

AUG 13 1992

Somerset Farm: all
Somerset Farm II all
Somerset Hollow all

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND

RESTRICTIONS OF SOMERSET FARMS, PLANNED UNIT DEVELOPMENT,
SOMERSET HOLLOW PLANNED UNIT DEVELOPMENT AND SOMERSET FARM II
PLANNED UNIT DEVELOPMENT , A PLANNED RESIDENTIAL DEVELOPMENT

This Amendment to the Somerset Declaration is made and
executed this 7th day of February, 1992, by the Somerset Homeowners
Association, a Utah Non-Profit Corporation (hereinafter referred to
as the "Association").

RECITALS

A. The original Declaration of Covenants, Conditions and
Restrictions was recorded December 15, 1975, as Entry No. 424736,
in Book 586, at Page 516 of the official records of Davis County,
Utah. It was subsequently amended as follows: A written amendment
recorded April 29, 1976, as Entry No. 432703, in Book 599, at Page
647 of the official records of Davis County, Utah; a written
amendment recorded August 17, 1976, as Entry No. 440614, in Book
613, at Page 48 of official records of Davis County, Utah; a
written amendment recorded November 24, 1976, as Entry No. 448010,
in Book 625, at Page 806 of official records of Davis County, Utah;
a written amendment recorded February 18, 1977, as Entry No.
454404, in Book 636, at Page 772 of official records of Davis
County, Utah; a written amendment recorded September 2, 1977, as
Entry No. 471794, in Book 666, at Page 771 of official records of
Davis County, Utah; a written amendment known as the Joint
Declaration of Covenants, Conditions and Restrictions, recorded
November 10, 1978, as Entry No. 514064, in Book 738, at Page 232 of

08-045-0001 to 0003, 0008, 0009,
0030 to 0047
0073 to 0088
0091 to 0100
08-046-0010 to 0013; 0017 to 0027
0048 to 0063; 0066 to 0070,
0073 to 0077
08-047-0030 to 0040; 0043 to 0046;
0049 to 0061, 0065 to 0087,
0092 to 0121, 0123 to 0125,
0127 to 0129

08-048-0003 to 0014; 0016; 0019 to 0029,
0090 to 0091; 0122 to 0152; 0155 to 0156,
0159 to 0163

official records of Davis County, Utah; and a written amendment recorded January 21, 1981, as Entry No. 584345, in Book 855, at Page 35 of official records of Davis County, Utah;

B. This Amendment affects that certain real property described in the foregoing Declaration, as amended.

C. The original Developers of Somerset, Farmington Meadows Limited Partnership, Somerset Hollow Limited Partnership, Farmington Meadows II Limited Partnership and their successors or assigns have transferred control, operation and management of Somerset to the Association;

D. The Association desires by this amendment to clarify certain ambiguities in the Declaration regarding the calculation of common area fees and exercise of voting rights for the owners of single family dwellings located on multiple adjoining lots; and

E. All of the requirements of Article XII, Section Three of the Declaration, as amended, have been satisfied and the following amendment has been approved by at least 67% of the undivided ownership interest in the common areas and facilities at Somerset.

NOW, THEREFORE, for the reasons set forth above, the Association hereby amends the Declaration as follows:

1. The following sub-sections should be added to Article V, Section 6 of the Joint Declaration.

Multiple Adjoining Lots/Assessments. An owner of multiple adjoining lots on which a home has been constructed and which lots have been

landscaped and improved as if they were one lot shall be assessed the full monthly assessment for the lot on which the home is located, or if the home is located on more than one lot, then on the first lot designated by the Association. The monthly assessment of each additional adjoining lot of the owner shall be (a) twenty percent (20%) of the full monthly assessment for full lots, (b) ten percent (10%) of the full monthly assessment for half lots, and (c) seven percent (7%) of the full assessment for one-third lots.

Voting/Multiple Adjoining Lots. An owner of multiple adjoining lots subject to this reduced assessment for multiple adjoining lots landscaped and improved as if they were one lot shall be entitled to only one (1) vote for all such lots.

Severance of Multiple Adjoining Lots. If the multiple adjoining lots cease to be treated as one lot by the owner, then each lot will be assessed the normal monthly assessment applicable to such lot and the owner will be entitled to a vote for each such lot as provided in Article III, Section 2.

EXHIBIT "A"

The following tracts of land are located in Davis County, State of Utah and more particularly described as follows:

PARCEL 1:

Beginning at the center of Section 12, T3N, R1W, SLB&M, and running thence N 39°05'58" E 339 ft., thence N 25°30' E 120.0 ft., thence N 3°43' W 728.0 ft., thence N 17°49' E 496.45 ft., thence S 39°08'10" W 496.42 ft., thence N 0°02'44" W 304.16 ft., thence S 39°57'16" W 521.90 ft., thence S 0°02'44" E 899.63 ft., thence S 71°40'05" W 26.335 ft., thence S 0°02'44" E 163.11 ft., thence S 89°53'16" W 301.0 ft., thence N 0°02'44" W 72.40 ft., thence S 71°40'05" W 67.97 ft., thence Southwesterly along a 173.54 ft. radius curve left, 125.70 ft., thence Southwesterly along a 245.42 ft. radius curve right, 231.73 ft., thence S 84°16' W 122.21 ft., thence S 1°31'17" E 149.97 ft., thence S 0°05' E 146.35 ft., thence S 67°43' W 295.93 ft., thence S 32°12'23" E 157.50 ft., thence West 86.26 ft., thence S 32°12'23" E 38.79 ft., thence S 53°03' W 204.68 ft., thence S 26°52'09" E 121.49 ft., and Southeasterly along a 539.96 ft. radius curve to the left 34.52 ft. along an existing highway right-of-way line; thence N 53°03' E 291.38 ft., thence S 32°12'23" E 518.15 ft., thence N 57°56" E 1359.35 ft. to the point of beginning.

THE FOREGOING PARCEL 1 HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS:

Beginning at the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 89°05'58" East 339 feet; thence North 25°30' East 120.0 feet; thence North 3°43' West 728.0 feet; thence North 17 degrees 49' East 496.45 feet; thence South 89°08'10" West 496.42 feet; thence North 0°02'44" West 304.16 feet; thence South 89°57'16" West 546.90 feet; thence South 0°02'44" East 1071.0 feet; thence South 89°53'16" West 301.0 feet; thence North 0°02'44" West 72.40 feet; thence South 71°40'05" West 67.97 feet;

thence southwesterly along a 173.54 foot radius curve left, 125.70 feet; thence southwesterly along a 245.42 foot radius curve right, 231.73 feet; thence South $84^{\circ}16'$ West 122.21 feet; thence South $1^{\circ}31'17''$ East 149.97 feet; thence South $0^{\circ}05'$ East 146.35 feet; thence South $67^{\circ}43'$ West 295.93 feet; thence South $32^{\circ}12'23''$ East 157.50 feet; thence West 36.26 feet; thence South $32^{\circ}12'23''$ East 38.79 feet; thence South $53^{\circ}03'$ West 204.68 feet; thence South $26^{\circ}52'09''$ East 121.49 feet; and southeasterly along a 539.96 foot radius curve to the left 34.52 feet along an existing highway right-of-way line; thence North $53^{\circ}03'$ East 191.38 feet; thence South $32^{\circ}12'23''$ East 518 feet; thence North $57^{\circ}56'$ East 1359.35 feet to the point of beginning.

PARCEL II:

Beginning at a point S $89^{\circ}46'52''$ W 1362.05 feet along the section line and South 165.53 feet from the North $1/4$ corner of Section 12 T.3N., R.1W., Salt Lake Base and Meridian, and running thence S $62^{\circ}00'48''$ W, 44.82 feet, thence S $50^{\circ}08'51''$ W, 275.38 feet, thence S $48^{\circ}04'11''$ W, 168.05 feet, thence S $41^{\circ}10'$ W, 92.96 feet, thence S $41^{\circ}33'$ W, 342.51 feet, thence S $25^{\circ}13'$ W, 59.81 feet, thence N 88° W, 120.00 feet, thence S 14° W, 222.00 feet, thence S 14° E, 168.98 feet, thence Southeasterly along a 925.66 foot radius curve to the right, 79.70 feet, whose long chord bears S $67^{\circ}25'$ E, 79.67 feet, thence S $64^{\circ}57'$ E 57.74 feet, thence Southeasterly along a 1476.84 foot radius curve to the right 565.78 feet, whose long chord bears S $53^{\circ}58'30''$ E 562.32 feet, thence S 43° E 227.21 feet, thence Southeasterly along a 108.22 foot radius curve to the left 99.60 feet, whose long chord bears S $69^{\circ}22'$ E 96.12 feet, thence N $84^{\circ}16'$ E 138.27 feet, thence Northeasterly along a 379.30 foot radius curve to the left 180.51 feet, whose long chord bears N $70^{\circ}38'$ E 178.81 feet, thence N 57° E 75.50 feet, thence Northeasterly along a 572.42 foot radius curve to the right 129.88 feet, whose long chord bears N $63^{\circ}30'$ E 129.60 feet, thence N 20° W 136.13 feet, thence S $80^{\circ}40'22''$ W 73.44 feet, thence N $1^{\circ}28'45''$ W 431.04 feet, thence N $0^{\circ}05'01''$ E 83.79 feet, thence N $1^{\circ}08'37''$ W 801.31 feet, thence N $0^{\circ}56'25''$ W 222.41 feet, thence N $2^{\circ}26'21''$ W 199.25 feet, to the point of beginning. Contains 34.33 acres.

THE FOREGOING PARCEL II HAVING BEEN FORMERLY DESCRIBED IN THE OLD DECLARATION AS FOLLOWS: The northeasterly 11.98 acres, together with frontage and the northwesterly 28.25 acres together with frontage of the following described tract:

Beg at NE cor of W 1/2 of NW 1/4 of Sec 12, T3N, R1W, th S 47° W 191.40 ft m o l to the NE'ly ln of ppty conv by 469-12; th S 62°11'20" E 75 ft m o l to a fence ln; th S 51°12'40" W 478.76 ft alg a fence ln as desc by Bndy Line Agree 46853 th S 42°34' W 200.73 ft alg sd fence ln; th S 41°20' W 1175.77 ft to a pt on W ln sd Sec 12; th S alg Sec ln to a pt of inter with N ln of a Farm City Rd; th SE'ly alg N ln sd rd to a pt 7.41 chs N & S 84°16' W 450 ft fr SE cor of W 1/2 of NW 1/4 Sec 12; th N 84°16' E 450 ft to E ln of W 1/2 of NW 1/4 sd Sec 12; th N alg sd E ln 33.07 chs, m o l to the p o b.

PARCEL III:

Beginning at a point which is S 57°56' W 1359.35 feet and N 32°12'23" W 215.67 feet from the center of Section 12, Township 3 North, Range 1 West, Salt Lake Base and Meridian, said point being on the East line of the Old Bamberger Railroad right-of-way which is marked by an existing fence line; thence S 58°30' W 40.0 feet to station 922-01.8 along the former railroad center line, said point being marked by an existing fence line; thence S 58°30' W 33.0 feet; thence N 32°12'23" W 12.24 feet along the West line of the railroad right-of-way; thence S 52°46' W 189.98 feet to the state highway right-of-way line, thence N 39°08'09" W 202.45 feet and Northwesterly along a 539.96 feet radius curve to the right 81.08 feet along said highway right-of-way line; thence N 53°03' E 291.38 feet; thence S 32°12'23" E 302.49 feet along the railroad right-of-way line to the point of beginning. Contains 1.84 acres.