

**REVOCATION AND RESCISSION
OF
FIFTH AMENDMENT TO THE DECLARATION OF THE
COVENANTS, CONDITIONS AND RESTRICTIONS OF
THE COTTAGES AT HOBBLE CREEK, PLAT A
A MOUNTAIN HOME DEVELOPMENT**

The Cottages Community Association, acting by and through the undersigned members of the Board of Trustees of the Cottages Community Association (hereafter referred to as the "Association") make and execute this Revocation and Rescission of the Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek, Plat A effective as of June 13, 2017.

Recitals:

A. A Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek, a Mountain Home Development (hereafter the "Enabling Declaration") was recorded on November 29, 1999 as Entry No. 124110:1999 in the official records of the Utah County Recorder, Utah relative to certain real property located in Utah County, Utah and described therein and on Exhibit A attached hereto.

B. The Enabling Declaration provided for and included references to the Association and granted the Association certain rights under the Enabling Declaration. The Association was formed by the filing of Articles of Incorporation and adopted Bylaws of the Association.

C. The Enabling Declaration has been subsequently amended, including the Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek, a Mountain Home Development, which was recorded on December 23, 2016 as Entry No. 129535:2016 in the official records of the Utah County Recorder, Utah (hereafter referred to as the "Fourth Amendment").

D. On June 13, 2017, Dion Barron, acting as a Trustee of the Association executed and caused to be recorded a Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions of the Cottages at Hobble Creek, Plat A which was recorded June 13, 2017 as Entry No. 57160:2017 in the official records of the Utah County Recorder, Utah (hereafter referred to as the "Fifth Amendment").

E. The Fifth Amendment purported to rescind the Fourth Amendment and to amend and modify certain provisions of the Enabling Declaration.

F. The Fifth Amendment was not adopted in accordance with the requirements of



the Bylaws of the Association, Utah law applicable to the Association, and the Declaration and is therefore void or voidable. Dion Barron was not properly authorized to execute and record the Fifth Amendment.

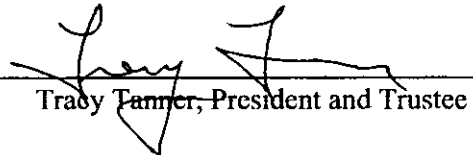
G. Due to the invalidity of the Fifth Amendment, the Board of Trustees of the Association have authorized the revocation and rescission of the Fifth Amendment and authorized Tracy Tanner to execute this revocation and rescission of the Fifth Amendment on behalf of the Association.

REVOCATION AND RESCISSION

For and in consideration of the foregoing recitals, effective June 13, 2017, the Association hereby revokes and rescinds in its entirety the Fifth Amendment and any purported rescission therein of the Fourth Amendment and any purported amendment therein of the Enabling Declaration.

Dated and signed this 16th day of August, 2017

Cottage Community Association, Inc., a Utah nonprofit corporation

By: 
Tracy Tanner, President and Trustee

STATE OF UTAH)
)ss
COUNTY OF UTAH)

The foregoing instrument was duly acknowledged before me this 16th day of August, 2017 by Tracy Tanner, the president and a trustee of Cottages Community Association, Inc., a Utah nonprofit corporation, on behalf of such Association.




Notary Public