

**FIRST AMENDMENT TO  
DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND  
RESTRICTIONS**

**CANYON HILLS  
A PLANNED UNIT DEVELOPMENT  
LEHI CITY, UTAH**

This First Amendment to the Declaration of Easements, Covenants, Conditions and Restrictions, Canyon Hills, A Planned Unit Development, Lehi City, Utah ("Amendment") is made and executed by the Declarant on the date set forth below and is effective upon recording in the Utah County Recorder's Office.

**RECITALS**

A. The Declaration of Easements, Covenants, Conditions and Restrictions, Canyon Hills, A Planned Unit Development, Lehi City, Utah, was recorded with the Utah County Recorder's Office on May 13, 2014 as entry number 31981:2014 (the "Declaration").

B. The Declaration, as supplemented and amended from time to time, encumbers certain real property more particularly described therein and also described in Exhibit A attached hereto and incorporated herein by this reference. Capitalized terms used and not otherwise defined herein shall have the meanings given them in the Declaration.

C. The Phase 1 Canyon Hills Residential Subdivision plat map was recorded with the Utah County Recorder's Office on April 3, 2014 as entry number 22206:2014.

D. Pursuant to Article III of the Declaration, Declarant has annexed Additional Land into the Development by the recording of the following plat maps and supplemental declarations and plat maps:

i. The Phase 2 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on May 29, 2014 as entry number 36075:2014.

ii. The Phase 3 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on August 20, 2014 as entry number 58892:2014.

iii. The Phase 4 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on April 20, 2015 as entry number 32461:2015.

iv. The Phase 5 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on July 15, 2015 as entry number 63145:2015.

v. The Phase 6 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on December 18, 2015 as entry number 113422:2015.

vi. The Phase 7 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on September 28, 2015 as entry number 88535:2015.

vii. The Phase 8 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on May 26, 2015 as entry number 44706:2015.

viii. The Phase 9 Canyon Hills Planned Unit Development plat map was recorded with the Utah County Recorder's Office on August 3, 2016 as entry number 72383:2016. The plat map designates Phase 9 as open space to be dedicated to Lehi City.

ix. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phase 2, was recorded with the Utah County Recorder's Office on March 20, 2015 as entry number 22561:2015.

x. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phase 3, was recorded with the Utah County Recorder's Office on March 20, 2015 as entry number 22562:2015.

xi. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phase 5, was recorded with the Utah County Recorder's Office on August 14, 2015 as entry number 73745:2015.

xii. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phases 5 and 6, was recorded with the Utah County Recorder's Office on January 22,

2016 as entry number 5769:2016.

xiii. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phase 8, was recorded with the Utah County Recorder's Office on October 2, 2015 as entry number 90364:2015.

xiv. The Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions Canyon Hills A Planned Unit Development Lehi, Utah Phase 4 and Phase 7, was recorded with the Utah County Recorder's Office on \_\_\_\_\_ as entry number \_\_\_\_\_.

E. The Notice of Reinvestment Fee Covenant Resolution Number 3 was recorded with the Utah County Recorder's Office on February 24, 2015 as entry number 14108:2015, which encumbers Phases 1, 2, and 3.

F. The Notice of Reinvestment Fee Covenant was recorded with the Utah County Recorder's Office on November 12, 2015 as entry number 102584:2015, which encumbers Phases 4, 5, 7, and 8.

G. The Notice of Reinvestment Fee Covenant was recorded with the Utah County Recorder's Office on \_\_\_\_\_ as entry number \_\_\_\_\_, which encumbers Phase 6.

H. The Association was formed consistent with the Declaration and Article 14, Section 14.3 of the Declaration provides that the Declarant shall have the unilateral right to amend the Declaration.

I. Declarant desires to amend the Declaration to (i) create fence restrictions in Phase 5 and Phase 6 in order for the area to be harmonious and consistent with the surrounding fences, and (ii)

J. This Amendment to the Declaration is made and executed by the Declarant.

K. This Amendment is intended to amend the Declaration and shall be binding against the property described in the Declaration and any annexation or supplement thereto; and

NOW, THEREFORE, pursuant to Article XIV, Section 14.3 of the Declaration, the Declarant hereby amends the Declaration as follows:

## 1. AMENDMENT

1.1 Fencing Restrictions. All fencing must be white, except (i) lots 508, 509, 510, 529, 530, 531, 532 and 601 may elect to install tan or white fencing along their side property lines and connecting wing fences, (ii) lot 511 may elect to install tan or white fencing along its side property line and connecting wing fence that borders lot 510, (iii) lot 528 may elect to install tan or white fencing along its side property line and connecting wing fence that borders lot 529, (iv) lot 602 may elect to install tan or white fencing along its side property line and connecting wing fence that borders lot 601, and (v) all fencing along the rear property lines of the lots included in this paragraph must be tan. The Board may at its discretion adopt more specific guidelines consistent with this provision, including a process for approval to achieve harmonious and consistent fencing.

1.2 Reinvestment Fees. Section 11.6 of the Declaration is hereby deleted in its entirety and replaced with the following:

Section 11.6 **Reinvestment Fee Contribution.** Each Owner (other than Declarant), shall be required to prepay at the time of purchase of his or her Lot, whether as a first time or subsequent Owner, a sum equal to five hundred dollars (\$500.00) or a sum as determined by the Board of Directors, which sum shall be in addition to any proration of the Annual Assessment which may be due for the current fiscal year in which a new Owner purchases his or her lot. This fee shall be the personal obligation of the new Owner and shall be secured by an assessment lien as provided herein.

**2. GENERAL PROVISIONS**

2.1 The provisions of this Amendment shall continue in effect for so long as the Declaration continues in effect. This Amendment as well as any amendment hereto and any valid action or directive made pursuant thereto, shall be binding on each party hereto and on the Owners and their heirs, grantees, tenants, successors, and assigns.

**3. NON-IMPAIRMENT**

3.1 Except as expressly provided herein, nothing in this Amendment shall alter or affect any provision, condition, or covenant contained in the Declaration or affect or impair any rights, powers, or remedies of the Association thereunder, it being the intent of the Declarant that, except as amended hereby, all of the terms, covenants and conditions of the Declaration shall remain in full force and effect.

EXECUTED the day and year first written above.

**DECLARANT:**



**EXHIBIT A  
SUBJECT PROPERTY  
(Legal Description)**

Lots 101-143, CANYON HILLS PHASE 1 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:406:0101 through 65:406:0143

Lots 201-243, CANYON HILLS PUD PHASE 2 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:411:0201 through 65:411:0243

Lot A, Open Space/Common Area, CANYON HILLS PUD PHASE 2 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:411:0200

Lots 301-340, CANYON HILLS PUD PHASE 3 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:416:0301 through 65:416:0340

Lot A, Open Space/Common Area, CANYON HILLS PUD PHASE 3 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:416:0341

Lot B, Open Space/Common Area, CANYON HILLS PUD PHASE 3 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:416:0342

Lot 1, CANYON HILLS PUD PHASE 4 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:435:0001

Lots 501-538, CANYON HILLS PUD PHASE 5 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:443:0501 through 65:443:0538

Lots 601-635, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:460:0601 through 65:460:0635

Parcel A, Common Area, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:460:0636

Parcel B, Common Area, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:460:0637

Parcel C, Common Area, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:460:0638

Lots 701-721, CANYON HILLS PUD PHASE 7 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah

Serial Numbers: 65:449:0701 through 65:449:0721

Lot A, Common Area, CANYON HILLS PUD PHASE 7 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah

Serial Number: 65:449:0723

Lots 801-826, CANYON HILLS PHASE 8 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:437:0801 through 65:437:0826

Open Space, Parcel A, CANYON HILLS PHASE 8 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:437:0827

**NOTICE OF REINVESTMENT FEE COVENANT**

BE IT KNOWN TO ALL SELLERS, BUYERS, AND TITLE COMPANIES that:

1. A reinvestment fee is due upon transfer of title, as established by the Declaration of Easements, Covenants, Conditions and Restrictions for Canyon Hills, A Planned Unit Development, Lehi City, Utah, recorded May 13, 2014 as entry number 31981:2014, in the Utah County Recorder's Office, Utah. The name and address of the beneficiary under the above referenced reinvestment fee covenant is Canyon Hills Property Owners' Association, a.k.a. Canyon Hills Homeowner Association, c/o Sage Community Management, 3688 E Campus Drive #101, Eagle Mountain, UT 84005. Phone (801) 789-7878. However, contact with the Association should be made through its primary contact as designated from time to time in the online Utah Homeowner Associations Registry maintained by the Utah Dept. of Commerce.

2. The seller, buyer, or title company involved in the transaction must contact the community manager with the name and mailing address of the purchaser and provide a forwarding address for the seller.

3. The burden of the above referenced reinvestment fee covenant is intended to run with the land and to bind successors in interest and assigns, such land being described in Exhibit A. The existence of the reinvestment fee covenant precludes the imposition of an additional reinvestment fee covenant on the property. The duration of the above referenced reinvestment fee covenant is perpetual. The purpose of the fee required to be paid under the reinvestment fee covenant is to provide for the Association's costs related to the transfer of the property and may also provide for payment for common planning, facilities, and infrastructure and of Association expenses. The fee required to be paid under the reinvestment fee covenant is required to benefit the Property.

DATE: this 18 day of October, 2016.

**DECLARANT:**


**WASATCH LAND COMPANY**, a Utah corporation

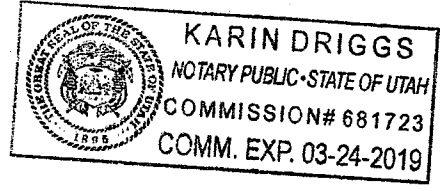
By Steve Maddox  
Its Authorized Representative  
Name: Steve Maddox  
Title: Manager

STATE OF UTAH     )  
                                  :SS  
County of \_\_\_\_\_)



The execution of the foregoing instrument was acknowledged before me this 25 day of October, 2016 by Steven Maddox an authorized representative of Declarant to sign this document, and who is personally known to me or who has provided an acceptable and adequate identification.

  
\_\_\_\_\_  
Notary Public



**EXHIBIT A**  
**LEGAL DESCRIPTION FOR RECORDING**

Lots 601-635, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:460:0601 through 65:460:0635

**SUPPLEMENTAL DECLARATION**  
**OF EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS**

CANYON HILLS  
A PLANNED UNIT DEVELOPMENT  
Lehi, Utah

Phase 4 and Phase 7

This Supplemental Declaration of Easements, Covenants, Conditions, and Restrictions for Canyon Hills, a Planned Unit Development in Lehi, Utah for Phase 4 and Phase 7 is made and executed this 18 day of October, 2016.

**RECITALS**

A. Declarant is the Declarant as identified and set forth in that certain Declaration of Easements, Covenants, Conditions, and Restrictions for Canyon Hills, a Planned Unit Development in Lehi City, Utah, recorded with the Utah County Recorder's Office on May 13, 2014 as Entry Number 31981:2014 ("Declaration").

B. The Declaration pertains to certain real property known as Canyon Hills and more particularly described on Exhibit A attached hereto and incorporated herein by this reference ("Original Property"). All real property subject to the Declaration from time to time is referred to herein as the "Development". Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Declaration.

C. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of Additional Land by recordation of a Supplemental Declaration.

D. Declarant own certain real property (Phase 4 and Phase 7) and more particularly described on Exhibit B attached hereto and incorporated herein by this reference and depicted on a subdivision plat recorded with the Utah County Recorder's Office.

E. Declarant desires to annex Additional Land into the Development and subject to it to all the provisions of the Declaration as hereinafter provided for.

**ANNEXATION**

NOW THEREFORE, in consideration of the recitals set forth above, the

Declarant hereby declares and certifies as follows:

1. Submission of Additional Land. Declarant hereby annexes in and submits the following described portion of the Additional Land (herein referred to as "Subject Property") to the Declaration, including, without limitation, the Declaration's terms, conditions, restrictions, covenants, assessments, and easements:

SEE EXHIBIT "B" ATTACHED HERETO

TOGETHER WITH: (i) all buildings, if any, improvements, and structures situated on or comprising a part of the above-described Subject Property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said Subject Property; and (iii) all articles of personal property intended for use in connection with said Subject Property.

ALL OF THE FOREGOING IS SUBJECT TO: all liens for current and future taxes, assessments, and charges imposed or levied by governmental or quasi-governmental authorities; all patent reservations and exclusions; any mineral reservations of record and rights incident thereto; all instruments of record which affect the above-described Subject Property or any portion thereof, including, without limitation, any mortgage or deed of trust, The Declaration (as amended, supplemented and/or restated from time to time); all visible easements and rights-of-way; all easements and rights-of-way of record; any easements, rights-of-way, encroachments, or discrepancies shown on or revealed by the Plat or otherwise existing; an easement for each and every pipe, line, cable, wire, utility line, or similar facility which traverses or partially occupies the above-described Subject Property at such times as construction of all improvements is complete; and all easements necessary for ingress to, egress from, maintenance of, and replacement of all such pipes, lines, cables, wires, utility lines, and similar facilities.

RESERVING UNTO DECLARANT, however, such easements and rights of ingress and egress over, across, through, and under the above-described Land and any improvements now or hereafter constructed thereon as may be reasonably necessary for Declarant or for any assignee or successor of Declarant (in a manner which is reasonable and not inconsistent with the provisions of this Declaration): (i) to construct and complete any and all of the other improvements described in the Declaration or in the Map recorded concurrently herewith, and to do all things reasonably necessary or proper in connection therewith; (ii) to construct and complete all of the improvements described in this Declaration or in the Plat recorded concurrently herewith, and to do all

things reasonably necessary or proper in connection therewith; and (iii) to improve portions of the Subject Property with such other or additional improvements, facilities, or landscaping designed for the use and enjoyment of all Owners, as Declarant or as such assignee or successor may reasonably determine to be appropriate. If, pursuant to the foregoing reservations, the above-described Land or any improvement thereon is traversed or partially occupied by a permanent improvement or utility line, a perpetual easement for improvement or utility line shall exist. With the exception of such perpetual easements, the reservations hereby effected shall, unless sooner terminated in accordance with their terms, expire ten (10) years after the date on which this Supplemental Declaration is filed for record in the Utah County records.

2. Supplemental Map. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on a Supplemental Map pertaining to the same, which Supplemental Map shall be recorded with this Supplemental Declaration.

3. Representations of Declarant. Declarant represents that the annexed real property is part of the Additional Land described in the Declaration.

4. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Utah County Recorder.


EXECUTED the day and year first written above.

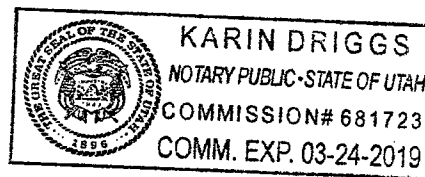
**DECLARANT  
WASATCH LAND COMPANY, a Utah corporation**

By: Steve Madden  
Its Authorized Representative  
Name: Steve Maddox  
Title: Manager

STATE OF UTAH )  
 ) :SS  
COUNTY OF \_\_\_\_\_ )

The execution of the foregoing instrument was acknowledged before me this 25 day of October, 2016 by Steven Madrox an authorized representative of Declarant to sign this document, and who is personally known to me or who has provided an acceptable and adequate identification.

  
\_\_\_\_\_  
NOTARY PUBLIC



**EXHIBIT A  
ORIGINAL PROPERTY  
(Legal Description)**

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Serial Numbers: 65:406:0101 through 65:406:0143

Lots 201-243, CANYON HILLS PUD PHASE 2 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:411:0201 through 65:411:0243

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Serial Number: 65:411:0200

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Serial Number: 65:416:0341

Lot B, Open Space/Common Area, CANYON HILLS PUD PHASE 3 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:416:0342

Lots 501-538, CANYON HILLS PUD PHASE 5 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:443:0501 through 65:443:0538

Lots 601-635, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:460:0601 through 65:460:0635

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Serial Number: 65:460:0636

Parcel B, Common Area, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:460:0637

Parcel C, Common Area, CANYON HILLS PUD PHASE 6 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:460:0638

Lots 801-826, CANYON HILLS PHASE 8 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Numbers: 65:437:0801 through 65:437:0826

Open Space, Parcel A, CANYON HILLS PHASE 8 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:437:0827



**EXHIBIT B  
SUBJECT PROPERTY  
(Legal Description)**

Lot 1, CANYON HILLS PUD PHASE 4 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah.

Serial Number: 65:435:0001

Lots 701-721, CANYON HILLS PUD PHASE 7 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah

Serial Numbers: 65:449:0701 through 65:449:0721

Lot A, Common Area, CANYON HILLS PUD PHASE 7 subdivision, according to the official plat thereof recorded at the Utah County Recorder's Office, Utah

Serial Number: 65:449:0723