

WHEN RECORDED, MAIL TO:

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165 South Regent Street
Salt Lake City, Utah 84111

OCTOBER 27, 2009

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONIDITIONS, AND
RESTRICTIONS OF THE COVE AT JORDAN RIVER TOWNHOUSES**

(For Units 112, 113, 114, 115, 116, 117, 118, 119, 120 and 121)

Tax Numbers: 65:324:0112
65:324:0113
65:324:0114
65:324:0115
65:324:0116
65:324:0117
65:324:0118
65:324:0119
65:324:0120
65:324:0121

FIRST AMENDMENT

This First Amendment is made this 27 day of October, 2009, by Jordan River Developers, Inc., a Utah corporation, referred to herein as "Declarant," and The Cove at Jordan River Owners Association, Inc., a Utah nonprofit corporation, referred to herein as the "Association."

RECITALS

A. Declarant owns Units 112, 113, 114, 115, 116, 117, 118, 119, 120 and 121 of The Cove at Jordan River Townhouses, located in Saratoga Springs, Utah County, Utah. These Units are more fully described as follows:

See the legal description attached hereto as Exhibit "A".

B. Declarant (or its predecessors in interest) previously caused to be recorded in the Office of the Utah County Recorder on November 8, 2007 as Entry 159540:2007, that certain Declaration of Covenants, Conditions and Restrictions of The Cove at Jordan River Townhouses (a Planned Unit Development) (the "CC&R's") for the Project.

C. To clarify the existence of certain utility easements within the Project, and at the request of the City of Saratoga Springs, Declarant and the Association are amending the CC&Rs, as set forth herein.

D. All capitalized terms herein shall have the same meaning as those set forth in the CC&R's unless otherwise stated herein.

DECLARATION

The following provision, identified as Section 21.6, is hereby added to the CC&Rs, to clarify the intentions of, and language in, the original CC&Rs, as if the following provision was included as part of the original CC&Rs:

21.6. Any and all utilities in the Project (including, without limitation, water lines, sewer lines, power lines and related improvements) that are constructed within, under, over or through a Unit or a Building and that extend to and/or serve another Unit or Building shall have a perpetual easement for construction, installation, repair, maintenance, and replacement. The beneficiaries of the easement hereby created shall be the Association, the service providers of the utilities, and all Owners of the Units receiving service from the subject utilities.

This Amendment has been approved and adopted as of the date first set forth above by the Declarant and by the Association, for itself and on behalf of the Owners and Members of the Association.

DECLARANT:

Jordan River Developers, Inc.

By: *[Signature]*
Its: Secretary

ASSOCIATION:

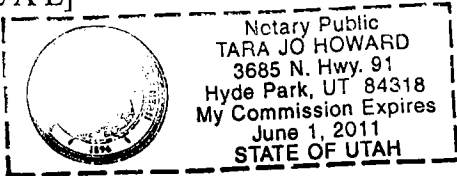
The Cove at Jordan River Owners Association, Inc.

By: *[Signature]*
Its: Secretary

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 27 day of October, 2009, by Jay Jenks, as Secretary of Jordan River Developers, Inc., and by Travis Taylor, as Secretary of The Cove at Jordan River Owners Association, Inc.

[SEAL]



[Signature]
Notary Public

EXHIBIT "A" - LEGAL DESCRIPTION OF PROPERTY

Units 112, 113, 114, 115, 116, 117, 118, 119, 120 and 121, of THE COVE AT JORDAN RIVER, a Planned Unit Development Phase 3, Amended, according to the official plat thereof, on file and of record in the office of the Utah County Recorder, filed 22 June 2009 as Filing No. 68632-2009