



ENT 184229:2020 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Nov 19 4:27 pm FEE 70.00 BY CS
RECORDED FOR MONTEDELLA TOWNHOMES

WHEN RECORDED, RETURN TO:
Montdella Townhomes, LLC
1807 Tuscalee Way
Draper, UT 84020
(650) 924-8000

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
MONTEDELLA SUBDIVISION**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Montdella Subdivision, is executed this 28th day of October, 2020, by Montdella, LLC, a Utah limited liability company, as “Developer.”

RECITALS

WHEREAS, Developer executed the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MONTEDELLA SUBDIVISION**, which was executed by Developer on December 17, 2019, and recorded in the records of Utah County, Utah, as Entry 133919:2019, on December 17, 2019 (the “Montdella CCRs”) relative to that certain real property located in the City of Alpine, County of Utah, State of Utah, described more particularly on Exhibit “A” attached hereto and incorporated herein by this reference (the “Project”);

WHEREAS, pursuant to Section 10 of the Montdella CCRs, Developer now wishes to amend certain provisions of the Montdella CCRs in the manner set forth herein:

NOW, THEREFORE, by virtue of the provisions of Section 10 of the Montdella CCRs, the undersigned Developer does hereby amend the Montdella CCRs as follows:

- A. DEVELOPER ASSIGNMENT.** Effective as of the date of this First Amendment to Declaration of Covenants, Conditions and Restrictions for Montdella Subdivision, the undersigned Developer of the Project, as such term is defined in the Montdella CCRs, hereby assigns all rights, obligations and responsibilities of Developer under the Montdella CCRs to MONTEDELLA TOWNHOMES, LLC, a Utah limited liability company (hereunder, the “Surviving Developer”.) By execution hereinbelow, such Surviving Developer accepts the assignment of all the rights, obligations and responsibilities of Developer under the Montdella CCRs. Hereafter, such Surviving Developer shall be recognized as the Developer of the Project.
- B. MANAGING MEMBER APPOINTMENT.** Further, effective as of the date hereof, the Surviving Developer hereby appoints DAVID WILKES as the Managing Member of the Project.

C. **ALL OTHER TERMS UNCHANGED.** The Montdella CCRs, as amended hereby, are hereby ratified and shall be in full force and effect. The Montdella CCRs are hereby amended to the extent necessary to conform to the terms of this First Amendment, and undersigned confirms that all terms, provisions, and conditions of the Montdella CCRs which are not specifically modified by this First Amendment shall remain in full force and effect as of the date first above written.

DEVELOPER:
MONTDELLA, LLC
 a Utah limited liability company
 By its Manager
 Cottle Capital Group, LLC

By: *Alan Cottle*
 Alan Cottle, Manager

SURVIVING DEVELOPER:
MONTDELLA TOWNHOMES, LLC
 a Utah limited liability company

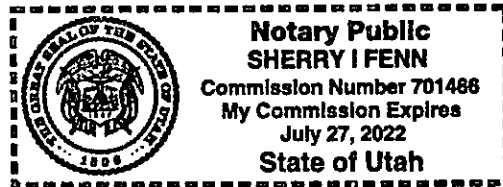
By: *David Wilkes*
 Name: DAVID WILKES
 Title: Manager

ACKNOWLEDGMENTS

State of Utah)
 : ss.
 County of Davis)

The foregoing instrument was acknowledged before me this 24th day of September, 2020, by Alan Cottle, the Manager of Cottle Capital Group, LLC, the Manager of MONTDELLA, LLC, a Utah limited liability company, and said Alan Cottle duly acknowledged to me that said MONTDELLA, LLC executed the same.

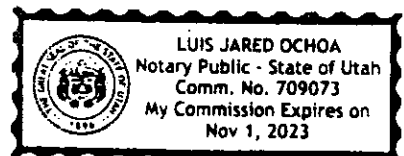
Sherry L Fenn
 NOTARY PUBLIC
 Residing at: Layton, UT
 My Commission Expires: 07-27-2022



State of Utah)
 : ss.
 County of SALT LAKE)

The foregoing instrument was acknowledged before me this 5 day of October, 2020, by David Wilkes, the Manager of MONTDELLA TOWNHOMES, LLC, a Utah limited liability company, and said David Wilkes duly acknowledged to me that said MONTDELLA TOWNHOMES, LLC executed the same.

Jared Ochoa
 NOTARY PUBLIC
 Residing at: 6275 S Highland DR, SLIC UT 84121
 My Commission Expires: NOV 1, 2023



LEGAL DESCRIPTION

Beginning at a point North 122.76 feet and West 1253.38 feet from the Northeast Corner of Section 25, Township 4 South, Range 1 East, Salt Lake Base and Meridian; thence along the South boundary line of the L. Ross and Joanne C. Beck title line (Entry 89736:2015) the following 2 (two) courses: 1) North 88°14' West 74.96 feet; thence 2) South 76°32' West 70.38 feet; thence South 40°36'05" West 230.49 feet; thence South 63°26'06" West 111.80 feet; thence South 41°15'06" West 203.25 feet; thence to and along Alpine Main Street Village 4th Amended Plat "A" the following 2 (two) course: 1) South 70°27'24" East 272.51 feet; thence 2) North 82°56'04" East 298.91 feet to the Westerly right of way of Main Street as established by the Warranty Deed to the State Road Commission of Utah, (Entry 15764:1959); thence N00°21'39"E 445.40 feet along and beyond said Warranty Deed; thence N88°14'00"W 28.89 feet to the point of beginning.

171,558 square feet, or 3.94 acres+/- of which 4,142 square feet of 0.01 acres+/- lies inside the existing right of way of Main Street.