

AFTER RECORDING PLEASE RETURN TO:
LEON HYDE
475 SOUTH 600 WEST
BRIGHAM CITY, UTAH 84302

FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF

THE COTTAGES AT BLUE WATER SUBDIVISION PHASE 1
THE COTTAGES AT BLUE WATER SUBDIVISION PHASE 2
THE COTTAGES AT BLUE WATER SUBDIVISION PHASE 3

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of The Cottages at Blue Water Subdivision Phase 1, The Cottages at Blue Water Subdivision Phase 2 and The Cottages at Blue Water Subdivision Phase 3 were amended and restated in their entirety in the Amended and Restated Declaration of Covenants, Conditions and Restrictions of The Cottages at Blue Water Subdivision Phase 1; The Cottages at Blue Water Subdivision Phase 2; The Cottages at Blue Water Subdivision Phase 3 (the "Declaration"), recorded on September 7, 2007 as Entry No. 72563 in Book L10 at Page 1152 in the Office of the Recorder of Rich County, State of Utah and which encompasses and encumbers the real property described on Exhibits A, B and C attached and incorporated by reference; and

WHEREAS, Paragraph 24 of the Declaration allows Amendment of the Declaration by the Board of Directors as provided therein; and

WHEREAS, this Amendment is authorized by the Declaration and the Board of Directors and the Board of Directors has considered this First Amendment to not be a material change to any provision of the Declaration;

THE DECLARATION is amended as follows:

1. Paragraph 2 is amended to add subparagraph 2(p) to "Definitions" as follows:

2(p) "Family" shall mean any number of individuals either holding title individually or as owners of an entity holding title related by blood, marriage or adoption within two (2) degrees of consanguinity.

2. Paragraph 7(a) is amended to read as follows:

7(a) Ownership of a Lot. Each Owner shall be entitled to the exclusive ownership and possession of that Lot including former Common Areas deeded as part of the Lot and contiguous portions of adjoining Lots deeded as part of the Lot.

Subject to and provided the Owner meets the qualifications of paragraphs 2(p), 6(b)(1) and 7(b), a Lot may be owned by any person, entity, group of persons, group of entities, or combination of persons and entities.

3. Paragraph 35 is amended to add subparagraphs 35(e) and (f) to read as follows:

35. Approval.

35(e) This First Amendment to the Amended and Restated Declaration was approved and adopted by a vote of not less than two-thirds of all of the Board of Directors of the Association at a meeting of the Board of Directors duly held on May 4, 2015 and attended in person or by proxy by a quorum of the Board of Directors of the Association.

35(f) The Association certifies that this First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions was voted upon and consented to as required by paragraph 24 of the Declaration.


4. Except as clarified herein, the current Amended and Restated Declaration of Covenants, Conditions and Restrictions of The Cottages at Blue Water Subdivision Phase 1; The Cottages at Blue Water Subdivision Phase 2; The Cottages at Blue Water Subdivision Phase 3 are hereby ratified, confirmed and approved.

5. The foregoing Recitals are incorporated by reference.

6. The undersigned certify that this First Amendment passed by a unanimous vote of all of the Board of Directors at a meeting duly called and held on May 4, 2015 and shall take effect upon recording.

DATED this 7th day of May, 2015.

COTTAGES AT BLUE WATER OWNERS ASSOCIATION, INC.

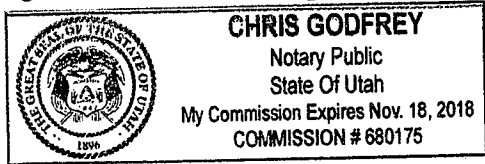

By: GARRY MICKELSEN
Its: Vice President

ATTEST:


By: RONA CULLEY
Its: Secretary

STATE OF UTAH)
: ss.
County of Salt Lake)

On the 7th day of May, 2015, personally appeared before me GARRY MICKELSEN and RONA CULLEY, who, being by me duly sworn, did say that they are the Vice President and Secretary of THE COTTAGES AT BLUE WATER OWNERS ASSOCIATION, INC. and that the said instrument was signed in behalf of said entity by authority of a such Corporation's Articles and By-Laws and/or a resolution of the Board of Directors, and the aforesaid individuals acknowledged to me that said Corporation executed the same.



Chris Godfrey

NOTARY PUBLIC

EXHIBIT "A"
TO THE FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS,
and RESTRICTIONS
OF
THE COTTAGES AT BLUE WATER

Legal Description
PHASE I
AS SURVEYED LEGAL DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST, OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS CAP MONUMENT FOUND AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°20'35" EAST ALONG THE SOUTH LINE OF SAID SECTION AS CURRENTLY MONUMENTED 2640.33 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE CONTINUING SOUTH 89°20'35" ALONG SAID SOUTH SECTION LINE 357.72 FEET; THENCE LEAVING SAID SECTION LINE NORTH 00°39'25" EAST 1,618.90 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 30, A POINT OF A NON TANGENT CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 54°04'07" EAST 1,096.28 FEET; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING THREE COURSES, 1) SOUTHEASTERLY 321.50 FEET ALONG THE ARC OF A 1,096.28 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°48'10" AND A LONG CHORD THAT BEARS SOUTH 44°19'58" EAST 320.35 FEET; 2) THENCE SOUTH 53°34'47" EAST 48.55 FEET TO THE POINT OF NON TANGENT CURVE THE RADIUS POINT OF WHICH BEARS NORTH 34°46'01" EAST 3,616.33 FEET; 3) THENCE SOUTHEASTERLY 122.78 FEET ALONG THE ARC OF A 3,616.33 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°56'43" AND A LONG CHORD THAT BEARS SOUTH 56°12'21" EAST 122.77 FEET TO THE END OF THE CURVE, SAID POINT BEING THE TRUE POINT OF BEGINNING; AND RUNNING THENCE NORTH 25°32'34" EAST 166.73 FEET; THENCE SOUTH 64°27'26" EAST 9.73 FEET; THENCE NORTH 25°32'34" EAST 75.34 FEET; THENCE NORTH 41°18'19" EAST 87.64 FEET; THENCE NORTH 77°32'44" EAST 15.22 FEET; THENCE NORTH 41°18'19" EAST 65.00 FEET; THENCE NORTH 48°41'41" WEST 28.63 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY 7.21 FEET ALONG THE ARC OF A 278.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°29'11" AND A LONG CHORD THAT BEARS NORTH 49°26'17" WEST 7.21 FEET; THENCE NORTH 39°49'08" EAST 341.27 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HODGES LANE; THENCE FOLLOWING SAID SOUTHERLY AND WESTERLY RIGHT OF WAY LINE THE FOLLOWING FOUR COURSES, 1) SOUTH 54°25'30" EAST 194.79 FEET; 2) THENCE SOUTH 26°31'41" EAST 49.89 FEET; 3) THENCE SOUTH 00°34'28" WEST 168.61 FEET; 4) THENCE SOUTH 24°33'08" WEST 550.34 FEET TO A POINT ON THE AFOREMENTIONED NORTHEASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 30 AND THE POINT OF A NON TANGENT CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 26°04'25" EAST 3,616.33 FEET; THENCE NORTHWESTERLY 425.93 FEET ALONG THE ARC OF A 3,616.33 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°44'54" AND A LONG CHORD THAT BEARS NORTH 60°33'08" WEST 425.69 FEET TO THE POINT OF BEGINNING. CONTAINING 6.23 ACRES, MORE OR LESS.

EXHIBIT "B"
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PHASE 2

AS SURVEYED LEGAL DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST, OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS CAP MONUMENT FOUND AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°20'35" EAST ALONG THE SOUTH LINE OF SAID SECTION AS CURRENTLY MONUMENTED 2640.33 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE CONTINUING SOUTH 89°20'35" EAST ALONG SAID SOUTH SECTION LINE 357.72 FEET; THENCE LEAVING SAID SECTION LINE NORTH 00°39'25" EAST 1,618.90 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 30 AND THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING THE BEGINNING OF A CURVE OF WHICH THE RADIUS POINT LIES NORTH 54°04'07" EAST 1,096.28 FEET; AND RUNNING THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING THREE COURSES, 1) 321.50 FEET ALONG THE ARC OF A 1,096.28 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 1 6°48'10" AND A LONG CHORD THAT BEARS SOUTH 44°19'15.81" EAST 320.35 FEET; 2) THENCE SOUTH 53°34'47" EAST 48.55 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE OF WHICH THE RADIUS POINT LIES NORTH 34°46'01" EAST 3,616.33 FEET; 3) THENCE SOUTHEASTERLY 122.78 FEET ALONG THE ARC OF A 3,616.33 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 1°56'43" AND A LONG CHORD THAT BEARS SOUTH 56°12'20" EAST 122.77 FEET; THENCE NORTH 25°32'34" EAST 166.73 FEET; THENCE SOUTH 64°27'26" EAST 9.73 FEET; THENCE NORTH 25°32'34" EAST 75.34 FEET; THENCE NORTH 41°18'19.11" EAST 87.64.00 FEET; THENCE NORTH 77°32'44" EAST 15.22 FEET; THENCE NORTH 41°18'19" EAST 65.00 FEET; THENCE NORTH 48°41'41" WEST 28.63 FEET; THENCE NORTHWESTERLY 7.21 FEET ALONG THE ARC OF A 278.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0 1°29'11" AND A LONG CHORD THAT BEARS NORTH 49°26'17" WEST 7.21 FEET; THENCE NORTH 39°49'08" EAST 341.27 FEET; THENCE NORTH 54°25'30" WEST 425.52 FEET; THENCE SOUTH 46°4'13.8" WEST 270.14 FEET; THENCE NORTH 43°18'22" WEST 5.99 FEET; THENCE SOUTH 46°41'38" WEST 71.91 FEET; THENCE SOUTH 75°47'30" WEST 92.22 FEET; THENCE SOUTH 14°12'30" EAST 51.33 FEET; THENCE SOUTH 03°04'02" WEST 19.125 FEET; THENCE SOUTH 65°19'09" WEST 109.11 FEET TO THE POINT OF BEGINNING. CONTAINING 7.82 ACRES, MORE OR LESS.

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PHASE 3

AS SURVEYED LEGAL DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST, OF THE SALT LAKE BASE AND MERIDIAN. DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS CAP MONUMENT FOUND AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE SALT LAKE BASE AND MERIDIAN; AND RUNNING SOUTH 89°20'35" EAST ALONG THE SOUTH LINE OF SAID SECTION AS CURRENTLY MONUMENTED 2640.33 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE CONTINUING SOUTH 89°20'35" EAST ALONG SAID SOUTH SECTION LINE 451.21 FEET; THENCE LEAVING SAID SECTION LINE NORTH 00° EAST 1,906.26 FEET TO THE TRUE POINT OF BEGINNING; AND RUNNING THENCE NORTH 141°2'30" WEST 330.53 FEET; THENCE NORTH 48°14'16" WEST 21.35 FEET; THENCE SOUTH 75°37'43" WEST 11.49 FEET; THENCE NORTH 15°24'28" WEST 302.09 FEET; THENCE NORTH 82°49'12" EAST 116.87 FEET; THENCE SOUTH 38°27'04" EAST 103.73 FEET; THENCE NORTH 45° EAST 47.99 FEET; THENCE SOUTH 39°00'30" EAST 339.47 FEET; THENCE SOUTH 54° EAST 125.87 FEET; THENCE SOUTH 46°41'38" WEST 270.14 FEET; THENCE NORTH 43°18'22" WEST 5.99 FEET; THENCE SOUTH 46°41'38" WEST 71.91 FEET; THENCE SOUTH 75°47'30" WEST 92.22 FEET TO THE POINT OF BEGINNING. CONTAINING 3.75 ACRES, MORE OR LESS.