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RASHELLE HOBBS
Recorder, Salt Lake County, UT
MILLER HARRISON LLC
BY: eCASH, DEPUTY - EF 8 P.

When Recorded Return to:
4 Independence, LLC
1099 W. South Jordan Pkwy
South Jordan, UT 84095

**SECOND AMENDMENT TO
THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND
RESTRICTIONS FOR INDEPENDENCE AT THE POINT**

This Second Amendment to the Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point (the "**Second Amendment**") is executed and adopted by 4 Independence, LLC (the "**Declarant**").

RECITALS

A. The Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point was recorded on October 17, 2012 as Entry No. 11493945 in the office of the Salt Lake County Recorder (hereinafter the "Declaration").

B. The Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Independence at the Point was recorded on June 15, 2016 as Entry No. 12300512 in the office of the Salt Lake County Recorder.

C. This Second Amendment affects the real property located in Salt Lake County, described with particularity on Exhibit A, which exhibit is attached hereto and incorporated herein by reference.

D. The Association desires to amend the Declaration as set forth in this Second Amendment to incorporate restrictions on the leasing of Dwelling Units within the project.

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

F. Pursuant to Article XVIII, Section 18.3 of the Declaration, the undersigned hereby certifies that this Second Amendment was approved by the Declarant pursuant to its unilateral amendment power.

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

(1) **Amendment No. 1.** Article IV, Section 4.2.26 of the Declaration shall be deleted in its entirety and shall be replaced as follows:

4.2.26 **Leases.** The leasing of Dwelling Units is permitted. The Board may adopt Rules to regulate the leasing of the Dwelling Units within the Project which may include, but are not limited to: requiring a copy of each lease to be provided to the Board, reporting of name and contact information for all adult tenants, reporting of vehicle information of the tenants, and any other information deemed necessary by the Board. Unless otherwise modified by Association Rule, the following leasing restrictions shall apply: (a) no Owner shall be permitted to lease his/her Dwelling Unit for transient, hotel, VRBO, Airbnb, or similar purposes; (b) all leases shall be for an initial term of no less than six (6) months; (c) daily or weekly rentals are prohibited; (d) no Owner may lease individual rooms to separate persons or less than his/her entire Dwelling Unit, unless the Owner is also living in such Dwelling Unit; (e) no portion of the Dwelling Unit or Lot may be rented out for storage; and (f) all leases shall provide that the tenant is subject to and shall abide by the Declaration and Rules, and the tenant's failure to do so shall constitute a breach of the lease agreement. Within 10 days after delivery of written notice of the creation of a nuisance or violation of the Declaration or other governing documents by a tenant, the Owner shall proceed promptly to either abate or terminate the nuisance, or cure the default, and notify the Board in writing of his or her intentions. If the Owner fails to act accordingly, the Board may initiate eviction proceedings on behalf of the Owner, and through this Declaration the Owner hereby assigns the Association the authority to do so. All costs incurred by the Association to enforce the terms of the Governing Documents against a tenant shall be assessed to the Owner as a specific assessment against its lot. The leasing restrictions set forth in this Section shall not apply to the Declarant or a Declarant affiliated entity.

(2) **Conflicts.** All remaining provisions of the Declaration and any prior amendments not specifically amended in this Second 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.

(3) **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 Second Amendment on the date set forth below.

DATED this 10th day of April, 2019.

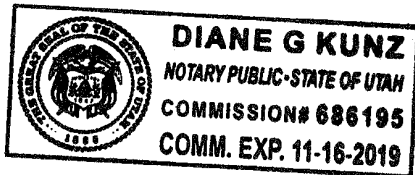
DECLARANT
4 Independence, LLC
a Utah limited liability company

By: **DAI Partners, LLC**
a Utah limited liability company, its Manager

By: _____
Name: Joseph Salisbury
Title: Manager

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 10th day of April, 2019, personally appeared before me Joseph Salisbury who by me being duly sworn, did say that she/he is an authorized representative of DAI Partners, LLC as the manager of 4 Independence, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.



Notary Public

EXHIBIT A
[Legal Description]

All of **Independence at the Point Phase 1, Plat "A"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11570129. Lots 101 - 124

Parcel Numbers: 33142260070000 through 33142260180000
33142270020000 through 33142270130000

All of **Independence at the Point Phase 1, Plat "B" P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11676586. Lots 1 - 30

Parcel Numbers: 3314228004 through 33142280340000

All of **Independence at the Point, Plat "D-1"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11570131. Lots 125 - 156

Parcel Numbers: 33142010010000 through 33142010050000
33142020010000 through 33142020190000
33142260010000 through 33142260060000
33142270010000
33142520010000 through 33142520040000

All of **Independence at the Point, Plat "D-2"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11570133. Lots 201 - 218

Parcel Numbers: 33142030010000 through 33142030190000

All of **Independence at the Point, Plat "D-3"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11570135. Lots 301 - 318

Parcel Numbers: 33142510010000 through 33142510210000
33142510470000 through 33142510490000

All of **Independence at the Point, Plat "D-4"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11745639. Lots 401 - 412

Parcel Numbers: 33142040010000 through 33142040120000

All of **Independence at the Point, Plat "D-6"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11799733. Lots 413 - 424

Parcel Numbers: 33142040150000 through 33142040260000

All of **Independence at the Point, Plat "D-7"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11870889. Lots 425 - 454

Parcel Numbers: 33142510240000 through 33142510440000
33142550010000 through 33142550150000

All of **Independence at the Point, Plat "D-8"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12065110. Lots 455 - 500

Parcel Numbers: 33142040270000 through 33142040550000
33142560010000 through 33142560260000

All of **Independence at the Point, Plat "E" P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11754481. Lots 31 - 50

Parcel Numbers: 33142280350000 through 33142280580000

All of **Independence at the Point, Plat "E-2", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11754484. Lots 51 - 64

Parcel Numbers: 33142280590000 through 33142280740000

All of **Independence at the Point, Plat "E-3", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11870888. Lots 65 - 97

Parcel Numbers: 33131040010000 through 33131040370000

All of **Independence at the Point, Plat "E-4", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11922954. Lots 98 - 152

Parcel Numbers: 33131040380000 through 33131040410000
33142280750000 through 33142281280000

All of **Independence at the Point, Plat "G-1"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11745643. Lots 501 - 536

Parcel Numbers: 33142010060000 through 33142010130000
33142020200000
33142050010000 through 33142050120000
33142060010000 through 33142060030000
33142070010000 through 33142070070000
33142080010000 through 33142080060000

All of **Independence at the Point, Plat "G-2"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11745643. Lots 537 - 559

Parcel Numbers: 33142010140000 through 33142010210000
33142060040000 through 33142060150000
33142070080000 through 33142070110000

All of **Independence at the Point, Plat "G-3"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11816255. Lots 560 - 588

Parcel Numbers: 33142020210000 through 33142020350000
33142050130000 through 33142050270000

All of **Independence at the Point, Plat "I-1" Amended**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11825233. Lots 219 - 245

Parcel Numbers: 33142030210000 through 33142030390000

33142090010000 through 33142090100000

All of **Independence at the Point, Plat "I-2"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 11860128. Lots 274 - 282

Parcel Numbers: 33142300010000 through 33142300090000

All of **Independence at the Point, Plat "I-3"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12097794. Lots 246 - 273

Parcel Numbers: 33142090110000 through 33142090190000
33142320010000 through 33142320130000
33142520050000 through 33142520110000

All of **Independence at the Point, Plat "K"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12160666. Lots 589 - 618

Parcel Numbers: 33141260070000 through 33141260150000
33141270010000 through 33141270230000

All of **Independence at the Point, Plat "L"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12313892. Lots 619 - 640

Parcel Numbers: 33141260170000 through 33141260230000
33141270240000 through 33141270300000
33141280070000 through 33141280140000

All of **Independence at the Point, Plat "M-1"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12471632. Lots 641 - 671

Parcel Numbers: 33141270310000 through 33141270340000
33141280150000 through 33141280200000
33141760230000 through 33141760360000
33141780010000 through 33141780070000

All of **Independence at the Point, Plat "M-2"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12713805. Lots 703 - 725

Parcel Numbers: 33141760710000 through 33141760840000
33141780080000 through 33141780180000

All of **Independence at the Point, Plat "M-3"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12713805. Lots 780 - 806

Parcel Numbers: 33141780190000 through 33141780200000
33143260050000 through 33143260160000
33143280060000 through 33143280200000

All of **Independence at the Point, Plat "N-1"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12313893. Lots 672 - 702

Parcel Numbers: 33141280010000 through 33141280060000
33141760040000 through 33141760200000
33141770010000 through 33141770080000

All of **Independence at the Point, Plat "N-2"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12602351. Lots 726 - 774
Parcel Numbers: 33141760400000 through 33141760700000
33142580010000 through 33142580190000

All of **Independence at the Point, Plat "N-3"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12826129. Lots 775 - 779
Parcel Numbers: 33143280010000 through 33143280050000

All of **Cobalt Village, Plat "A"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12560761. Lots 101 - 115
Parcel Numbers: 33142570010000 through 33142570120000
33144010060000 through 33144010090000

All of **Cobalt Village, Plat "B"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12614446. Lots 116 - 131
Parcel Numbers: 33142570130000 through 33142570190000
33144010100000 through 33144010190000

All of **Cobalt Village, Plat "C"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12663417. Lots 132 - 158
Parcel Numbers: 33143270030000 through 33143270230000
33144010200000 through 33144010260000

All of **Cobalt Village, Plat "D"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12735935. Lots 159 - 188
Parcel Numbers: 33144030020000 through 33144030320000

All of **Cobalt Village, Plat "E"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12832928. Lots 189 - 204
Parcel Numbers: 33143270280000 through 33143270400000
33144010270000 through 33144010310000

All of **Cobalt Village, Plat "F"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12866491. Lots 205 - 240
Parcel Numbers: 33143270410000 through 33143270770000

All of **Cobalt Village, Plat "G"**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12947800. Lots 241 - 268
Parcel Numbers: 33143270800000 through 33143270950000
33144010320000 through 33144010440000

All of **Iron Horse, Plat "A", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12242244. Lots 101 - 132

Parcel Numbers: 33142540030000 through 33142540370000

All of **Iron Horse, Plat "B", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12318763. Lots 133 - 164

Parcel Numbers: 33142540400000 through 33142540580000
33144020020000 through 33144020190000

All of **Iron Horse, Plat "C", P.U.D.**, according to the official plat on file in the office of the Salt Lake County Recorder as Entry Number 12347183. Lots 165 - 197

Parcel Numbers: 33142540590000 through 33142540850000
33142770040000 through 33142770070000
33144020200000 through 33144020240000