

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR THE COTTAGES ON 78TH**

EXPANSION OF LIMITED COMMON AREA

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th (the "First Amendment") is executed and adopted by the Cottages on 78th Community Association (the "Association").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th was recorded on June 24, 2014 as Entry No. 1187025, Book 10240, beginning at Page 4853 in the offices of the Salt Lake County Recorder (hereinafter the "Declaration").

B. This First Amendment affects the real property located in Salt Lake County, State of Utah, described with particularity on Exhibit "A", which exhibit is attached hereto and incorporated herein by reference.

C. Pursuant to Article 15, Section 15.4 of the Declaration, the Association desires to amend the Declaration as set forth in this First Amendment to expand the Limited Common Area available to Unit Owners within the Association, which expansion necessarily converts some of the Common Area identified on the plat map into Limited Common Area for the exclusive use of the appurtenant Unit Owners, as shown on the Supplemental Plat drawing attached as Exhibit "B" hereto.

D. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration.

E. Pursuant to Article 15, Sections 15.1 and 15.4 of the Declaration, the undersigned hereby certifies that this First Amendment was approved by the necessary voting interests of the Association.

NOW, THEREFORE, in consideration of the foregoing Recitals, the Association hereby executes this First Amendment, which shall be effective as of its recording date with the Salt Lake County Recorder's office.

AMENDMENT ONE

Article 1, Section 1.13 "Limited Common Area" of the Declaration is hereby amended and replaced in its entirety, to read as follows:

"1.13 'Limited Common Area' shall mean a portion of the Common Area specifically designated in this Declaration, the Plat map, and Exhibit "B" of the First Amendment to the Declaration for the exclusive use of one or more Owners to the exclusion of other Owners. Conveyance of a Unit includes the use of the Limited Common Area appurtenant to the Unit."

AMENDMENT TWO

Article 3, Section 3.2(a) of the Declaration is hereby amended and replaced in its entirety, to read as follows:

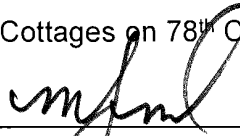
“(a) Specific Identification of Limited Common Areas. The Limited Common Area of each Unit shall consist of areas identified on the Plat and Exhibit “B” of the First Amendment to the Declaration as Limited Common Area that are spatially associated with that Unit. This shall generally include, for most Units, driveways and rear yard areas that may or may not be fenced in. No roadways are Limited Common Areas.”

----- END OF AMENDMENTS -----

IN WITNESS WHEREOF, this First Amendment to the Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th was executed on behalf of the Association on the date set forth below.

DATED this 18 day of July, 2018.

The Cottages on 78th Community Association

By: 

Its: President

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the 18 day of JULY, 2018, personally appeared before me MATTHEW MEDFORD who by me being duly sworn, did say that she/he is an authorized representative of The Cottages on 78th Community Association, and that the foregoing instrument is signed with all necessary authority.



NOTARY PUBLIC



EXHIBIT A

[Legal Description]

All of Units 1 through and including 117 of THE COTTAGES ON 78TH AMD

Parcel Nos. 2231203120000 – 2231203237000

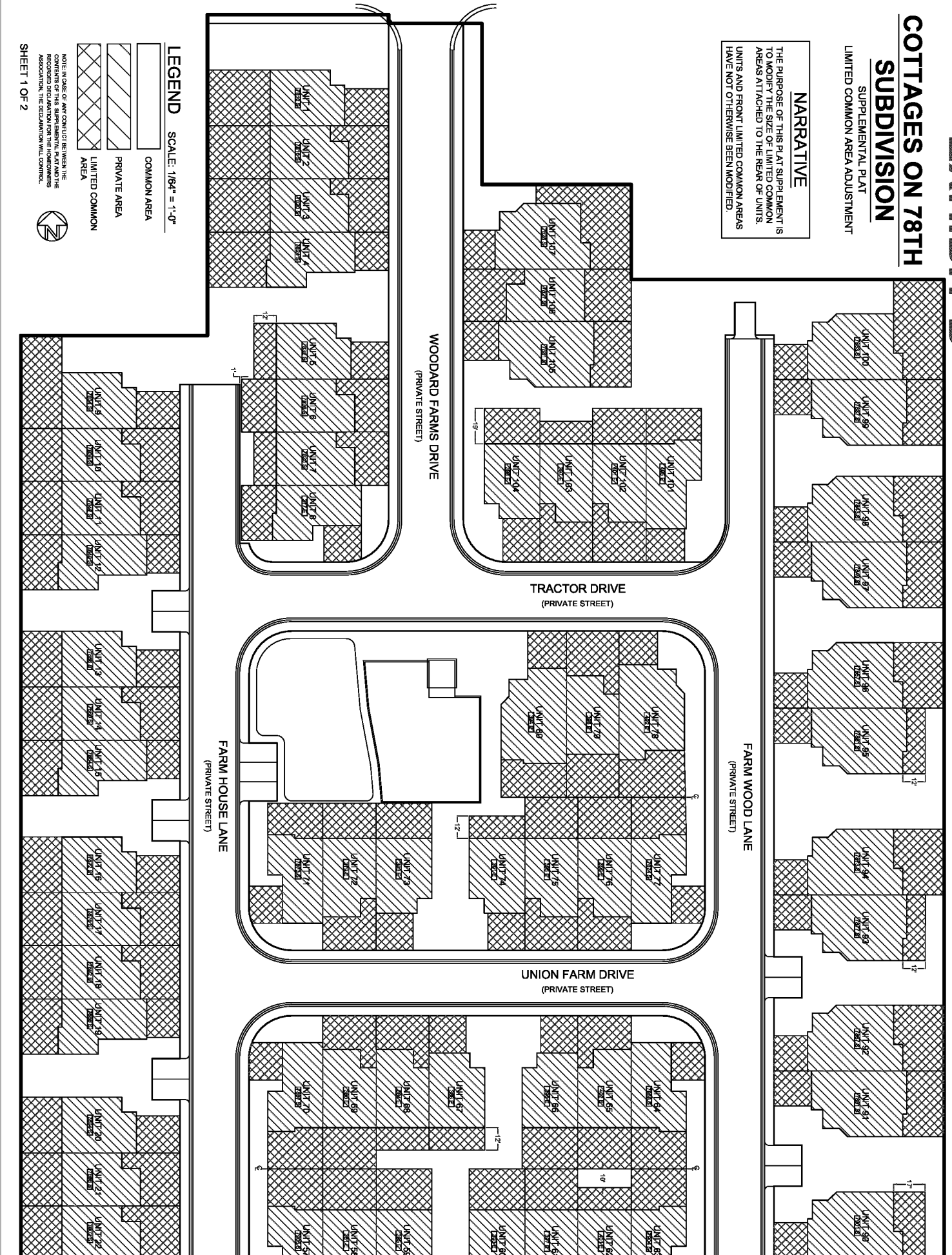
EXHIBIT B

COTTAGES ON 78TH SUBDIVISION




SUPPLEMENTAL PLAT
LIMITED COMMON AREA ADJUSTMENT

NARRATIVE

THE PURPOSE OF THIS PLAT SUPPLEMENT IS TO MODIFY THE SIZE OF LIMITED COMMON AREAS ATTACHED TO THE REAR OF UNITS. UNITS AND FRONT LIMITED COMMON AREAS HAVE NOT OTHERWISE BEEN MODIFIED.



LEGEND SCALE: 1/8" = 1'-0"

-  COMMON AREA
-  PRIVATE AREA
-  LIMITED COMMON AREA

NOTE: IN CASE OF ANY CONFLICT BETWEEN THE RECORDED DECLARATION FOR THE HOMEOWNERS ASSOCIATION, THE DECLARATION WILL CONTROL.

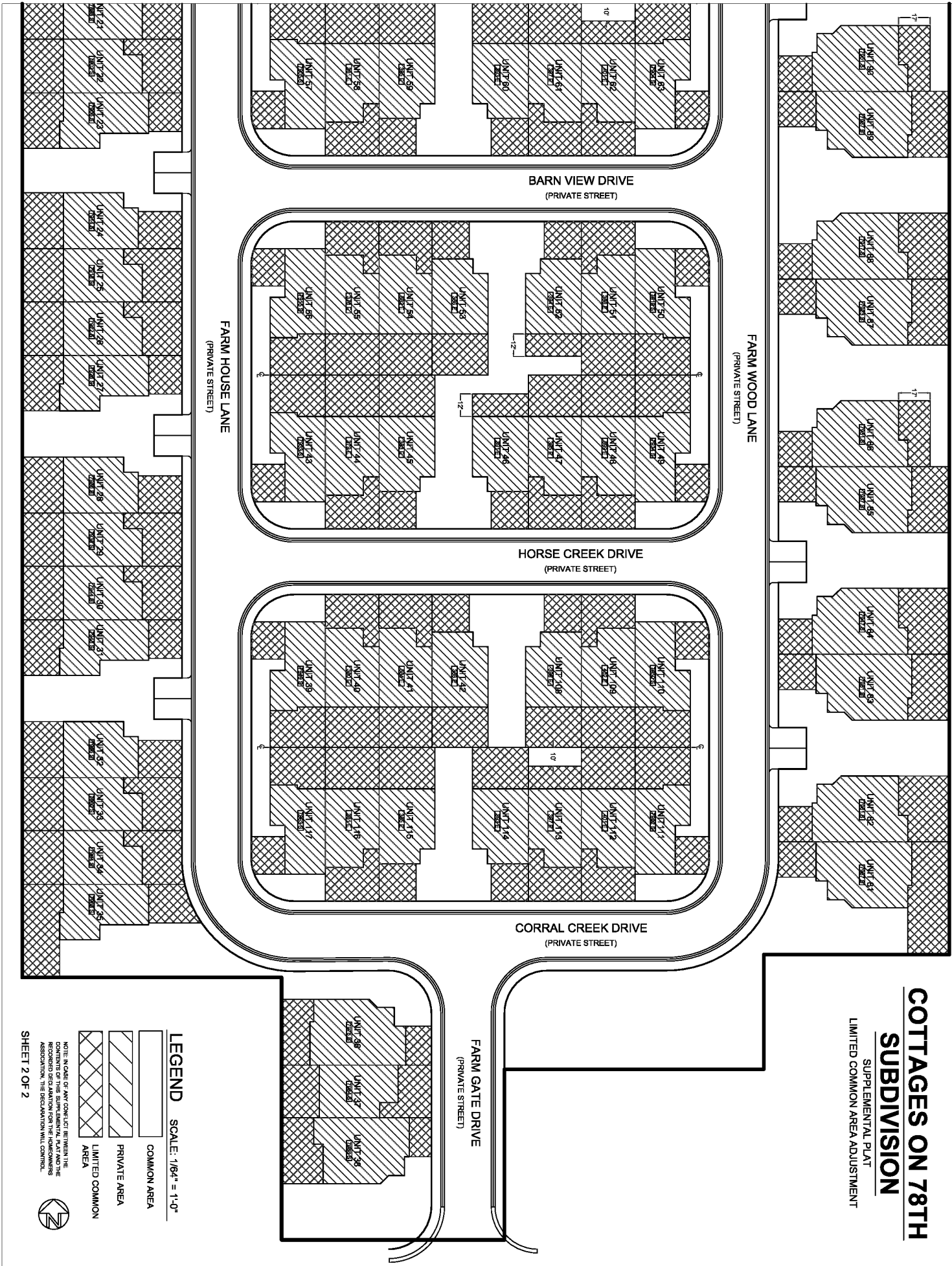


SHEET 1 OF 2

COTTAGES ON 78TH

SUBDIVISION

SUPPLEMENTAL PLAT
LIMITED COMMON AREA ADJUSTMENT



LEGEND SCALE: 1/8" = 1'-0"

- COMMON AREA
- PRIVATE AREA
- LIMITED COMMON AREA

NOTE: IN CASE OF ANY CONFLICT BETWEEN THE CONTENTS OF THIS SUPPLEMENTAL PLAT AND THE RECORDING INFORMATION FOR THE HOMEOWNERS ASSOCIATION, THE ASSOCIATION WILL CONTROL.

