

**WHEN RECORDED MAIL TO:**

W. Scott Kjar  
C/O Sky Properties, Inc.  
585 West 500 South, No. 110  
Bountiful, UT 84010

Parcel Numbers: 01-439-0001 through 01-439-0012; 01-440-0012 through 01-440-0021;  
01-442-0211 through 01-442-0218; 01-442-0221 through 01-442-0228;  
01-442-0231 through 01-442-0239 and 01-107-0114.

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**AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND  
RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF THE VILLAS AT BELLA VIDA  
(A PLANNED UNIT DEVELOPMENT) (EXPANDABLE)**

THIS AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE VILLAS AT BELLA VIDA (this "Amendment No. 1") as executed this 20<sup>th</sup> day of October, 2014 by VILLAS DEVELOPMENT, INC., a Utah corporation (the "Declarant"), and by VILLAS AT BELLA VIDA HOMEOWNERS ASSOCIATION, INC., a Utah nonprofit corporation (the "Association").

**RECITALS**

A. Declarant and the Association previously executed that certain First Amendment and Restatement of Declaration of Covenants, Conditions and Restrictions of the Villas at Bella Vida (the "Declaration") dated April 25, 2013 that was recorded in the Office of the Recorder of Davis County, Utah on April 26, 2013 as Entry No. 2736077 in the Book 5757, beginning at Page 158. The Declaration pertains to and affects all of Units 1 through 20, inclusive within The Villas at Bella Vida Phase 1 and Phase 2, according to the Official Plat thereof as recorded in the Office of the Recorder of Davis County, Utah, which Units are described in the Declaration as the Project and which Units are more particularly described in Exhibit "A" attached hereto.

B. Capitalized terms used in this Amendment No. 1 shall have the same meanings for such capitalized terms as set forth in the Declaration, unless otherwise specifically provided herein.

C. Section 1 of Article VII of the Declaration provides that no construction of a Unit, improvements to any Patio Area, driveway, sidewalk, Common Facility or any other improvement to any Lot shall be commenced without the prior written consent of the Architectural Control Committee.

D. As of the date of this Amendment No. 1, Buildings have not been constructed on Lots 3 through 8 in Phase 1 of the Project nor on Lots 14 through 20 in Phase 2 of the Project (collectively referred to herein as the "Horton Lots").

E. Declarant and the Association desire to establish specific design and construction standards that shall pertain to the construction of Buildings on the Horton Lots, as hereinafter set forth.

F. The Declarant and the Association desire to amend certain other provisions of the Declaration as hereinafter set forth.

G. Pursuant to Article XIV, Section 3 of the Declaration, the affirmative vote or written approval of at least 67% of the total votes of the Association was obtained for the execution and recording of this Amendment No. 1 by the Declarant and the Association.

NOW THEREFORE, Declarant and the Association hereby amend the Declaration as follows:

1. Section 1 of Article VII of the Declaration is hereby amended to include at the end of Section 1 a new Subsection E that shall read in its entirety as follows:

E. Design and Construction Standards for the Horton Lots. All structures constructed on the Horton Lots shall comply with the following standards.

1.1. Exterior Materials.

1.1.1. Roof Shingles. The roof shingles shall be 30 year architectural grade asphalt shingles in a color similar to the existing units in the Project.

1.1.2. Timbers. The front pillars and columns along with the front header beams shall be wrapped with rough cut lumber.

1.1.3. Wainscot. The front façade of each Unit shall have a four foot (4') high wainscot of rock, cultured rock, or brick measured from the top of the foundation wall. The front pillars and columns shall have a flared wainscot that is similar in height and matches the materials of the front façade of such Unit.

1.1.4. Siding. The siding shall be Hardie Plank type cementitious or LP wood siding/accent shingles. Stucco may not be used on the front façade, and no more than 50% of any side or rear wall exterior may be stucco. Each side of the Unit, including the front façade, shall use a minimum of three different building materials either of horizontal lap siding, vertical board and batten, trims, stucco or accent shaker-type shingles.

1.2. Roof Pitch. The main roof pitch shall be at least 6/12. The pitch of the shed or accent portion of the roof structure shall be at least 3/12.

1.3. Minimum Size. Each Unit shall have a minimum main floor area (excluding the garage) of one thousand four hundred (1,400) square feet.

1.4. Colors. The Units shall have any combination of the exterior color schemes attached to Amendment No. 1 as Exhibit "B," with three different colors on the façade of each Unit.

2. Article IV of the Declaration is hereby amended to include at the end of Article IV a new Section 7 that shall read in its entirety as follows:

7. Limited Common Areas of the Horton Lots. With respect to the Horton Lots, Declarant and the Association hereby declare that the location of the Limited Common Areas appurtenant to the Horton Lots are hereby amended to be as depicted on Exhibit "C" attached to Amendment No. 1, notwithstanding the fact that the locations of the Limited Common Areas for such Horton Lots as depicted on Exhibit "C" attached to Amendment No. 1 hereto may differ from the location of the appurtenant Limited Common Areas as identified on the recorded Plat Maps for such Horton Lots.

3. Expansion Area Modified. Exhibit "D" to the Declaration, which contains the "Legal Description of the Expansion Area," is hereby amended, restated and replaced by the legal description attached to this Amendment No. 1 as Exhibit "D." Exhibit "E" to the Declaration, which sets forth the "Estimated Number of Units in Each Phase Including Expansion Phases," is hereby amended, restated and replaced by the information shown in Exhibit "E" attached to this Amendment No. 1. The Villas at Bella Vida Master Plan as shown in Exhibit "C" attached to the Declaration is hereby replaced by the Villas at Bella Vida Master Plan attached to this Amendment No. 1 as Exhibit "F."

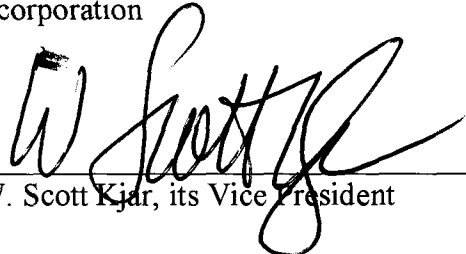
4. Program Discontinued. Declarant and its affiliates shall no longer operate or offer the Program as of June 1, 2014. As of that date, Declarant no longer provides transportation, concierge services, or activities for the Association. Nothing in this Section shall affect the Association's access to the Club House and Park Parcel, which are governed by the Club House Agreement and Park Parcel Agreement and which agreements remain in full force and effect. In addition, this Section shall have no effect on the Technology Package, which shall continue to be provided by Declarant.

5. No Other Changes. This Amendment No. 1 shall be considered supplemental to the Declaration. Except as expressly amended by this Amendment No. 1, the Declaration shall remain in full force and effect and shall not be deemed canceled, suspended or otherwise abrogated by the recording of this Amendment No. 1. Declarant and the Association hereby certify that this Amendment No. 1 was approved by a vote of the Association's Unit Owners as required by the Declaration.


6. **Effective Date.** This Amendment No. 1 shall become effective when it is recorded in the Office of the Recorder of Davis County, Utah.

IN WITNESS WHEREOF, Declarant and the Association have caused this Amendment No. 1 to be executed by persons duly authorized to execute the same.

**VILLAS DEVELOPMENT, INC.,**  
a Utah corporation

By:   
W. Scott Kjar, its Vice President

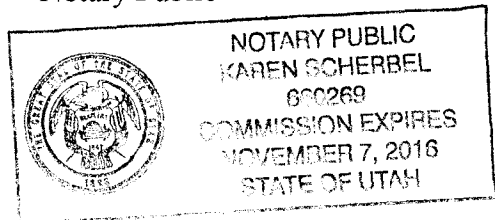
**VILLAS AT BELLA VIDA HOMEOWNERS ASSOCIATION, INC.,**  
a Utah nonprofit corporation

By:   
Steven E. Smoot, its President

STATE OF UTAH                    )  
  ) ss:  
COUNTY OF DAVIS            )

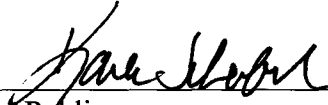
The foregoing instrument was acknowledged before me this 20th day of October, 2014 by W. Scott Kjar, in such person's capacity as the Vice President of Villas Development, Inc., a Utah corporation.

  
Notary Public



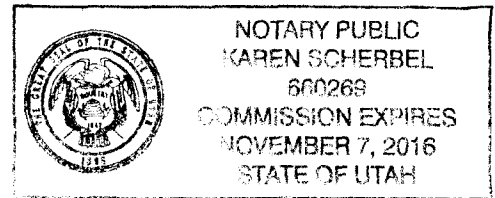
STATE OF UTAH )  
 ) ss:  
COUNTY OF Davis )

The foregoing instrument was acknowledged before me this 20th day of October, 2014 by Steven E. Smoot, in such person's capacity as the President of Villas at Bella Vida Homeowners Association, Inc., a Utah nonprofit corporation.

  
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Notary Public

Exhibits to this Amendment No. 1:

- Exhibit "A" Legal Description of the Project
- Exhibit "B" Permitted Color Schemes for the Horton Lots
- Exhibit "C" Limited Common Areas for the Horton Lots
- Exhibit "D" Legal Description of the Expansion Area
- Exhibit "E" Estimated Number of Units in Each Phase, Including Expansion Phases
- Exhibit "F" The Villas at Bella Vida Master Plan



**EXHIBIT A  
TO  
AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND  
RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF THE VILLAS AT BELLA VIDA**

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**LEGAL DESCRIPTION OF THE PROJECT**

**Phase 1**

Beginning at a point on the Westerly Boundary of the Park Parcel of Bella Vida at Eaglewood Planned Unit Development, Amended which point is N004'00"E 1,286.88 ft. along the Quarter Section Line and West 1,517.72 ft. from the South Quarter Corner of Section 12, T.1N., R.1W., S.L.B.& M. said point of beginning being also N2326'06"E 188.40 ft. and West 72.11 ft. from an existing brass monument at the intersection of Edgewood Drive and Edgemont Drive and running thence along the boundary of said Park Parcel in the following two courses: (i) S2034'28"W 80.85 ft. and (ii) S6944'02"W 237.68 ft.; thence N8603'48"W 135.92 ft.; thence N1917'48"E 130.71 ft.; thence N1813'29"E 32.25 ft.; thence N3003'40"E 75.01 ft.; thence along the boundary of Bella Vida at Eaglewood Condominiums Phase 2, Amended in the following three courses: (i) S5028'11"E 28.45 ft., (ii) S7206'00"E 12.51 ft., (iii) N6729'55"E 109.17 ft.; thence along the boundary of Bella Vida Club House at Eaglewood P.U.D. in the following three courses: (i) S6925'31"E 29.72 ft., (ii) S2016'00"E 7.49 ft., (iii) S6925'31"E 130.66 ft.; thence along said West boundary of the Park Parcel in the following three courses to the point of beginning: (i) S2034'28"W 17.92 ft., (ii) Southeasterly 6.28 ft. along the arc of a 4.00 ft. radius curve to the left through a central angle of 9000'00" (chord bears S2425'32"E 5.66 ft.), (iii) S6925'32"E 13.50 ft.

Containing 1.445 Acres.

Also described as:

ALL OF UNITS 1 THROUGH 11, THE VILLAS AT BELLA VIDA, PHASE 1, a planned unit development, according to the official plat thereof on file and of record in the Davis County Recorder's Office.

**Phase 2**

Beginning at the Southeast Corner of The Park Parcel of Bella Vida at Eaglewood Planned Unit Development, Amended which point is N004'00"E 1,076.71 ft. along the Quarter Section Line and West 1,616.17 ft. from the South Quarter Corner of Section 12, T.1N., R.1W., S.L.B.& M. said point being also N2308'55"E 87.96 ft. from and existing brass monument at the intersection of Edgewood Drive and Edgcrest Lane and running thence along the boundary of Edgewood Estates Planned Unit Development Phase 1 in the following four courses: (i) Southwesterly

61.94 ft. along the arc of a 209.00 ft. radius curve to the left through a central angle of 1658'44" (chord bears S4311'33"W 61.71 ft.), (ii) Southwesterly 21.05 ft. along the arc of a 20.00 ft. radius curve to the right through a central angle of 6017'44" (chord bears S6451'08"W 20.09 ft.), (iii) N8500'00"W 209.58 ft., (iv) Southwesterly 187.83 ft. along the arc of a 375.00 ft. radius curve to the left through a central angle of 2841'59" (chord bears S8039'02"W 185.88 ft.); thence N2341'59"W 157.48 ft.; thence S8539'36"E 228.27 ft.; thence S8603'48"E 135.92 ft. along the extended south boundary of The Park Parcel of The Villas at Bella Vida Phase 1; thence N6944'02"E 23.88 ft. along said south boundary of Phase 1; thence along the South boundary of Bella Vida at Eaglewood PUD, Amended in the following two courses to the point of beginning: (i) S8500'00"E 102.38 ft., (ii) S2847'04"E 58.76 ft.

Containing 1.143 Acres.

Also described as:

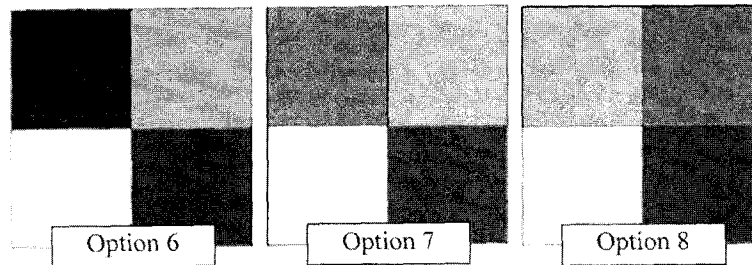
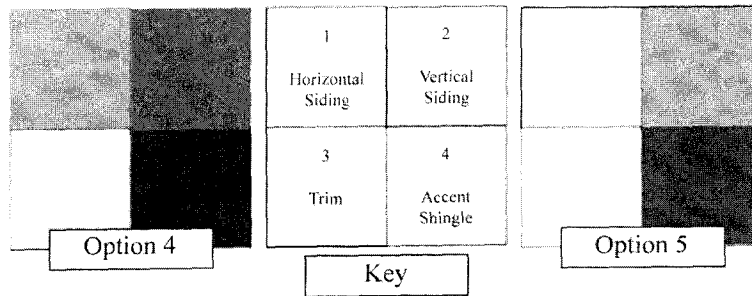
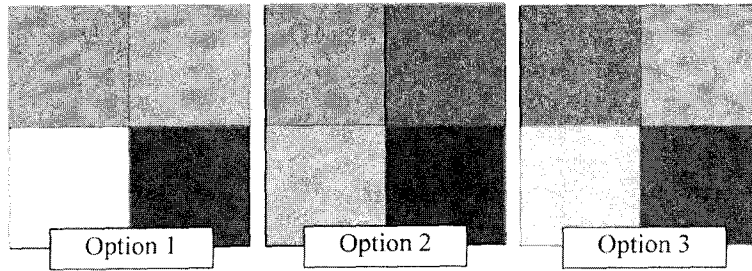
ALL OF UNITS 12 THROUGH 20, THE VILLAS AT BELLA VIDA, PHASE 2, a planned unit development, according to the official plat thereof on file and of record in the Davis County Recorder's Office.

**EXHIBIT B  
TO  
AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND  
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RESTRICTIONS OF THE VILLAS AT BELLA VIDA**

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**PERMITTED COLOR SCHEMES FOR THE HORTON LOTS**

Color Schemes





**Option 1**

1. Craftsman Brown - SW 2835
2. Sands of Time - SW 6101
3. Pacer White - SW 6098
4. Best Bronze - SW 6160

**Option 2**

1. Roycroft Suede - SW 2842
2. Resort Tan - SW 7550
3. Portico - SW 7548
4. Rustic Red - SW 7593

**Option 3**

1. Hopsack - SW 6109
2. Latte - SW 6108
3. Kilim Beige - SW 6106
4. Rookwood Terra Cotta - SW 2803

**Option 4**

1. Craftsman Brown - SW 2835
2. Rookwood Brown - SW 2806
3. Roycroft Vellum - SW 2833
4. Naval - SW 6244

**Option 5**

1. Antique White - SW 6119
2. Roycroft Suede - SW 2842
3. Creamy - SW 7012
4. Bunglehouse Blue - SW 0048

**Option 6**

1. Tricorn Black - SW 6258
2. Colonial Revival Stone - SW 2827
3. Classical White - SW 2829
4. Rookwood Red - SW 2802

**Option 7**

1. Protege Bronze - SW 6153
2. Latte - SW 6108
3. Divine White - SW 6105
4. Edamame - SW 7729

**Option 8**

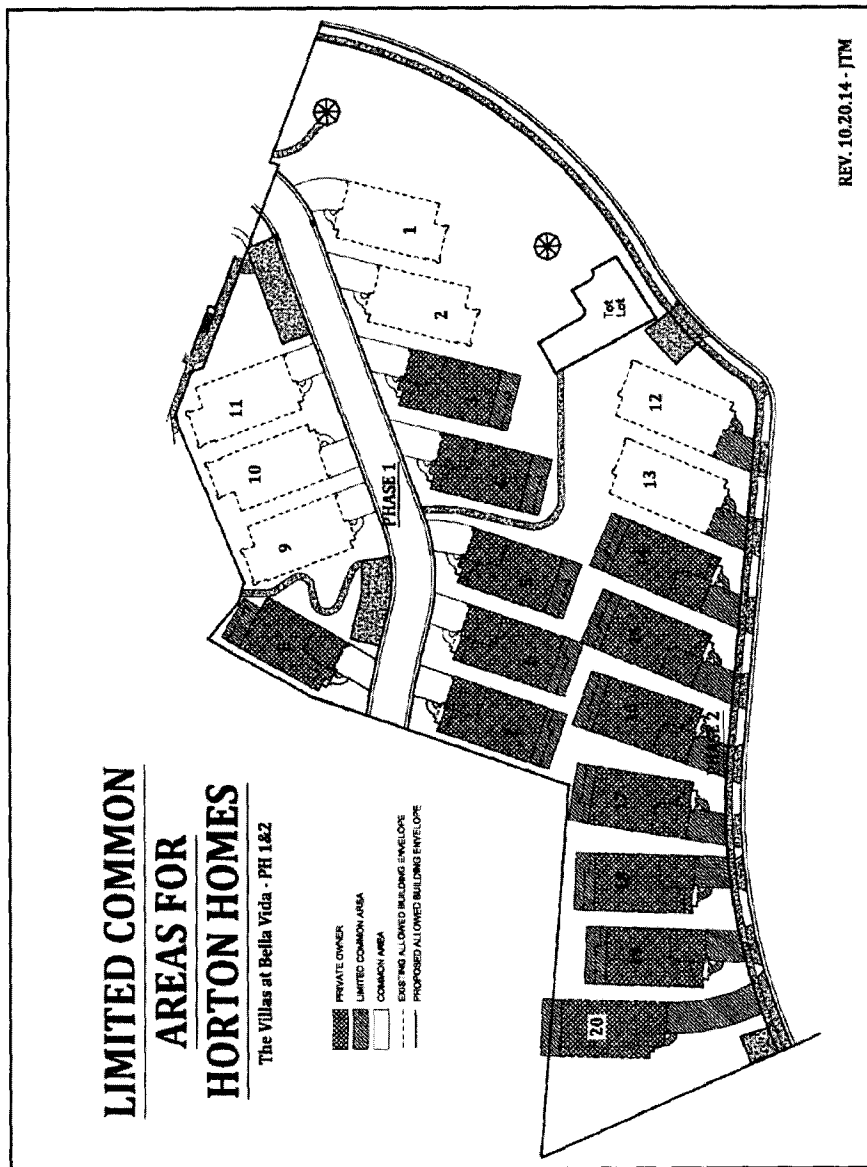
1. Stone Lion - SW 7507
2. Tiki Hut - SW 7509
3. Windfresh White - SW 7628
4. Roycroft Copper Red - SW 2839

1	2
Horizontal Siding	Vertical Siding
3	4
Trim	Accent Shingle

Key

EXHIBIT C  
TO  
AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND  
RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF THE VILLAS AT BELLA VIDA

LIMITED COMMON AREAS FOR THE  
HORTON LOTS



**EXHIBIT D**  
**TO**  
**AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND**  
**RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND**  
**RESTRICTIONS OF THE VILLAS AT BELLA VIDA**

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**LEGAL DESCRIPTION OF THE EXPANSION AREA**

Beginning at the Northwest corner of Bella Vida at Eaglewood Condominium Phase 1 in North Salt Lake City, Davis County, Utah which point is North 00°04'00" East 1,581.35 feet along the quarter section line and West 1,221.32 feet to a point on the boundary of said Phase 1 and North 86°49'36" West 107.76 feet along said boundary and North 70°16'48" West 374.69 feet along said boundary from the South quarter corner of Section 12, Township 1 North, Range 1 West, Salt Lake Base and Meridian and running thence along the West boundary of said Phase 1 in the following five courses: (i) South 14°23'47" West 135.36 feet, (ii) South 62°25'30" West 43.44 feet, (iii) South 27°34'30" East 53.36 feet, (iv) Southeasterly 46.38 feet along the arc of a 63.50 foot radius curve to the left through a central angle of 41°51'01" (chord bears South 48°30'01" East 45.36 feet), (v) South 69°25'31" East 30.42 feet; thence along the West boundary of Bella Vida Club House at Eaglewood P.U.D. in the following two courses: (i) South 20°34'29" West 101.50 feet, (ii) South 69°25'31" East 16.17 feet; thence along the boundary of The Villas at Bella Vida Phase 1 in the following six courses: (i) South 67°29'55" West 100.87 feet, (ii) North 72°06'00" West 12.51 feet, (iii) North 50°28'11" West 28.45 feet, (iv) South 30°03'40" West 75.01 feet, (v) South 18°13'29" West 32.25 feet, (vi) South 19°17'48" West 130.71 feet; thence North 85°39'34" West 228.27 feet along the North boundary of The Villas at Bella Vida Phase 2; thence North 23°41'55" West 296.60 feet; thence North 27°30'39" West 192.54 feet; thence North 75°30'50" East 463.87 feet along the South boundary of The Views at Eaglewood Village P.U.D. Phase 2; thence South 89°58'06" East 210.07 feet along the South boundary of said Phase 2 and Eaglewood Village Subdivision to the point of beginning.

**EXHIBIT E  
TO  
AMENDMENT NO. 1 TO THE FIRST AMENDMENT AND  
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**ESTIMATED NUMBER OF UNITS IN EACH PHASE,  
INCLUDING EXPANSION PHASES**

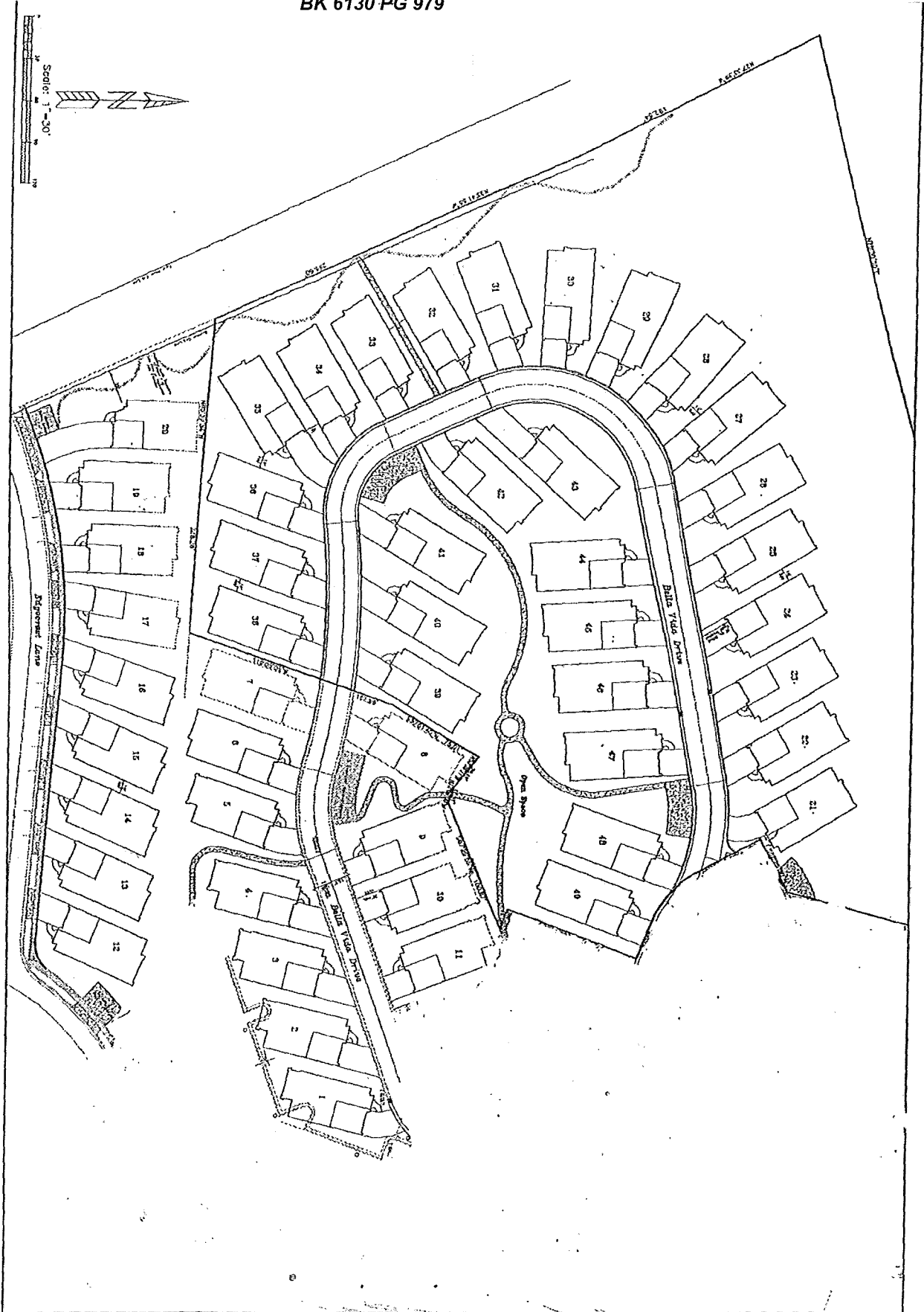
<u>Phase</u>	<u>Units</u>
Phase 1	11
Phase 2	9
Phase 3 (Expansion Area)	<u>29</u>
Total Units for Phases 1-3	49

If all Phases are fully developed the Ownership and Assessment Percentages for each unit shall be equal to 1/49 or 2.0408% per unit.

**EXHIBIT F  
TO  
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**THE VILLAS AT BELLA VIDA MASTER PLAN**



Sheet 3 of 10 <b>C101</b>	Surveyor Date Surveyed Drafting Checked By Submittal Date File Number	Revisions <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 70%;">Description</th> <th style="width: 20%;">By</th> </tr> </thead> <tbody> <tr> <td>1-27-11</td> <td>Added to site plan</td> <td>SKY</td> </tr> </tbody> </table>	Date	Description	By	1-27-11	Added to site plan	SKY	<p><b>The Villas @ Bella Vida</b> Revised Concept Plan</p> <p>for SKY Properties</p>	<p><b>Balling Engineering</b> Civil Engineering • Surveying • Planning</p> <p>325 E. Page, Lane Centerville, Utah 84014</p> <p>Phone: (801) 295-7237 Fax: (801) 297-0419</p>
	Date	Description	By							
	1-27-11	Added to site plan	SKY							