

When Recorded Return To:

Edge Gateway, LLC
13702 S. 200 W. #B12
Draper, UT 84020

**FIRST AMENDMENT AND SUPPLEMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
NORTH POINTE TOWNHOMES
An Expandable Planned Unit Development
(Phase 2)**

This First Amendment and Supplement to the Declaration of Covenants, Conditions, and Restrictions for North Pointe Townhomes (“**Supplemental Declaration**”) is executed and adopted by Edge Gateway, LLC, a Utah limited liability company (“**Declarant**”).

RECITALS

A. This Supplemental Declaration shall amend and supplement the Declaration of Covenants, Conditions and Restrictions for North Pointe Townhomes (“**Declaration**”) recorded with the Utah County Recorder’s Office on September 17, 2018 as Entry No. 89017:2018.

B. Edge Gateway, LLC is the Declarant as identified and set forth on the signature lines of the Declaration and is the owner of the real property subject to this Supplemental Declaration.

C. Under the terms of the Declaration, Declarant reserved the right to unilaterally amend the Declaration.

D. Declarant desires to amend certain clerical errors in the Declaration to clarify the correct name of the entity that shall act as the Declarant for the Project.

E. Under the terms of the Declaration, Declarant reserved the right to expand the Property by the addition of all or a portion of the Additional Land described in the Declaration.

F. Declarant desires to add a portion of the Additional Land as hereinafter provided for.

NOW THEREFORE, in consideration of the recitals set forth above, the Declarant hereby declares and certifies as follows:

AMENDMENT

1. **Amendment No. 1.** Section 1.11 shall be deleted in its entirety and replaced by the following:

1.11 **Declarant** shall mean Edge Gateway, LLC, a Utah limited liability company, and any successor in interest.

ANNEXATION

2. Annexation of Additional Land. Declarant hereby confirms that all of the real property identified on Exhibit A attached hereto, together with (i) all buildings, improvements, and structures situated on or comprising a part of the above-described real property, whether now existing or hereafter constructed; (ii) all easements, rights-of-way, and other appurtenances and rights incident to, appurtenant to, or accompanying said real property; and (iii) all articles of personal property intended for use in connection therewith (collectively referred to herein as the “**Subject Property**”) is submitted to and properly annexed into the Declaration. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the terms, covenants, restrictions, easements, charges, assessments, and liens set forth in the Declaration and all supplements and amendments thereto.

3. Phase 2. The real properties described in Paragraph 1, and the improvements to be constructed thereon, all of which are submitted to the terms and conditions of the Declaration, are more particularly set forth on **North Pointe Village P.U.D. Phase 2 Subdivision**, which plat map is recorded in the office of the Utah County Recorder.

4. Submission. The Subject Property shall hereinafter be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration and all supplements and amendments thereto.

5. Membership. The Owner of each Lot or parcel within the Subject Property shall be a member of the North Pointe Townhomes Association (“**Association**”) and shall be entitled to all benefits of such membership and shall be subject to the Declaration. Each Lot Owner is allotted one vote in the Association per Lot owned.

6. Apportionment of Common Expenses. In accordance with the Declaration, Common Expenses shall be equally apportioned among the Owners, including the Owners of Lots annexed into to the Association through this Supplemental Declaration.

7. Master Association Membership. The Owner of each Lot or Parcel within the Subject Property shall also be a member of the North Pointe Master Association and shall be subject to the *Master Declaration of Covenants, Conditions, and Restrictions for North Pointe Village* recorded in the Utah County Recorder’s Office on September 17, 2018 as Entry No. 89045:2018 and any supplements and amendments thereto.

8. Representations of Declarant. Declarant represents that the annexed real property is part of the Additional Land described in the Declaration.

9. Reservation of Declarant’s Rights. All rights concerning the Project reserved to Declarant in the Declaration are hereby incorporated and reserved to Declarant with respect to the Subject Property. The exercise of Declarant’s rights concerning such Subject Property shall be governed by the same terms, provisions and limitations set forth in the Declaration.

10. Effective Date. This Supplemental Declaration shall take effect upon being recorded with the Utah County Recorder.

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration this 8 day of October, 2018.

DECLARANT
Edge Gateway, LLC
A Utah Limited Liability Company

Signature: Steve Maddox

Name: Steve Maddox

Title: Manager

STATE OF UTAH)
) ss.
COUNTY OF Utah)

On the 8 day of October, 2018, personally appeared before me _____ who by me being duly sworn, did say that she/he is an authorized representative of Edge Gateway, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Shelley King
Notary Public

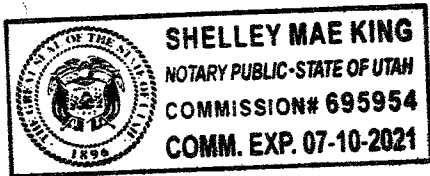


EXHIBIT A
(Legal Description)

All of **North Pointe Village P.U.D. Phase 1 Subdivision**, according to the official plat on file in the office of the Utah County Recorder as Entry No. 84542:2018.

More particularly described as:

Beginning at a point being North 89°48'50" East 4,685.24 feet along the section line and North 1,000.89 feet from the West Quarter Corner of Section 2, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 00°06'22" West 133.00 feet;
 thence North 89°53'38" East 125.00 feet;
 thence North 00°06'22" West 67.43 feet;
 thence North 89°53'38" East 40.00 feet;
 thence Northeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the right (center bears North 89°53'38" East and the chord bears North 44°53'38" East 21.21 feet with a central angle of 90°00'00");
 thence North 89°53'38" East 62.00 feet;
 thence South 00°06'22" East 98.43 feet;
 thence North 89°53'38" East 332.10 feet to the Westerly Right-of-Way Line of 3600 West;
 thence South 00°08'15" East 218.50 feet along said Westerly Right-of-Way Line of 3600 West;
 thence South 89°53'38" West 332.24 feet;
 thence North 00°07'56" West 101.50 feet;
 thence South 89°53'38" West 61.93 feet;
 thence Southwesterly 31.42 feet along the arc of a 20.00 foot radius curve to the left (center bears South 00°06'22" East and the chord bears South 44°53'38" West 28.28 feet with a central angle of 90°00'00");
 thence South 89°53'38" West 35.00 feet;
 thence North 00°06'22" West 13.23 feet;
 thence Northwesterly 16.96 feet along the arc of a 20.00 foot radius curve to the left (center bears South 48°29'04" West and the chord bears North 65°48'39" West 16.46 feet with a central angle of 48°35'25");
 thence South 89°53'38" West 110.00 feet to the point of beginning.

Contains 114,581 Square Feet or 2.630 Acres and 28 Townhomes

All of **North Pointe Village P.U.D. Phase 2 Subdivision**, according to the official plat on file in the office of the Utah County Recorder.

More particularly described as:

Beginning at a point being North 89°48'50" East 4,147.02 feet along the section line and North 1,136.53 feet from the West Quarter Corner of Section 2, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 18°25'00" West 205.96 feet;
 thence North 89°53'24" East 1,176.65 feet;
 thence South 00°08'15" East 213.49 feet;
 thence South 89°53'38" West 332.10 feet;
 thence North 00°06'22" West 98.43 feet;
 thence South 89°53'38" West 62.00 feet;
 thence Southwesterly 23.56 feet along the arc of a 15.00 foot radius curve to the left (center bears South 00°06'22" East and the chord bears South 44°53'38" West 21.21 feet with a central angle of 90°00'00");
 thence South 89°53'38" West 40.00 feet;
 thence South 00°06'22" East 67.43 feet;
 thence South 89°53'38" West 492.79 feet;
 thence North 18°03'25" West 9.97 feet;
 thence South 71°55'35" West 25.51 feet;
 thence West 142.83 feet to the point of beginning.

Contains 221,815 Square Feet or 5.092 Acres and 63 Townhomes

Parcel Numbers Not Assigned