



ENT 87238:2017 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2017 Sep 06 1:10 pm FEE 47.00 BY BA  
RECORDED FOR CATALINA BAY HOA

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

2<sup>ND</sup> 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 30 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 i 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"), which Declaration was amended on August 17, 201, recorded in the Utah County Recorder's Office on August 22, 2017 as Entry No. 82061:2017. 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 VI

The following paragraph shall be added to read:

6.7 **Quality and Size of Dwelling.** The minimum livable square footage of a single story dwelling shall be 1,600 square feet on the main level (not including bonus rooms and basements) on lots. The minimum livable square footage of two story dwelling shall be 1,100 square feet on the main level and 2,100 square feet above grade (not including basements). Livable square footage does not include garage space, porches, patios, balconies, decks, vent shafts, or courts. The exterior shall consist of a minimum of 20% brick or stone on the front of the structure. The balance of the front exterior must be comprised of fiber board siding, shake shingle or board and baton materials. Architectural metal or certain powder coated metal components will also be permitted. Aluminum soffit and fascia or nicer quality. The remaining three sides of the structure may consist of stucco or architectural wood and other types of exterior finishes as approved by the design committee, excepting vinyl siding. No floating stone or brick shall be permitted. No stained or "antiqued" stucco effects shall be permitted. Split-level and split-entry dwellings will not be permitted. All dwellings are required to have a 2 car garage. The maximum height for any structure excluding chimney height will be 32 feet.

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.

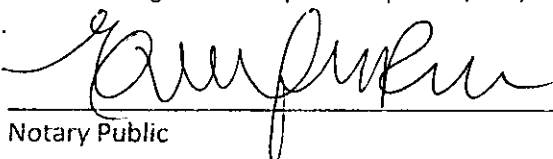
**DECLARANT**

Casey Development, LLC

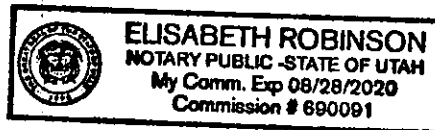
By:   
Its: Manager

State of Utah )  
                          :ss  
County of Utah )

On this 31 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.

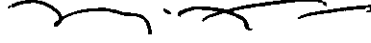
  
Notary Public

Residing at:  
My commission expires: 08/28/20



**DECLARANT**

Blackrock Homes, LLC



By: Mike Scoville  
Its: Manager

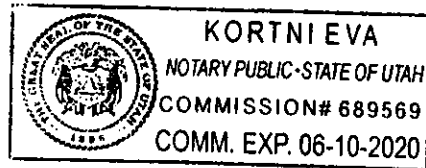
State of Utah        )  
                              :SS  
County of Utah     )

On this 30<sup>th</sup> day of August, 2017, personally appeared before me, Mike 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: Payson, UT  
My commission expires: 06-10-2020



## 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 46.55 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 6°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 57.77 feet, passing through a central angle of a 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 51°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 393.48 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.