

**SECOND AMENDMENT TO THE AMENDED & RESTATED  
SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS &  
RESTRICTIONS FOR  
DEER COVE SUBDIVISION**

(A Neighborhood and Sub-Association within Hidden Springs Master Community)  
In Davis County, Utah

THIS SECOND AMENDMENT TO THE AMENDED & RESTATED SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEER COVE SUBDIVISION (this "Second Amendment") is hereby adopted by the Fruit Heights Hidden Springs Deer Cove Sub-Homeowners Association, Inc. ("Deer Cove Association"), for and on behalf of its Members, and made effective as of the date recorded in the Davis County Recorder's Office.

In the event of conflict between this Second Amendment and the Master Declaration, this Second Amendment shall control with regard to the Lots and Owners within the Deer Cove Association.

**RECITALS:**

(A) This Second Amendment affects and concerns the real property located in Davis County, Utah and more particularly described in **Exhibit "A"** attached hereto ("Property").

(B) On or about March 18, 2005, the Declaration of Covenants, Conditions, Agreements & Restrictions for Hidden Springs Master Community was recorded in the Davis County Recorder's Office, as Entry No. 2059700.

(C) On or about August 21, 2006, a Plat Map depicting Deer Cove at Hidden Springs was recorded in the Davis County Recorder's Office as Entry No. 2194583 ("Deer Cove Plat").

(D) On or about November 15, 2006, an Amendment to the Declaration of Covenants, Conditions, Agreements & Restrictions of Hidden Springs Master Community was recorded in the Davis County Recorder's Office as Entry No. 2219117.

(E) On or about January 11, 2019, an Amended & Restated Declaration of Covenants, Conditions & Restrictions was recorded as Entry No. 3138096, which replaced the earlier declaration affecting the Master Community ("Master Declaration").

(F) On or about January 18, 2019, an Amended & Restated Supplemental Declaration of Covenants, Conditions & Restrictions for Deer Cove Subdivision (A Neighborhood and Sub-Association within Hidden Springs Mater Community) was also recorded as Entry No. 3139430 ("Deer Cove Declaration").

(G) On or about June 17, 2019, an Amended Notice of Reinvestment Fee Covenant

was recorded as Entry No. 3166317.

(H) On or about May 12, 2020, a First Amendment to the Amended & Restated Supplemental Declaration of Covenants, Conditions & Restrictions for Deer Cove Subdivision (A Neighborhood and Sub-Association within Hidden Springs Mater Community) was also recorded as Entry No. 3250737 ("Deer Cove First Amendment").

(I) With approval of the Fruit Heights Hidden Springs Master Homeowners Association, Inc. ("Master Association"), the Deer Cove Association and its Members, consistent with the Deer Cove Declaration and any subsequent amendments (including any not referenced herein), hereby adopt this Second Amendment. It is the intent of this Second Amendment to replace reference to previous subdivisions plats of record and to adopt and recognize the **Deer Cove at Hidden Springs PRUD Subdivision Amended Plat** as the effective plat for the Deer Cove at Hidden Springs Subdivision and for the Deer Cove Association, replacing all previous plats.

(J) In accordance with Utah Code § 10-9a-606(5), the Deer Cove Association has obtained no less than 67% of the total voting interest consenting to this Second Amendment making any necessary conveyance of Common Area in order to adjust the Lot boundaries as set forth in **Exhibit B. Further, The Deer Cove Association has obtained the written approval on a corrected and final plat from all owners whose Lot, Limited Common Area or Private Area is being impacted by this Second Amendment.**

(K) Pursuant to Article 19.7 of the Deer Cove Declaration and the Utah Community Association Act, Owners of record, holding not less than sixty-seven percent (67%) of the total voting power of the Deer Cove Association, provided their written consent approving and consenting to the recording of this Second Amendment.

#### CERTIFICATION

By signing below, the Board hereby certifies that the above described approvals were obtained, approving, and consenting to the recording of this Second Amendment.

NOW, THEREFORE, pursuant to the foregoing, the Board of Directors of the Deer Cove Association hereby makes and executes this Second Amendment, which shall be effective as of its recording date.

#### 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 Second Amendment, the Deer Cove Declaration, as amended, remains in full force and effect without

modification.

3. Authorization. The individuals signing for the respective entities make the following representations: (i) he/she has read the Second Amendment, (ii) he/she has authority to act for the entity designated below, and (iii) he/she shall execute the Second Amendment acting in said capacity.

4. Conflicts. In the case of any conflict between the provisions of this Second Amendment and the provisions of the Master Declaration, Deer Cove Declaration, or any prior amendments, the provisions of this Second Amendment shall in all respects govern and control for the Property. In the case of any existing provisions that could be interpreted as prohibiting the modifications set forth in this Second Amendment, such provision is hereby modified in order to accomplish the purpose and intent of this Second Amendment. It is the intent of this Second Amendment that certain maintenance and insurance responsibilities will be modified as a result of the correct boundaries.

#### AMENDMENTS

5. **Exhibit B** of the Deer Cove Declaration is hereby replaced with a new "**Exhibit B**", the Deer Cove at Hidden Springs PRUD Subdivision Amended Plat, which was recorded of even date herein, attached hereto and incorporated herein.

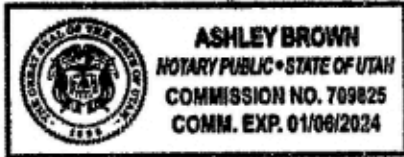
\*\*\*SIGNATURES ON NEXT PAGE\*\*\*

Fruit Heights Hidden Springs Deer Cove Sub-Homeowners Association, Inc.,  
a Utah non-profit corporation

Thieda Wellman  
By: Thieda Wellman  
Its: President

STATE OF UTAH            )  
  : ss  
COUNTY OF DAVIS        )

On this 9 day of March, <sup>2022</sup>~~2021~~, personally appeared before me Thieda Wellman, who being by me duly sworn, did say that he/she is the President of Fruit Heights Hidden Springs Deer Cove Sub-Homeowners Association, Inc., 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.



Ashley Brown  
Notary Public

Fruit Heights Hidden Springs Deer Cove Sub-Homeowners Association, Inc.,  
a Utah non-profit corporation

Mary Celeste Cottrell  
By: M. Celeste Cottrell  
Its: Board Member

STATE OF UTAH            )  
  : ss  
COUNTY OF DAVIS        )

On this 9 day of March, <sup>2022</sup>~~2021~~, personally appeared before me Mary Celeste Cottrell, who being by me duly sworn, did say that he/she is the President of Fruit Heights Hidden Springs Deer Cove Sub Homeowners Association, Inc., 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.

Ashley Brown  
Notary Public

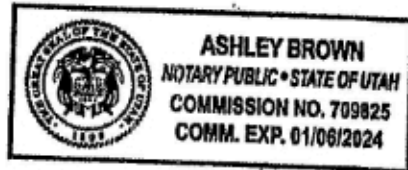


EXHIBIT "A"

Legal Description	Tax I.D. Nos
<b>All of Lot 1-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0001
<b>All of Lot 2-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0002
<b>All of Lot 3-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0003
<b>All of Lot 4-S, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: BEG AT THE NORTHERN PT OF LOT 4-S, DEFINED AS 4A, AS SHOWN ON THE SUB PLAT FOR DEER COVE AT HIDDEN SPRINGS PRUD SUB; & RUN TH N 55°32'50" E 4.60 FT; TH S 34°27'10" E 60.00 FT; TH S 55°32'50" W 4.60 FT TO PT 4D OF SD LOT 4-S; TH ALG THE NE'LY SIDE OF SD LOT 4, N 34°27'10" W 60.00 FT TO THE POB.	07-257-0047
<b>All of Lot 5, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: BEG AT THE W'LY PT OF LOT 5, DEFINED AS 5B, AS SHOWN ON THE SUB PLAT FOR DEER COVE AT HIDDEN SPRINGS PRUD SUB; & RUN TH N 34°27'10" W 2.00 FT; TH N 55°32'50" E 55.60 FT; TH S 34°27'10" E 62.00 FT; TH S 55°32'50" W 4.60 FT TO PT 5D OF SD LOT 5; TH N 34°27'10" W ALG SD NE'LY SIDE OF LOT 5, 60.00 FT TO THE N COR OF SD LOT 5; TH ALG THE NW'LY SIDE OF SD LOT 5, S 55°32'50" W 51.00 FT TO THE POB.	07-257-0046
<b>All of Lot 6, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0006
<b>All of Lot 7-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0007
<b>All of Lot 8, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0008
<b>All of Lot 9, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0009
<b>All of Lot 10, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: BEG AT A PT WH IS N 00°02'53" W 697.97 FT & E 2.16 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 01°05'44" E 60.00 FT; TH S 88°54'16" W 11.00 FT; TH N 01°05'44" E 32.00 FT; TH N 20°21'08" E 30.08 FT TO THE POB.	07-257-0049
<b>All of Lot 11, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0011
<b>All of Lot 12, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0012
<b>All of Lot 13, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: BEG AT A PT WH IS N 00°02'53" W 697.97 FT & E 2.16 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 01°05'44" E 60.00 FT; TH S 88°54'16" W 11.00 FT; TH N 01°05'44" E 32.00 FT; TH N 20°21'08" E 30.08 FT TO THE POB.	07-257-0052
<b>All of Lot 14, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0014
<b>All of Lot 15, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: THE FOLLOWING TWO PARCELS OF LAND LOC IN THE COMMON AREA / OPEN SPACE OF DEER COVE AT HIDDEN SPRINGS PRUD SUBDIVISION DESC AS FOLLOWS: BEG AT A PT WH IS N 00°02'53" W 751.25 FT & S 89°57'07" W 45.52 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 17°32'46" W 61.90 FT; TH N 06°39'39" E 60.00 FT; TH N 83°20'21" W 40.00 FT; TH S 06°39'39" W 60.00 FT; TH N 83°20'21" W 6.38 FT; TH N 31°43'25" W 6.64 FT; TH N 06°39'39" E 58.48 FT; TH S 80°40'41" E 62.26 FT TO THE POB. CONT. 0.03 ACRES ALSO: BEG AT A PT WH IS N 00°02'53" W 751.25 FT & S 89°57'07" W 45.52 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH N 80°40'41" W 62.26 FT; TH N 06°39'39" E 15.02 FT; TH S 80°40'41" E 65.12 FT; TH S 17°33'00" W 15.16 FT TO THE POB	07-257-0048
<b>All of Lot 16, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0016

<b>All of Lot 17-L, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO: BEG AT A PT WH IS N 00°02'53" W 610.33 FT & W 139.37 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 78°33'00" W 11.00 FT; TH N 11°27'00" W 60.00 FT; TH S 32°53'52" E 32.08 FT; TH S 11°27'00" E 32.00 FT TO THE POB.	07-257-0053
<b>All of Lot 18-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0018
<b>All of Lot 19-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0019
<b>All of Lot 20-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0020
<b>All of Lot 21-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0021
<b>All of Lot 22-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0022
<b>All of Lot 23-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0023
<b>All of Lot 24-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0024
<b>All of Lot 25-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0025
<b>All of Lot 26-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0026
<b>All of Lot 27-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0027
<b>All of Lot 28-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0028
<b>All of Lot 29-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0029
<b>All of Lot 30-L, Deer Cove at Hidden Springs PRUD Subdivision</b> ALSO PRIVATE AREA: BEG AT A PT WH IS N 00°02'53" W 407.59 FT & W 878.40 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 42°29'11" E 60.00 FT; TH S 47°30'49" W 11.00 FT; TH N 42°29'11" W 60.00 FT; TH N 47°30'49" E 11.00 FT TO THE POB. CONT. 0.02 ACRES ALSO LIMITED COMMON AREA: BEG AT A PT WH IS N 00°02'53" W 407.59 FT & W 878.40 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 47°30'49" W 11.00 FT; TH N 42°29'11" W 15.00 FT; TH N 47°30'49" E 11.00 FT; TH S 42°29'11" E 15.00 FT TO THE POB.	07-257-0054
<b>All of Lot 31-S-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0031
<b>All of Lot 32-S-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0032
<b>All of Lot 33-S-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0033
<b>All of Lot 34-S-L, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0034
<b>All of Lot 35-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0035
<b>All of Lot 36-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0036
<b>All of Lot 37-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0037
<b>All of Lot 38-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0038
<b>All of Lot 39-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0039
<b>All of Lot 40-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0040
<b>All of Lot 41-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0041
<b>All of Lot 42-S, Deer Cove at Hidden Springs PRUD Subdivision</b>	07-257-0042
COMMON AREA / OPEN SPACE OF DEER COVE AT HIDDEN SPRINGS PRUD SUB. CONT 1.58 ACRES. LESS & EXCEPT: BEG AT THE W'LY PT OF LOT 5, DEFINED AS 5B, AS SHOWN ON THE SUB PLAT FOR DEER COVE AT HIDDEN SPRINGS PRUD SUB; & RUN TH N 34°27'10" W 2.00 FT; TH N 55°32'50" E 55.60 FT; TH S 34°27'10" E 62.00 FT; TH S 55°32'50" W 4.60 FT TO PT 5D OF SD LOT 5; TH N 34°27'10" W ALG SD NE'LY SIDE OF LOT 5, 60.00 FT TO THE N COR OF SD LOT 5; TH ALG THE NW'LY SIDE OF SD LOT 5, S 55°32'50" W 51.00 FT TO THE POB. CONT. 0.009 ACRES. LESS & EXCEPT: BEG AT THE NORTHERN PT OF LOT 4-S, DEFINED AS 4A, AS SHOWN ON THE SUB PLAT FOR DEER COVE AT HIDDEN SPRINGS PRUD SUB; & RUN TH N 55°32'50" E 4.60 FT; TH S 34°27'10" E 60.00 FT; TH S 55°32'50" W 4.60 FT TO PT 4D OF SD LOT 4-S; TH ALG THE NE'LY SIDE OF SD LOT 4, N 34°27'10" W 60.00 FT TO THE POB	07-257-0045

COMMON AREA / OPEN SPACE OF DEER COVE AT HIDDEN SPRINGS PRUD  
SUBDIVISION. CONT. 14.43 ACRES LESS THE FOLLOWING: BEG AT A PT  
WH IS N 00°02'53" W 751.25 FT & S 89°57'07" W 45.52 FT FR THE S 1/4 COR  
OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 17°32'46" W 61.90 FT; TH N  
06°39'39" E 60.00 FT; TH N 83°20'21" W 40.00 FT; TH S 06°39'39" W 60.00 FT;  
TH N 83°20'21" W 6.38 FT; TH N 31°43'25" W 6.64 FT; TH N 06°39'39" E 58.48  
FT; TH S 80°40'41" E 62.26 FT TO THE POB. CONT. 0.03 ACRES LESS THE  
FOLLOWING: BEG AT A PT WH IS N 00°02'53" W 751.25 FT & S 89°57'07" W  
45.52 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH N  
80°40'41" W 62.26 FT; TH N 06°39'39" E 15.02 FT; TH S 80°40'41" E 65.12 FT;  
TH S 17°33'00" W 15.16 FT TO THE POB. CONT. 0.02 ACRES LESS THE  
FOLLOWING: BEG AT A PT WH IS N 00°02'53" W 595.92 FT & N 89°57'07" E  
202.26 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH N  
15°15'42" E 60.00 FT; TH S 05°08'50" E 60.08 FT; TH N 84°44'09" W 21.27 FT TO  
THE POB. CONT. 0.01 ACRES LESS & EXCEPT: BEG AT A PT WH IS N  
00°02'53" W 697.97 FT & E 2.16 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W,  
SLB&M; & RUN TH S 01°05'44" E 60.00 FT; TH S 88°54'16" W 11.00 FT; TH N  
01°05'44" E 32.00 FT; TH N 20°21'08" E 30.08 FT TO THE POB. CONT. 0.01  
ACRES LESS & EXCEPT: BEG AT A PT WH IS N 00°02'53" W 610.33 FT & W  
139.37 FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S  
78°33'00" W 11.00 FT; TH N 11°27'00" W 60.00 FT; TH S 32°53'52" E 32.08 FT;  
TH S 11°27'00" E 32.00 FT TO THE POB. CONT. 0.01 ACRES LESS & EXCEPT  
PRIVATE AREA: BEG AT A PT WH IS N 00°02'53" W 407.59 FT & W 878.40 FT  
FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 42°29'11" E 60.00  
FT; TH S 47°30'49" W 11.00 FT; TH N 42°29'11" W 60.00 FT; TH N 47°30'49" E  
11.00 FT TO THE POB. CONT. 0.02 ACRES LESS & EXCEPT LIMITED  
COMMON AREA: BEG AT A PT WH IS N 00°02'53" W 407.59 FT & W 878.40  
FT FR THE S 1/4 COR OF SEC 1-T3N-R1W, SLB&M; & RUN TH S 47°30'49" W  
11.00 FT; TH N 42°29'11" W 15.00 FT; TH N 47°30'49" E 11.00 FT; TH S 42°29'11"  
E 15.00 FT TO THE POB.

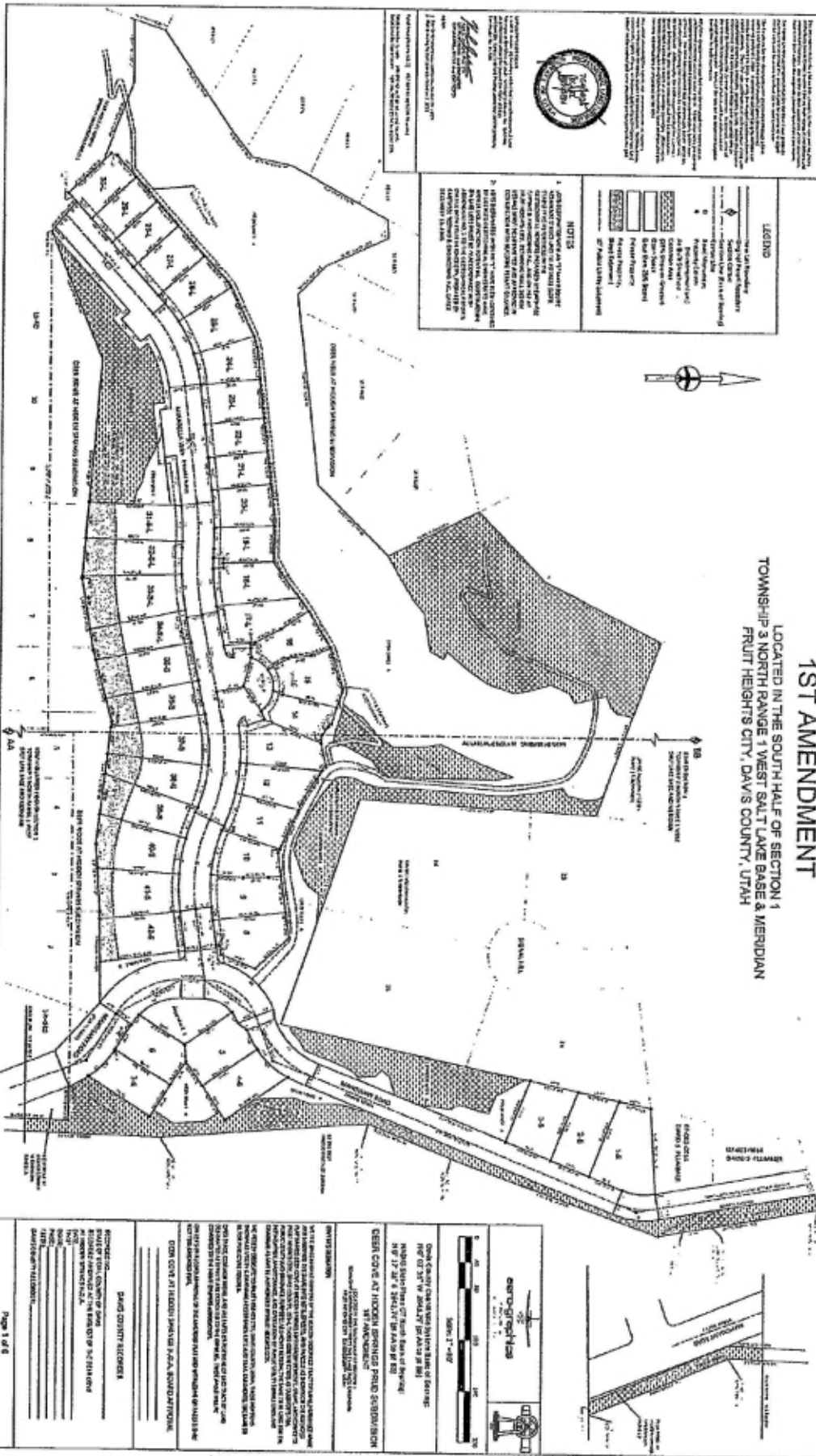
07-257-0051

**Exhibit "B"**  
**New Plat**



# DEER COVE AT HIDDEN SPRINGS PRUD SUBDIVISION 1ST AMENDMENT

LOCATED IN THE SOUTH HALF OF SECTION 1  
TOWNSHIP 3 NORTH RANGE 1 WEST SALT LAKE BASE & MERIDIAN  
FRUIT HEIGHTS CITY, DAVI'S COUNTY, UTAH



### LEGEND

- City of Fruit Heights
- County of Davis
- Proposed
- Recorded
- City of Fruit Heights
- County of Davis
- Proposed
- Recorded
- City of Fruit Heights
- County of Davis
- Proposed
- Recorded

### NOTES

1. ALL DIMENSIONS SHOWN ON THIS PLAN SHALL BE CONSIDERED TO BE THE FINAL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
2. THE CITY OF FRUIT HEIGHTS HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR RECORDATION IN ACCORDANCE WITH THE SUBDIVISION ACT.
3. THE COUNTY OF DAVIS HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR RECORDATION IN ACCORDANCE WITH THE SUBDIVISION ACT.
4. THIS PLAN IS SUBJECT TO ALL APPLICABLE ORDINANCES, RULES, AND REGULATIONS OF THE CITY OF FRUIT HEIGHTS AND THE COUNTY OF DAVIS.
5. THE CITY OF FRUIT HEIGHTS HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR RECORDATION IN ACCORDANCE WITH THE SUBDIVISION ACT.
6. THE COUNTY OF DAVIS HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR RECORDATION IN ACCORDANCE WITH THE SUBDIVISION ACT.

Scale: 1" = 40'

North Arrow

DEER COVE AT HIDDEN SPRINGS PRUD SUBDIVISION

1ST AMENDMENT

DATE: 02/28/2011

DRAWN BY: J. L. HARRIS

CHECKED BY: J. L. HARRIS

DEER COVE AT HIDDEN SPRINGS PRUD SUBDIVISION

1ST AMENDMENT

DATE: 02/28/2011

DRAWN BY: J. L. HARRIS

CHECKED BY: J. L. HARRIS

APPROVED BY: J. L. HARRIS