

When Recorded Return To:
Edge Gardner Point, LLC
13702 S. 200 W. #B12
Draper, UT 84020

**SECOND AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM FOR
GARDNER POINT CONDOMINIUMS**

An Expandable Condominium Project in Utah County, Utah

This Second Amendment to the Amended and Restated Declaration of Condominium for Gardner Point Condominiums (this "Amendment") is executed and adopted by **Edge Gardner Point, LLC**, a Utah limited liability company ("**Declarant**").

RECITALS

A. This Amendment applies to and amends that certain Amended and Restated Declaration of Condominiums for Gardner Point Condominiums (the "**Declaration**") recorded with the Utah County Recorder's Office on May 3, 2022, as Entry No. 55031:2022, as amended by that certain First Amendment to the Amended and Restated Declaration of Condominium for Gardner Point Condominiums recorded with the Utah County Recorder's Office on June 13, 2022, as Entry No. 69842:2022.

B. Declarant has the unilateral right to amend the Declaration as set forth in Section 15.1 of the Declaration. Declarant desires to amend the Declaration as set forth below.

C. Unless otherwise provided in this Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

AMENDMENT

NOW THEREFORE, in consideration of the recitals set forth above, the Declaration is amended as follows:

Section 9.13 of the Declaration is hereby restated and replaced in its entirety with the following:

9.13 **Pets**. A maximum of two (2) domestic household pets, but not more than one (1) dog, may be kept in each Unit in conformance with local governmental requirements. No pets, animals, livestock, chickens, or other poultry of any kind shall be bred in, on, or about the Project. The Board may adopt Rules that vary or expand upon the restrictions in this Section including, but not limited to, restrictions on the number and types of pets, requirements for registration with the Association, and noise limitations. All pets must be properly licensed and registered with the appropriate governmental agency and must abide by all pet Rules adopted by the Board from time to time. Pets may not create a nuisance. The following acts of an animal may constitute a nuisance: (a) it causes damage to property of anyone other than its owner; (b) it causes unreasonable fouling of the air by odors; (c) it causes unsanitary conditions; (d) it defecates on any Common Area or Limited Common Area of another Owner and the feces are not immediately cleaned up by the responsible party; (e) it barks, whines, or howls, or makes other disturbing noises in an excessive, continuous, or untimely fashion; or (f) it harasses one or more

passersby by lunging at them, attempting to bite or attack them, injuring them, or chasing passing vehicles. Pets may not be tied or tethered in the Common Area or the Limited Common Area of another Owner and shall be leashed or restrained whenever outside a Unit. The Association may levy Individual Assessments to Owners for any damages to the Common Areas and landscaping caused by a pet.

The above-stated amendment to the Declaration shall be effective upon recordation of this Amendment in the Utah County Recorder's Office against the real property described in Exhibit A hereto.

IN WITNESS WHEREOF, Declarant has executed this Amendment to the Amended and Restated Declaration of Condominium for Gardner Point Condominiums this 1 day of August, 2022.

DECLARANT
EDGE GARDNER POINT, LLC
A Utah limited liability company

STATE OF UTAH)
) ss.
COUNTY OF Utah)

By: *Steve Maddox*
Name: *Steve Maddox*
Title: *Manager*

On the 1 day of August, 2022, personally appeared before me *Steve Maddox* who by me being duly sworn, did say that she/he is an authorized representative of Edge Gardner Point, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

SEAL:

Notary Public: *Shelley King*

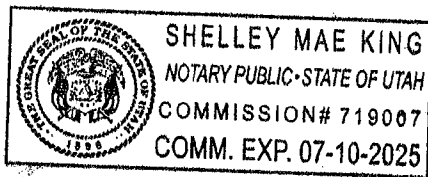


EXHIBIT A

(Legal Description)

The above Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Gardner Point Condominiums shall be recorded against the following property in Utah County, Utah:

All of Gardner Point Condominiums Phase 1 Plat "A", according to the official plat filed in the office of the Utah County Recorder as Entry No. 187577:2021 (including Common Area and Units 101 through 304 In Building A)

All of Gardner Point Condominiums Phase 1 Plat "B", according to the official plat filed in the office of the Utah County Recorder as Entry No. 187580:2021 (including Common Area and Units 101 through 304 In Building B)

All of Gardner Point Condominiums Phase 1 Plat "C", according to the official plat filed in the office of the Utah County Recorder as Entry No. 187583:2021 (including Common Area and Units 101 through 304 In Building C)

All of Gardner Point Condominiums Phase 1 Plat "D", according to the official plat filed in the office of the Utah County Recorder as Entry No. 187586:2021 (including Common Area and Units 101 through 304 In Building D)

All of Gardner Point Condominiums Phase 1 Plat "E", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205229:2021 (including Common Area and Units 101 through 304 In Building E)

All of Gardner Point Condominiums Phase 1 Plat "F", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205232:2021 (including Common Area and Units 101 through 304 In Building F)

All of Gardner Point Condominiums Phase 1 Plat "G", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205235:2021 (including Common Area and Units 101 through 304 In Building G)

All of Gardner Point Condominiums Phase 1 Plat "H", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205238:2021 (including Common Area and Units 101 through 304 In Building H)

All of Gardner Point Condominiums Phase 1 Plat "I", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205241:2021 (including Common Area and Units 101 through 304 In Building I)

All of Gardner Point Condominiums Phase 1 Plat "J", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205244:2021 (including Common Area and Units 101 through 304 In Building J)

All of Gardner Point Condominiums Phase 1 Plat "K", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205247:2021 (including Common Area and Units 101 through 304 In Building K)

All of Gardner Point Condominiums Phase 1 Plat "L", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205250:2021 (including Common Area and Units 101 through 304 In Building L)

All of Gardner Point Condominiums Phase 1 Plat "M", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205253:2021 (including Common Area and Units 101 through 304 In Building M)

All of Gardner Point Condominiums Phase 1 Plat "N", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205256:2021 (including Common Area and Units 101 through 304 In Building N)

All of Gardner Point Condominiums Phase 1 Plat "O", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205259:2021 (including Common Area and Units 101 through 304 In Building O)

All of Gardner Point Condominiums Phase 1 Plat "P", according to the official plat filed in the office of the Utah County Recorder as Entry No. 205262:2021 (including Common Area and Units 101 through 304 In Building P)

All of Gardner Point Condominiums Phase 3 Plat "Q", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29531:2022 (including Common Area and Units 101 through 304 In Building Q)

All of Gardner Point Condominiums Phase 3 Plat "R", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29565:2022 (including Common Area and Units 101 through 304 In Building R)

All of Gardner Point Condominiums Phase 3 Plat "S", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29570:2022 (including Common Area and Units 101 through 304 In Building S)

All of Gardner Point Condominiums Phase 3 Plat "T", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29575:2022 (including Common Area and Units 101 through 304 In Building T)

All of Gardner Point Condominiums Phase 3 Plat "U", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29580:2022 (including Common Area and Units 101 through 304 In Building U)

All of Gardner Point Condominiums Phase 3 Plat "V", according to the official plat filed in the office of the Utah County Recorder as Entry No. 29585:2022 (including Common Area and Units 101 through 304 In Building V)

All of Gardner Point Condominiums Phase 3 Plat "W", according to the official plat filed in the office of the Utah County Recorder as Entry No. 34119:2022 (including Common Area and Units 101 through 304 In Building W)

***Note:** This Amendment is intended to be recorded against the same real property described in Exhibit A of the Amended and Restated Declaration of Condominium for Gardner Point Condominiums recorded with the Utah County Recorder's Office on May 3, 2022, as Entry No. 55031:2022