

WHEN RECORDED, RETURN TO:

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE
HARBOR BAY SUBDIVISION

THIS AMENDMENT is made by the undersigned Association.

RECITALS

- A. Real property in Saratoga Springs City, Utah County, State of Utah, known as Harbor Bay Subdivision, according to official plat thereof on file with the Utah County Recorder's Office, State of Utah, was subjected to an Amended and Restated Declaration of Covenants, Conditions, and Restrictions recorded May 29, 2012, as Entry No. 44247:2012, in the Utah County Recorder's Office, Utah ("Declaration");
- B. A portion of the property described in Exhibit "A" to the Declaration is not subject to the Declaration, but rather is intended to be Additional Land, able to be subjected to the Declaration if certain events occur. However, the Additional Land, described in Exhibit "A" as "unsubdivided land," was described in Exhibit "A" as being subject to the Declaration. The property owners of the unsubdivided property have not agreed to subject their property to the Declaration and have requested that the Association amend Exhibit "A" to accurately reflect the current status of the unsubdivided land.
- C. This amendment shall correct the legal description described in Exhibit "A" to the Declaration;
- D. Because this Amendment is correction to the legal description adjusting it to remove property that was not subject to the CC&Rs, no vote of the Owners is necessary;

NOW THEREFORE, the Exhibit "A" of the Declaration is hereby amended to remove the description of unsubdivided land.

IN WITNESS WHEREOF, the Association has executed this instrument.

HARBOR BAY SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

By: Brandy Tilo as its President

STATE OF UTAH)

County of Salt Lake) :ss.

On this 26 day of September 2012, personally appeared before me Brandy Tilo, who being by me duly sworn, did say that she is the proper agent for Harbor Bay Subdivision Homeowners Association, Inc., that she has been authorized to execute this Amendment on behalf of the Association, and that the Association did not intend to subject the unsubdivided land described in Exhibit "A" of the Declaration to the Declaration.

Adrienne Nielsen
NOTARY PUBLIC

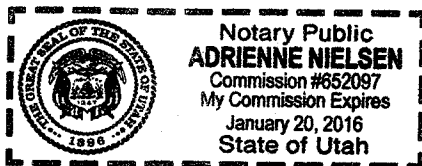


EXHIBIT "A"
LEGAL DESCRIPTION

Lots 101 through 124 within Harbor Bay Subdivision Phase 1, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:620:0101 and all other parcels with in Harbor Bay Subdivision Phase 1.

Lots 201 through 225 within Harbor Bay Subdivision Phase 2, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:633:0201 and all other parcels with in Harbor Bay Subdivision Phase 2.

Lots 301 through 309 within Harbor Bay Subdivision Phase 3, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:647:0301 and all other parcels with in Harbor Bay Subdivision Phase 3.

Lots 401 through 484 within Harbor Bay Subdivision Phase 4, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:726:0401 and all other parcels with in Harbor Bay Subdivision Phase 4.

Lots 501 through 522 within Harbor Bay Subdivision Phase 5, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:664:0501 and all other parcels with in Harbor Bay Subdivision Phase 5.

Lots 506 through 510 within Harbor Bay Subdivision Phase 5A, as shown on the official map thereof on file in the Utah County Recorder's Office.

Parcel Nos.: 41:708:0506 and all other parcels with in Harbor Bay Subdivision Phase 5A.