Pastures At Saddleback P.U.D. Plan Submittal Worksheets as required by Section 8.2 C. <input type="checkbox"/> if applicable, Landscape Plan as contemplated by Section 7.10 and the Water Declaration <input type="checkbox"/> A check for the Plan Review Fee payable to “Pastures At Saddleback P.U.D. Homeowners’ Association” as required by Section 8.2 D. <input type="checkbox"/> Fence or wall plans as required by Sections 8.2 F, 8.3 B, and 8.3 C. <input type="checkbox"/> (If needed) 2 copies of the Pastures At Saddleback CC&R Variance Request Form pursuant to Sections 7.6, 8.2 F and 8.5. A variance from Tooele County Ordinances also requires this form (See Section 7.6). 	<p>Plan Review Fee: \$200.00, increased beginning January 1, 2018 and thereafter by an annual compounded escalator of 3%</p>
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Submitted By: _____
 Owner’s Signature(s)