

**When Recorded Return To:**  
Castlewood – Indian Summer, LLC  
c/o Jeffrey A. Duke  
6900 South 900 East, Suite 130  
Midvale, Utah 84047

Tax Parcel ID Nos.: See Exhibit A  
00-0021-4585 through 00-0021-4611

**FIRST AMENDMENT**  
**TO**  
**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS**  
**FOR INDIAN SUMMER SUBDIVISION**

This FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR INDIAN SUMMER SUBDIVISION (“**Amendment**”) is made by Castlewood- Indian Summer, LLC, a Utah limited liability company (“**Declarant**”), as of the date set forth on the signature page below.

**RECITALS**

A. The Declarant is the owner of certain real property located in City of Midway (“**City**”), Wasatch County (“**County**”), Utah, as more particularly described on **Exhibit A** attached hereto (“**Property**”).

B. Declarant executed that certain *Declaration of Covenants, Conditions, and Restrictions for Indian Summer Subdivision* (“**Declaration**”) and Declarant caused the same to be recorded in the real property records of the Wasatch County Recorder’s Officer on November 6, 2019 as Entry No. 470522.

C. Declarant wishes to make certain modifications to the Declaration, as set forth herein.

D. The Period of Declarant’s Control, as defined in Section 1.24 of the Declaration, has not expired and, pursuant to Section 12.2 of the Declaration, Declarant may amend the Declaration by recording a written amendment signed by Declarant in the real property records of Wasatch County, Utah.

NOW, THEREFORE, the Declaration is hereby amended as follows:

AMENDMENT

1. Incorporation of Recitals. The Recitals to this Amendment are incorporated herein.

2. Incorporation of Defined Terms. Capitalized terms used herein but not otherwise defined shall have the same meaning set forth in the Declaration, if a meaning is provided in the Declaration.

3. Amendments.

a. Section 8.3.5. Section 8.3.5 is deleted in its entirety.

b. Section 8.3.1. Section 8.3.1 shall be modified as follows;

“Exterior materials shall include brick, stucco, stone, or other decorative masonry products (including fiber-cement siding if approved by the City's planning commission). A minimum of forty percent (40%) of the front exterior and any side or rear viewable from the street shall be brick, stone, *or cement board siding*. Vinyl and wood siding are not permitted. However, shake shingles may be permitted as an accent material, subject to the ACC's approval. All sides of Residences shall receive equal design consideration, particularly where they may be readily viewed by pedestrians and motorists, or from adjacent properties.”

c. Section 8.3.3. Section 8.3.3 shall be modified as follows;

“All Residences shall include a three-~~(3)~~ *two (2)* car garage with the minimum dimensions of 22 feet by 22 feet or as may be approved by the ACC. Additionally, the driveway of each Residence shall accommodate parking for at least two (2) passenger vehicles.

d. Section 8.4.3. Section 8.4.3 shall have the following paragraph added;

“All fencing material and designs shall be reviewed and approved by the ACC prior to installation. Allowable fencing materials include, wood, vinyl, wrought iron, and Trex. Additional materials may be approved by the ACC if they fit with the architectural theme of the subdivision. Lots 112-119 are encouraged to use split rail fencing in their back yards and along the open space and trail area.”

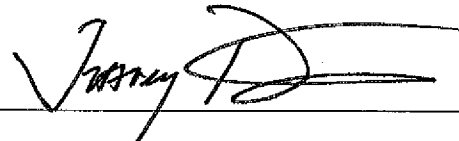
4. Scope of Amendment. Except as specifically modified herein, all terms and conditions of the Declaration shall remain unchanged and in full force and effect. In the event of a conflict between this Amendment and the Declaration, this Amendment shall control. This Amendment shall apply to the Property, as it now exists, and to any and all additional land or additional phases of The Indian Summer Subdivision that may be developed in the future (such additional land and additional phases referred to as the "**Additional Land**"). This Amendment shall take effect when recorded in the Wasatch County Recorder's Office.

*[End of Amendment. Signature Page Follows.]*

IN WITNESS WHEREOF, Declarant has executed this Amendment on this 12<sup>th</sup> day of May, 2021.

**DECLARANT**

Castlewood – Indian Summer, LLC, a Utah limited liability company

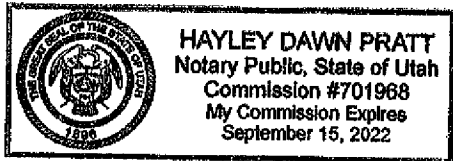
By:   
Jeffrey A. Duke, Manager

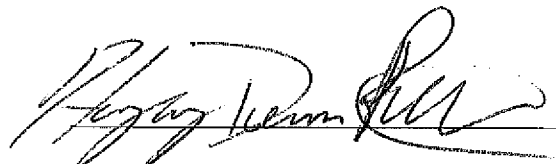
STATE OF UTAH )

ss.

COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 12 day of May, 2021 by Jeffrey A. Duke as the Manager of Castlewood – Indian Summer, LLC.



  
Notary Public

**EXHIBIT A****(Property Description and Parcel Numbers)****BOUNDARY DESCRIPTION**

A portion of the NW 1/4 of Section 35, Township 3 South, Range 4 East, Salt Lake Base & Meridian, located in Midway, Utah more particularly described as follows:

Beginning at a point on a Boundary Line Agreement recorded in Deed Book 958 Page 636 of the Official Records of Wasatch County located S89°44'37"W along the Section line 467.23 feet and South 2,048.72 feet from the North ¼ Comer of Section 35, T3S, R4E, S.L.B.& M.; thence South along said Agreement line 69.00 feet; thence S4°19'42"W 120.43 feet; thence S89°59'46"E 134.21 feet; thence S0°00'54"W 121.84 feet; thence S0°01'08"W 87.00 feet; thence West 197.01 feet; thence S0°17'40"W 216.73 feet to a point on a Boundary Line Agreement recorded in Deed Book 958 Page 627 of the Official Records of Wasatch County; thence West along said Agreement line 815.55 feet to the southerly terminus of a Boundary Line Agreement recorded in Deed Book 958 Page 629 of the Official Records of Wasatch County; thence N0°13'21"E along said Agreement line and extension thereof 610.30 feet; thence N89°4S'09"E 512.00 feet to the westerly terminus of a Boundary Line Agreement recorded in Deed Book 958 Page 636 of the Official Records of Wasatch County; thence N89°40'11"E along said Agreement line 374.25 feet to the point of beginning.

Contains: 12.70+/- acres