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When Recorded Return to:  
DAI Partners, LLC  
c/o Bryan Flamm  
1099 W. South Jordan Pkwy  
South Jordan, UT 84095

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10/31/2017 10:32 AM \$100.00  
Book - 10614 Pg - 6759-6762  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
DAI PARTNERS LLC  
1099 W SOUTH JORDAN PARKWAY  
SOUTH JORDAN UT 84095  
BY: CRA, DEPUTY - WI 4 P.

**FIRST AMENDMENT TO THE  
AMENDED AND RESTATED NEIGHBORHOOD DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
THE RIDGE AT INDEPENDENCE**

This First Amendment to the Neighborhood Declaration of Covenants, Conditions and Restrictions for The Ridge at Independence (the "First Amendment") is executed and adopted by 4 Independence, LLC (the "Declarant") on behalf of The Ridge at Independence Homeowners Association, a Utah non-profit corporation (the "Association").

**RECITALS**

A. The Neighborhood Declaration of Covenants, Conditions and Restrictions for The Ridge at Independence was recorded on November 9, 2015 as Entry No. 12167279 in the office of the Salt Lake County Recorder.

B. The Amended and Restated Neighborhood Declaration of Covenants, Conditions and Restrictions for The Ridge at Independence was recorded on July 7, 2016 as Entry No. 12316353 in the office of the Salt Lake County Recorder (hereinafter the "Declaration").

C. This First 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 First Amendment to alter the restrictions on accessory structures 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 XII, Section 12.2 of the Declaration, the undersigned hereby certifies that this First 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 First Amendment, which shall be effective as of its recording date with the Salt Lake County Recorder's office.

(1) **Amendment No. 1.** Article X, Section 10.6 of the Declaration is hereby deleted in its entirety and replaced as follows:

10.6 **Accessory Structures.** Unless otherwise provided in the Design Guidelines of the Master Association, or the Sub-Design Guidelines adopted by the Sub-Association, patio structures including decks, trellises, sunshades, and gazebos (collectively "Deck Structures") shall be constructed of composite materials unless otherwise approved in writing by the IDRC. If non-composite materials are approved (such as natural wood or metal), the IDRC, Master Association, or Sub-Association shall have the right to demand removal, painting, staining, or repair of a Deck Structure that is not maintained to the Master Association or Sub-Association's satisfaction and may enter the Owner's Lot upon two (2) weeks' notice to perform such painting, staining, or repair if the Owner fails to perform any such requested maintenance. All Deck Structures, awnings, window treatments, blinds, flag poles, and any other appurtenant buildings shall be constructed of materials consistent with the colors, textures, and materials approved for the dwelling and shall be integral to the architecture of the house and subject to the prior written approval of the IDRC in its sole discretion. The Master Association and/or the Sub-Association shall have the right to assess a Lot Owner for its costs to maintain, repair, or remove any accessory structure that is not compliant with Master Association or Sub-Association standards.

(2) **Conflicts.** All remaining provisions of the Declaration and any prior amendments 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.

(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 First Amendment on the date set forth below.

DATED this 30<sup>th</sup> day of October, 2017.

**DECLARANT**  
**4 Independence, LLC**  
a Utah limited liability company

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

By: \_\_\_\_\_

Name: Nathan Shipp

Title: Manager

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

On the 30<sup>th</sup> day of October, 2017, personally appeared before me Nathan Shipp who by me being duly sworn, did say that she/he is an authorized representative of DAI Partners, LLC as 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 Plat K**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder.

Parcel Numbers 33141260070000 through 33141260150000

Parcel Numbers 33141270010000 through 33141270230000

All of **Independence at the Point Plat L**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder.

Parcel Numbers 33141260170000 through 33141260230000

Parcel Numbers 33141270240000 through 33141270300000

Parcel Numbers 33141280070000 through 33131280140000

All of **Independence at the Point Plat M-1**, according to the official plat thereof, on file in the office of the Salt Lake County Recorder.

Parcel Numbers 33141270310000 through 33141270340000

Parcel Numbers 33141280150000 through 33141280200000

Parcel Numbers 33141760230000 through 33141760360000

Parcel Numbers 33141780010000 through 33141780070000