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Gary W. Ott
Recorder, Salt Lake County, UT
VIAL FOTHERINGHAM LLP
BY: eCASH, DEPUTY - EF 6 P.

After Recording Return to:
Vial Fotheringham, LLP
Burt R. Willie
515 South 400 East
Salt Lake City, Utah 84111

**AMENDMENT TO THE FIRST AMENDED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS OF THE SCENIC RIDGE ESTATES
PHASE II SUBDIVISION**

This Amendment to the First Amended Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase II Subdivision (“Amendment”) is hereby adopted by the Board of Directors for Scenic Ridge Estates Phase II Home Owners Association, Inc. (“Association”), for and on behalf of its members, and made effective as of the date recorded in the Salt Lake County Recorder’s Office.

RECITALS

A. The real property that is the subject of this Amendment is situated in Salt Lake County, Utah, and is more particularly described in **Exhibit A**.

B. On or about June 30, 2004, the Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase II Subdivision was recorded in the records of the Salt Lake County Recorder’s Office, as Entry No. 9108168 (hereinafter the “Enabling Declaration”).

C. On or about June 25, 2004, a plat map depicting all Lots in the Phase II Project was recorded in the Salt Lake County Recorder’s Office, as Entry No. 9102645 (“Phase II Map”).

D. On or about May 2, 2005, the Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase III Subdivision was recorded in the records of the Salt Lake County Recorder’s Office, as Entry No. 9364432 (hereinafter the “Phase III Declaration”).

E. On or about April 1, 2005, a plat map depicting all lots in the Phase III Project was recorded in the Salt Lake County Recorder’s Office as Entry No. 9338711 (“Phase III Map”).

F. On or about June 7, 2012, a Supplemental Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase II Subdivision was recorded in the Salt Lake County Recorder’s Office as Entry No. 11405756, wherein the Lots and Owners within Phase III

AMENDMENT TO THE FIRST AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND 1
RESTRICTIONS OF THE SCENIC RIDGE ESTATES
PHASE II SUBDIVISION

were merged and consolidated into the Association (“Declaration of Consolidation”) and the Phase III Declaration was effectively terminated.

G. On or about June 7, 2012, a First Amended Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase II Subdivision was recorded in the Salt Lake County Recorder’s Office as Entry No. 11405757, effectively replacing the Enabling Declaration (“Amended & Restated Declaration”).

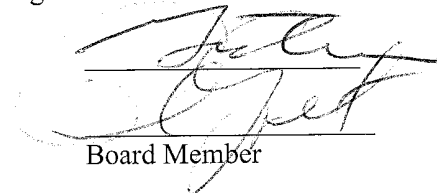
H. Except as otherwise expressly provided in this Amendment, the Amended & Restated Declaration remains unchanged. If there is any conflict between this Amendment and the Amended & Restated Declaration, this document shall control.

CERTIFICATION

Pursuant to Article IX, Section 1 of the Amended & Restated Declaration, Owners of record, holding at least sixty-seven percent (67%) of the total voting power of the Association provided their written consent approving and consenting to the recordation of this Amendment.

Jared Knight


Board Member


Board Member

NOW, THEREFORE, the Amended & Restated Declaration is hereby amended as follows:

COVENANTS, CONDITIONS AND RESTRICTIONS

1. **Recitals.** The above Recitals are incorporated herein by reference and made a part hereof.
2. **No Other Changes.** Except as otherwise expressly provided in this Amendment, the Amended & Restated Declaration is hereby ratified and confirmed without modification.
3. **Article III, Section 9 – Landscaping.** Article III, Section 9 of the Amended & Restated Declaration is hereby deleted in its entirety and replaced with the following:

Landscaping. All front and side yards must be landscaped within one (1) year after issuance of an occupancy permit for a dwelling. Rear yards must be landscaped within two (2) years after issuance of an occupancy permit for a dwelling. Owners may decide whether or not they will have park strip trees on their Lot. If an Owner elects to have park strip trees, all park strips must be planted in grass and the type and size of the tree(s) shall be approved in writing by the AC Committee prior to planting. If trees are planted, they must be planted at 40’ foot intervals. Each Lot Owner shall not remove or relocate trees in the park strip without prior, written permission from the AC Committee. If any tree in the park strip dies, within 90 days, the Lot Owner will purchase and install a new tree of equivalent size for replacement. Any section

AMENDMENT TO THE FIRST AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND 2
RESTRICTIONS OF THE SCENIC RIDGE ESTATES
PHASE II SUBDIVISION

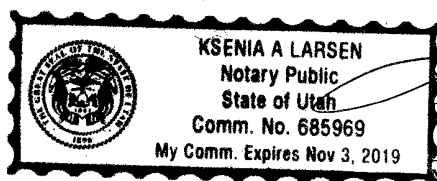
of a Lot that is used for pasture must be well maintained and not over-grazed by livestock. All Lots and contiguous fence lines must be kept free of noxious weeds and must maintain a pleasant appearance.

Scenic Ridge Estates Phase II Home Owners Association, Inc., a Utah non-profit corporation

Jared Knight
By: Jared Knight
Its: Board Member

STATE OF UTAH)
COUNTY OF Salt Lake : SS

On this 04 day of 08, 2016, personally appeared before me Jared Knight being by me duly sworn, did say that he/she is a Board Member of SREP, a Utah non-profit corporation and that the within and foregoing instrument was signed on behalf of said corporation by authority and said individual duly acknowledged to me that said corporation approved the same.

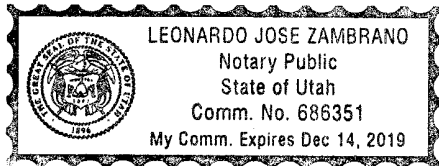

Notary Public
Residing at: Salt Lake
My Commission Expires: Nov 3, 2019

Scenic Ridge Estates Phase II Home Owners Association, Inc., a Utah non-profit corporation

By: Paula Geplhart
Its: Board Member

STATE OF UTAH)
: ss
COUNTY OF Salt Lake)

On this August day of 04, 2016, personally appeared before me Paula Geplhart, who being by me duly sworn, did say that he/she is a Board Member of SREP, a Utah non-profit corporation and that the within and foregoing instrument was signed on behalf of said corporation by authority and said individual duly acknowledged to me that said corporation approved the same.



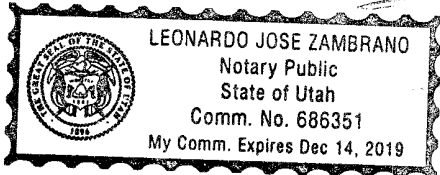
Notary Public
Residing at: Salt Lake
My Commission Expires: 12/14/19

Scenic Ridge Estates Phase II Home Owners Association, Inc., a Utah non-profit corporation

By: Gregory A. Peterson
Its: Board Member

STATE OF UTAH)
: ss
COUNTY OF Salt Lake)

On this August day of 04, 2016, personally appeared before me Gregory Peterson, who being by me duly sworn, did say that he/she is a Board Member of SREP, a Utah non-profit corporation and that the within and foregoing instrument was signed on behalf of said corporation by authority and said individual duly acknowledged to me that said corporation approved the same.



Notary Public
Residing at: Salt Lake
My Commission Expires: 12/14/19

AMENDMENT TO THE FIRST AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE SCENIC RIDGE ESTATES PHASE II SUBDIVISION

EXHIBIT A
Legal Descriptions

Phase 2

BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 OF THE SCENIC RIDGE ESTATES SUBDIVISION IN BLUFFDALE CITY, SALT LAKE COUNTY, UTAH, SAID POINT OF BEGINNING BEING ALSO N89°53'59" W 2,642.12 FT. ALONG THE SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 16, T4S., R1W., S.L.B. & M. AND S0°06'01" W 1,320.03 FT. ALONG THE CENTERLINE OF 2700 WEST STREET (SAID CENTERLINE IS THE BASIS OF BEARING FOR THIS DESCRIPTION) AND S89°53'59" E 33.00 FT. ALONG THE SOUTH BOUNDARY AT SAID SCENIC RIDGE SUBDIVISION FROM THE NORTHEAST CORNER OF SECTION 16, T4S., R1W., S.L.B. & M. AND RUNNING THENCE S01°31'19" W 317.33 FT.; THENCE S0°22'34" W 25.00 FT.; THENCE N89°37'27" W 33.00 FT.; THENCE S0°22'33" W 675.58 FT ALONG THE QUARTER SECTION LINE TO A POINT WHICH IS N0°22'33" E 306.59 FT. ALONG SAID QUARTER SECTION LINE FROM THE CENTER OF SAID SECTION 16; THENCE N86°00'59" W 7.48 FT.; THENCE S04°13'12" W 40.71 FT.; THENCE ALONG THE NORTH BOUNDARY OF THE WELBY CANAL AS DESCRIBED IN BOOK 8320, PAGE 1081 AND 1082 IN THE FOLLOWING SIX COURSES: (1) N75°18'56" W 426.07 FT, (2) N70°24'40" W 101.15 FT.; (3) N60°51'24" W 101.34 FT., (4) N58°51'49" W 669.44 FT.; (5) N64°40'52" W 95.56 FT., (6) N73°40'06" W 54.90 FT.; THENCE N0°25'00" E 466.32 FT. ALONG THE EAST BOUNDARY OF THE PROPOSED CASCADE COVE SUBDIVISION; THENCE S89°53'59" E 1,361.12 FT. ALONG THE EXTENDED SOUTH BOUNDARY OF SAID SCENIC RIDGE SUBDIVISION TO THE POINT OF BEGINNING.

CONTAINING 24.6538 ACRES. Tax I.D. No. 33-16-106-009

Phase 3

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN BEING A PORTION OF THOSE CERTAIN PROPERTIES DESCRIBED IN THE WARRANTY DEEDS RECORDED AS ENTRY NO. 6327377 AND ENTRY NO. 9148604 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF 15250 SOUTH STREET AND THE EASTERLY BOUNDARY OF SCENIC RIDGE ESTATES PHASE 2 A SUBDIVISION PLAT RECORDED JUNE 25, 2004, SALT LAKE COUNTY RECORDS, SAID POINT BEING 982.02 FEET NORTH 00°22'32" EAST (NORTH 00°22'33" AMENDMENT TO THE FIRST AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE SCENIC RIDGE ESTATES PHASE II SUBDIVISION

EAST BY SCENIC RIDGE ESTATES PHASE 2) ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, AND ALONG THE EASTERLY BOUNDARY OF SAID SCENIC RIDGE ESTATES PHASE 2, AND 33.00 FEET SOUTH 89°37'27" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF 15250 SOUTH STREET AND ALONG SAID EASTERLY BOUNDARY, FROM THE MONUMENT (REBAR SET IN CONCRETE) FOUND MARKING THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (CENTER ¼) OF SAID SECTION 16, SALT LAKE COUNTY SURVEY (BASIS OF BEARINGS FOR THIS PLAT IS SOUTH 89°52'59" EAST 2645.74 FEET BETWEEN THE S.L.CO. SURVEY MONUMENTS FOUND AT THE CENTER AND THE EAST QUARTER CORNER OF SAID SECTION 16); AND RUNNING THENCE NORTH 00°22'34" EAST, ALONG SAID SCENIC RIDGE ESTATES PHASE 2 EASTERLY BOUNDARY, 25.00 FEET; THENCE NORTH 01°31'19" EAST ALONG SAID SCENIC RIDGE ESTATES PHASE 2 EASTERLY BOUNDARY, 317.36 FEET (317.33 FEET BY SCENIC RIDGE ESTATES PHASE 2) TO THE SOUTHERLY BOUNDARY OF SCENIC RIDGE ESTATES SUBDIVISION, A SUBDIVISION PLAT RECORDED SEPTEMBER 24, 2001, SALT LAKE COUNTY RECORDS, THENCE SOUTH 89°53'59" EAST, ALONG SAID SCENIC RIDGE ESTATES SUBDIVISION SOUTHERLY BOUNDARY, 627.00 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION, THENCE SOUTH 00°06'01" WEST 2.15 FEET TO THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 89°53'29" EAST, ALONG SAID NORTHERLY LINE, 60.71 FEET; THENCE SOUTH 00°21'12" WEST 391.75 FEET, THENCE WEST 229.13 FEET; THENCE NORTH 29.95 FEET TO A POINT OF CURVATURE WITH A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 31.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°37'27" (CHORD BEARS NORTH 44°48'44" WEST 28.19 FEET); THENCE NORTH 89°37'27" WEST 444.90 FEET TO THE POINT OF BEGINNING.

CONTAINS 248,929 SQUARE FEET OR 5.715 ACRES, MORE OR LESS

Tax I.D. No. 33-16-251-007