

When Recorded Return to:
Edge Land 16, LLC
13702 S. 200 W. #B12
Draper, UT 84020

ENT 34003:2018 PG 1 of 4
Jeffery Smith
Utah County Recorder
2018 Apr 12 12:35 PM FEE 120.00 BY VP
RECORDED FOR Provo Land Title Co.
ELECTRONICALLY RECORDED

**FIRST AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
HIDDEN CANYON ESTATES**

This First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates (the “**First Amendment**”) is executed and adopted by Edge Land, LLC, a Utah limited liability company (“**Declarant**”).

RECITALS

A. The Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates was recorded on June 28, 2017 as Entry No. 62716:2017 in the office of the Utah County Recorder (hereinafter the “**Declaration**”).

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

C. The Association desires to amend the Declaration as set forth in this First Amendment to further define and clarify Lot Owner’s rights in the Project.

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

E. Pursuant to Section 13.3(3) of the Declaration, the undersigned hereby certifies that this First Amendment was approved, executed, and acknowledged by Declarant as the Owner of at least sixty-seven percent of the Lots subject to the Declaration at the time of this First Amendment.

AMENDMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, the Declarant hereby executes this First Amendment, which shall be effective as of its recording date with the Utah County Recorder.

(1) **Amendment No. 1.** The fifth sentence of Section 5.1 shall be deleted in its entirety and replaced by the following:

Up to three domestic pets per Dwelling are allowed. All pets must be properly licensed and registered with the appropriate governmental agencies. All pets must be kept in compliance with applicable local ordinances, including all Draper City laws and regulations.

(2) **Amendment No. 2.** Section 13.3 shall be deleted in its entirety and replaced by the following:

13.3 **Amendment.**

(1) **Amendments by Declarant.** Until after the termination of the Period of Declarant Control, the Declaration and the Plat may be amended for any reason, solely by the Declarant without any additional approval required. In addition, during the Period of Declarant Control, no other amendment shall be valid or enforceable without the Declarant's prior written consent.

(2) **Amendments by Lot Owners.** After the termination of the Period of Declarant Control, this Declaration may be amended by the recording in the Utah County real property records an instrument executed and acknowledged by the Owners of at least sixty-seven percent (67%) of the Lots subject to this Declaration at the time of the amendment.

(3) **Common Owners.** For purposes of Section 13.3(2) above, if more than one Person holds title to any Lot jointly or in common, the vote with respect to said Lot shall be held in the same manner. However, neither fractional votes nor split votes shall be allowed, and all joint or common Owners must approve in writing the proposed amendment, or the vote with respect to such Lot shall not be counted.

(3) **Amendment No. 3.** Section 1.18 shall be deleted in its entirety and replaced by the following:

1.18 **Period of Declarant Control** shall mean the period of time during which the Declarant may enforce the special Declarant rights set forth in this Declaration. Such period of time shall commence on the date this Declaration is recorded and terminate on the occurrence of the earliest of the following events: (i) six (6) months after the date on which all of the Lots in all Phases of the Project, have been conveyed to Persons other than Declarant or its successors, assigns, and affiliates; or (ii) the Declarant executes and records a written waiver of its right to control the Association. If the Declarant elects to waive one or more, but not all, of its special Declarant rights, then the Period of Declarant Control shall remain effective with respect to all retained special Declarant rights.

(4) **Conflicts.** All provisions of the Declaration not specifically amended in this First Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration or any prior amendments, the provisions of this document shall in all respects govern and control.

(5) **Incorporation and Supplementation of Declaration.** This document is supplemental to the Declaration, which by reference is made a part hereof, and all the terms, definitions, covenants, conditions, restrictions, and provisions thereof, unless specifically modified herein, are to apply to this document and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment on this 11 day of April, 2018.

DECLARANT
EDGE LAND 16, LLC
A Utah Limited Liability Company

By: Steve Maddox

Name: Steve Maddox

Title: Manager

STATE OF UTAH)
) ss.
COUNTY OF Utah)

On the 11 day of April, 2018, personally appeared before me Steve Maddox who by me being duly sworn, did say that she/he is an authorized representative of EDGE LAND 16, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Shelley King
Notary Public

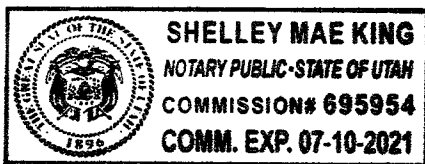


EXHIBIT A
Legal Description

All of **Hidden Canyon Estates Phase 1A**, according to the official plat thereof, on file in the office of the Utah County Recorder as Entry No. 62715:2017.

Including the following parcels:

41:862:0101 through **41:862:0144**

All of **Hidden Canyon Estates Phase 1B**, according to the official plat thereof, on file in the office of the Utah County Recorder as Entry No. 111439:2017.

Including the following parcels:

41:872:0123 through **41:872:0151**

All of **Hidden Canyon Estates Phase 2A**, according to the official plat thereof, on file in the office of the Utah County Recorder as Entry No. 26262:2018.

Including the following parcels:

41:887:0201 through **41:887:0215**

41:887:0245 through **41:887:0262**

All of **Hidden Canyon Estates Phase 2B**, according to the official plat thereof, on file in the office of the Utah County Recorder as Entry No. 26722:2018.

Including the following parcels:

41:888:0222 through **41:888:0244**