



ENT 82061:2017 PG 1 of 4
JEFFERY SMITH,
UTAH COUNTY RECORDER
2017 Aug 22 3:16 pm FEE 48.00 BY MA
RECORDED FOR CATALINA BAY HOA

After recording return to:
Catalina Bay Homeowners Association
427 West 11950 South
Draper, Utah 84020

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR CATALINA BAY SUBDIVISION
(a residential development)**

THIS Amendment to the Declaration of Covenants, Conditions and Restrictions for Catalina Bay Subdivision is made this 17th day of August, 2017, by, Casey Development, LLC and Blackrock Homes, LLC (“Declarants”), owners of the property known as Catalina Bay Subdivision (as described in Exhibit “A” to this Amendment).

RECITALS

A. Real property in Utah County, Utah, known as Catalina Bay Subdivision was subjected to Covenants, Conditions, and Restrictions pursuant to a Declaration recorded April 26, 2017, in the Utah County Recorder’s Office as Entry No. 40173:2017 (“Declaration”). Declarants are the owners of the land described in Exhibit “A”.

B. Under Article XIV, Section 14.1 of the Declaration, Declarants have the right to amend this Declaration.

C. Declarants desire to amend the Declaration.

NOW, THEREFORE, Declarants hereby declare as follows:

1. All defined terms as used in this Amendment to the Declaration shall have the same meaning as those set forth in the Declaration.

2. The real property, described in Exhibit “A” and situated in Saratoga Springs, Utah County, Utah, is hereby made subject to the provisions of the Declaration and, pursuant thereto, is hereby subject to the following amendment:

Article VIII

The following paragraph shall be added to read:


8.5 **Geotechnical Inspections.** Owners and builders understand and acknowledge that the ground and soils within the Project may or may not be collapsible and may or may not support the desired home. Prior to commencing construction, the Owner shall cause a geotechnical inspection and report to be prepared. The Owner is solely responsible for ensuring the soundness of the soils prior to commencing construction and for any damage caused to the Improvements due to soil failure or collapse.

The Declaration as previously recorded shall remain unchanged and together, with the herein Amendment to the Declaration shall constitute the Declaration of Covenants, Conditions, and Restrictions for Catalina Bay Subdivision (as described in Exhibit "A").

IN WITNESS WHEREOF, the Declarants agree to the above conditions of this Amendment and execute this instrument the day and year first set forth above.

DECLARANT

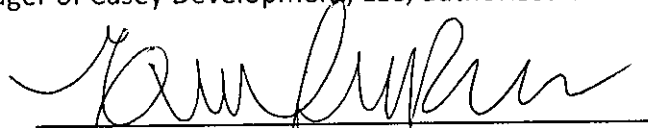
Casey Development, LLC



By: Kevin Casey
Its: Manager

State of Utah)
 :SS
County of Utah)

On this 17 day of August, 2017, personally appeared before me, Kevin Casey, who being by me duly sworn did say that he is the manager of Casey Development, LLC, authorized to execute the herein document.




Notary Public

Residing at:
My commission expires: 8/28/2020



DECLARANT

Blackrock Homes, LLC

 _____

By: David Scoville

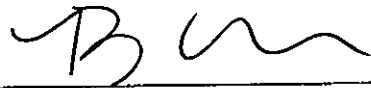
Its: Manager

State of Utah)

:SS

County of Utah)

On this 18th day of August, 2017, personally appeared before me, David Scoville, who being by me duly sworn did say that he is the manager of Blackrock Homes, LLC, authorized to execute the herein document.

 _____

Notary Public

Residing at: Springville, UT
My commission expires: 3-19-2021

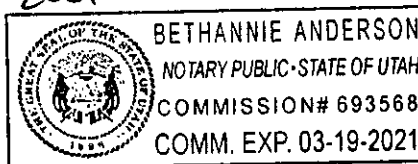


Exhibit "A"
(Legal Description of Catalina Bay Subdivision)

Catalina West Boundary:

A parcel of land located in Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian, located in Saratoga Springs, Utah County, Utah, being more particularly described as follows: Beginning at a point on the Easterly right of way of Redwood as shown on the Recorded Plat of Lake Mountain Estates Subdivision Plat B, located North 89°45'55" West 879.82 feet along the Section line and North 1128.12 feet from the South Quarter Corner of Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian; and running thence along the Easterly right of way of Redwood Road the following nine (9) courses and distances (1) North 25°56'08" West 32.68 feet; (2) thence North 23°19'52" West 510.37 feet; (3) thence North 23°51'57" West 228.11 feet; (4) thence North 25°42'44" West 464.69 feet; (5) thence North 26°20'10" West 285.99 feet; (6) thence North 26°30'56" West 432.85 feet; (7) thence North 25°18'29" West 229.76 feet; (8) thence North 22°30'16" West 91.08 feet; (9) thence North 20°57'25" West 211.02 feet to the beginning of a curve to the right, having a radius of 25.01 feet; thence along the arc of said curve a length of 48.55 feet, passing through a central angle of 111°14'02", chord bears North 34°39'36" East 41.28 feet; thence South 89°43'23" East 272.12 feet along the southerly right of way line of McGregor Drive; thence South 26°04'37" East 684.49 feet; thence North 62°02'24" East 439.87 feet to the Westerly right of way of McGregor Drive; thence along the Westerly right of way of McGregor Drive the following five (5) courses and distances, (1) South 31°27'05" East 284.33 feet to the beginning of a curve to the right, having a radius of 472.14 feet; (2) thence along the arc of said curve a length of 73.04 feet, passing through a central angle of 8°51'49", chord bears South 27°01'10" East 72.97 feet; (3) thence South 22°35'15" East 827.36 feet to the beginning of a curve to the left, having a radius of 528.14 feet; (4) thence along the arc of said curve a length of 75.81 feet, passing through a central angle of 8°13'26", chord bears South 26°41'58" East 75.74 feet; (5) thence South 30°48'41" East 494.95 feet; thence along the Northerly Boundary of Harbor Bay Phase 5 Subdivision the following (5) courses and distances, (1) South 64°34'23" West 110.92 feet; (2) thence South 68°23'12" West 101.29 feet; (3) thence South 66°08'03" West 421.94 feet; (4) North 88°44'41" West 11.78 feet; (5) South 66°08'03" West 154.04 feet to the point of beginning.

Catalina East Boundary:

A parcel of land located in Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian, located in Saratoga Springs, Utah County, Utah, being more particularly described as follows: Beginning at a point on the Easterly right of way of McGregor Drive located South 89°45'55" East 402.06 feet along the Section line and North 687.87 feet from the South Quarter Corner of Section 18, Township 6 South, Range 1 East, Salt Lake Base and Meridian; and running along the Easterly right of way of McGregor Drive the following five (5) courses and distances, (1) thence North 36°29'50" West 224.90 feet to the beginning of a curve to the right, having a radius of 469.85 feet; (2) thence along the arc of said curve a length of 46.74 feet, passing through a central angle of 5°41'59", chord bears North 33°38'51" West 46.72 feet; (3) thence North 30°48'41" West 1161.21 feet to the beginning of a curve to the right, having a radius of 472.14 feet; (4) thence along the arc of said curve a length of 67.77 feet, passing through a central angle of 8°13'26", chord bears North 26°41'58" West 67.71 feet; (5) thence North 22°35'15" West 98.62 feet to the beginning of a curve to the right, having a radius of 20.00 feet; thence along the arc of said curve a length of 29.50 feet, passing through a central angle of 84°31'30", chord bears North 19°40'30" East 26.90 feet; thence North 61°56'15" East 308.18 feet to the beginning of a curve to the right, having a radius of 971.99 feet; thence along the arc of said curve a length of 77.34 feet, passing through a central angle of 4°33'32", chord bears North 64°13'01" East 77.32 feet, to the westerly boundary of Harbor Bay Phase 4 Subdivision; thence along the boundary of Harbor Bay Phase 4 Subdivision the following twelve (12) courses and distances, (1) South 21°43'30" East 418.64 feet; (2) thence South 29°52'17" East 110.40 feet; (3) thence South 44°30'45" East 216.05 feet; (4) thence South 52°07'15" East 57.74 feet; (5) thence South 48°35'14" East 149.33 feet; (6) thence South 29°30'14" East 383.48 feet; (7) thence South 33°31'05" East 111.45 feet; (8) thence South 15°12'19" East 57.78 feet; (9) thence South 33°31'04" East 117.94 feet; (10) thence South 64°30'21" West 348.41 feet; (11) thence South 33°31'05" East 29.78 feet; (12) thence South 61°01'43" West 90.87 feet to the point of beginning.

A portion of the above legal description is inclusive of Lots 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128 and 129, Catalina Bay Subdivision, Plat A, Saratoga Springs, Utah, according to the official plat thereof on file and of record in the office of the Recorder, Utah County, Utah.