

When Recorded Return to:
Edge Land 16, LLC
13702 S. 200 W. #B12
Draper, UT 84020

**THIRD AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
HIDDEN CANYON ESTATES**

This Third Amendment to the Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates (the “**Third Amendment**”) is executed and adopted by Edge Land 16, LLC, a Utah limited liability company (“**Declarant**”).

RECITALS

- A. The Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates was recorded on June 28, 2017 as Entry No. 62716:2017 in the office of the Utah County Recorder (hereinafter the “**Declaration**”).
- B. The First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates was recorded on April 12, 2018 as Entry No. 34003:2018 in the office of the Utah County Recorder.
- C. The Second Amendment to the Declaration of Covenants, Conditions, and Restrictions for Hidden Canyon Estates was recorded on July 16, 2018 as Entry No. 66600:2018 in the office of the Utah County Recorder.
- D. This Third Amendment affects the real property located in Utah County described with particularity on Exhibit A, which exhibit is attached hereto and incorporated herein by reference.
- E. The Declarant desires to amend the Declaration as set forth in this Third Amendment to further define and clarify Lot Owner’s rights and responsibilities in the Project. Further, the Declarant wishes to clarify that any and all references to Edge Land 15, LLC in prior documents should refer instead to Edge Land 16, LLC.
- F. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration.

G. Pursuant to Section 13.3(1) of the Declaration, as amended, the undersigned hereby certifies that this Third Amendment was approved, executed, and acknowledged by Declarant during the Period of Declarant Control.

AMENDMENT

NOW, THEREFORE, in consideration of the foregoing Recitals, the Declarant hereby executes this Third Amendment, which shall be effective as of its recording date with the Utah County Recorder.

1. **Amendment No. 1.** Section 8.3 shall be deleted in its entirety and replaced by the following:

8.3 **Trees.** Owners shall be required to plant and maintain trees in the park strip of each Lot ("Street Trees"). The number of Street Trees required to be planted on each Lot is shown on Exhibit B, which is attached hereto and incorporated by reference. Owners shall plant the number of Street Trees shown on Exhibit B no later than one (1) year following the completion of construction of the Dwelling. Street trees shall be spaced at a maximum of 30 feet apart, be a minimum 2" caliper, and shall be of a variety approved by Draper City. Street Trees shall also be installed in accordance with the standards and specifications developed by the Draper City Tree Commission and adopted by the Draper City Council, including the Draper City Street Tree Guide (as may be amended). The current version of the Draper City Street Tree Guide is attached hereto as Exhibit C for reference. Street Trees shall be planted wholly within the boundary line of each Lot and shall be planted in a manner to create harmony with surrounding landscaping. Owners shall also be required to plant and maintain at least one (1) additional tree on their Lot (in a location other than the park strip) with a minimum diameter of one (1) inch caliper no later than two (2) years following the completion of construction of the Dwelling.

2. **Conflicts.** All provisions of the Declaration not specifically amended in this Third Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration or any prior amendments, the provisions of this document shall in all respects govern and control.
3. **Incorporation and Supplementation of Declaration.** This document is supplemental to the Declaration, which by reference is made a part hereof, and all the terms, definitions, covenants, conditions, restrictions, and provisions thereof, unless specifically modified herein, are to apply to this document and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

IN WITNESS WHEREOF, the Declarant has executed this Third Amendment on this 16 day of October, 2018.

DECLARANT
EDGE LAND 16, LLC
A Utah Limited Liability Company

By: Steve Maddox

Name: Steve Maddox

Title: Manager

STATE OF Utah)
) SS:
COUNTY OF Utah)

On the 16 day of October, 2018, personally appeared before me Steve Maddox, who by me being duly sworn, did say that he/she is an authorized representative of EDGE LAND 16, LLC, and that the foregoing instrument is signed on behalf of said company and executed with all necessary authority.

Shelley King
Notary Public

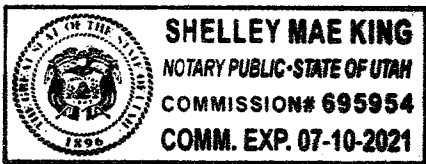


EXHIBIT A
Legal Description

Hidden Canyon Estates Phase 1

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°49'39" WEST, ALONG THE SECTION LINE, 435.67 FEET; THENCE NORTH 49°46'36" WEST 75.90 FEET; THENCE SOUTH 89°41'36" WEST 98.39 FEET; THENCE SOUTH 31°22'10" WEST 226.17 FEET TO THE NORTH RIGHT OF WAY LINE OF SUNCREST DRIVE; THENCE ALONG SAID RIGHT OF WAY 24.29 FEET ALONG THE ARC OF A 636.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 61°25'28" WEST 24.28 FEET AND CENTER BEARS SOUTH 29°40'10" WEST); THENCE, CONTINUING ALONG SAID RIGHT OF WAY, NORTH 62°31'05" WEST 135.20 FEET; THENCE NORTH 34°49'42" EAST 149.32 FEET; THENCE NORTH 38°12'39" EAST 50.06 FEET; THENCE NORTH 35°10'39" EAST 100.00 FEET; THENCE NORTH 49°15'44" WEST 71.66 FEET; THENCE NORTH 35°00'07" EAST 123.86 FEET; THENCE NORTH 11°04'36" EAST 74.41 FEET; THENCE NORTH 12°04'28" EAST 81.08 FEET; THENCE NORTH 08°18'04" EAST 90.40 FEET; THENCE NORTH 16°03'14" EAST 90.80 FEET; THENCE NORTH 23°49'26" EAST 88.73 FEET; THENCE NORTH 25°03'34" EAST 87.31 FEET; THENCE NORTH 26°06'48" EAST 86.15 FEET; THENCE NORTH 32°02'47" EAST 49.64 FEET; THENCE NORTH 57°57'13" WEST 73.27 FEET; THENCE NORTH 14°51'15" EAST 105.00 FEET; THENCE NORTH 66°34'43" EAST 73.89 FEET; THENCE NORTH 23°11'33" EAST 143.47 FEET TO THE SOUTH LINE OF THE DRAPER CITY PROPERTY THENCE SOUTH 88°29'38" EAST, ALONG SAID DRAPER CITY PROPERTY, 367.98 FEET, TO THE QUARTER SECTION LINE; THENCE SOUTH 00°08'40" WEST, ALONG SAID QUARTER SECTION LINE, 1220.61 FEET TO THE POINT OF BEGINNING.

CONTAINS 16.83 ACRES MORE OR LESS

HIDDEN CANYON ESTATES PHASE 2

BEGINNING AT THE NORTHWEST CORNER OF LOT 102, HIDDEN CANYON ESTATES PHASE 1A, SAID POINT BEING SOUTH 89°49'39" WEST, ALONG THE SECTION LINE, 676.63 FEET AND NORTH 00°10'21" WEST 173.75 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE BOUNDARY OF SAID PHASE 1A SUBDIVISION THE FOLLOWING THREE (3) COURSES: 1) SOUTH 35°10'39" WEST 100.00 FEET; 2) SOUTH 38°12'39" WEST 50.06 FEET; 3) SOUTH 34°49'42" WEST 149.32 FEET; THENCE NORTH 62°31'05" WEST 32.88 FEET TO THE EASTERLY LINE OF THE METROPOLITAN WATER DISTRICT OF SALT LAKE AND SANDY PROPERTY (BOOK: 545, PAGE: 131); THENCE NORTH 30°20'41" WEST, ALONG SAID PROPERTY, 1585.15 FEET TO THE SOUTH LINE OF MREC DAI EDELWEISS LLC PROPERTY; THENCE ALONG SAID MREC DAI EDELWEISS LLC PROPERTY THE FOLLOWING TWO (2) COURSES: (1) SOUTH 89°57'44" EAST 352.91 FEET; 2) NORTH 00°12'08" EAST 196.87 FEET; THENCE SOUTH 89°50'22" EAST 103.90 FEET; THENCE NORTH 88°06'42" EAST 50.03 FEET; THENCE SOUTH 89°50'22" EAST 112.50 FEET; THENCE EAST 53.03 FEET; THENCE NORTH 77°13'05" EAST 74.18 FEET; THENCE NORTH 35°06'17" EAST 68.62 FEET; THENCE NORTH 77°42'52" EAST 65.51 FEET; THENCE NORTH 09°03'47" EAST 97.34 FEET; THENCE NORTH 14°42'13" EAST 90.50 FEET; THENCE NORTH 39°33'15" EAST 201.39 FEET; THENCE NORTH 54°46'11" EAST 83.49 FEET; THENCE NORTH 76°58'51" EAST 105.00 FEET; THENCE NORTH 88°17'21" EAST 74.30 FEET; THENCE SOUTH 04°13'34" EAST 41.68 FEET; THENCE NORTH 84°05'07" EAST 90.00 FEET; THENCE NORTH 37°07'34" EAST 80.77 FEET; THENCE NORTH 89°55'29" EAST 117.08 FEET; THENCE NORTH 00°08'40" EAST 49.83 FEET; THENCE SOUTH 89°51'20" EAST 111.56 FEET; THENCE NORTH 89°58'10" EAST 56.00 FEET TO THE CENTER SECTION LINE OF SAID SECTION 10; THENCE SOUTH 00°08'40" WEST, ALONG SAID SECTION LINE, 194.44 FEET; THENCE 109.09 FEET ALONG THE ARC OF A 528.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 06°03'48" WEST 108.90 FEET) AND THE CENTER BEARS NORTH 89°51'20" WEST; THENCE SOUTH 11°58'56" WEST 4.62 FEET; THENCE WEST 131.67 FEET; THENCE SOUTH 67°24'08" WEST 150.28 FEET; THENCE SOUTH 73°59'53" WEST 106.20 FEET; THENCE NORTH 87°05'36" WEST 117.19 FEET; THENCE NORTH 69°31'39" WEST 126.46 FEET; THENCE NORTH 54°52'11" WEST 6.39 FEET; THENCE 25.13 FEET ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE LEFT (CORD BEARS SOUTH 31°31'49" WEST 25.12 FEET) AND THE CENTER BEARS SOUTH 54°52'11" EAST; THENCE SOUTH 27°55'50" WEST 231.80 FEET; THENCE 37.81 FEET ALONG THE ARC OF A 310.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 31°25'30" WEST 37.79 FEET) AND THE CENTER BEARS NORTH 62°04'10" WEST; THENCE SOUTH 55°04'50" EAST 70.16 FEET; THENCE 173.74 FEET ALONG THE ARC OF A 770.00 FOOT NON-TANGENT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 01°11'40" EAST 173.37 FEET) AND THE CENTER BEARS SOUTH 84°43'49" EAST; THENCE SOUTH 82°06'33" WEST 394.78 FEET; THENCE SOUTH 42°40'04" WEST 106.82 FEET; THENCE SOUTH 51°26'00" WEST 106.70 FEET; THENCE SOUTH 30°22'12" EAST 100.00 FEET; THENCE SOUTH 33°56'56" EAST 50.10 FEET; THENCE SOUTH 30°22'12" EAST 787.50 FEET; THENCE SOUTH 37°05'00" EAST 66.21 FEET; THENCE SOUTH 49°15'44" EAST 71.66 FEET TO THE NORTHWEST CORNER OF SAID LOT 102 AND THE POINT OF BEGINNING.

CONTAINS 18.724 ACRES MORE OR LESS

Phase 3

A TRACT OF LAND BEING SITUATE IN UTAH COUNTY, SAID TRACT OF LAND ALSO BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF HIDDEN CANYON ESTATES PHASE 1A SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS FILE NO. 15596 OF PLATS, SAID POINT ALSO BEING NORTH 00°08'40" EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 1220.60 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION AND NORTH 88°29'38" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 367.98 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG THE WESTERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING THIRTEEN (13) COURSES: 1) SOUTH 23°11'33" WEST 143.47 FEET, 2) SOUTH 66°34'43" WEST 73.89 FEET; 3) SOUTH 14°51'15" WEST 105.00 FEET, 4) SOUTH 57°57'13" EAST 73.27 FEET, 5) SOUTH 32°02'47" WEST 49.64 FEET, 6) SOUTH 26°06'48" WEST 86.15 FEET, 7) SOUTH 25°03'34" WEST 87.31 FEET, 8) SOUTH 23°49'26" WEST 88.73 FEET, 9) SOUTH 16°03'14" WEST 90.80 FEET, 10) SOUTH 08°18'04" WEST 90.40 FEET, 11) SOUTH 12°04'28" WEST 81.08 FEET, 12) SOUTH 11°04'36" WEST 74.41 FEET, 13) SOUTH 35°00'07" WEST 123.86 FEET TO THE EASTERLY LINE OF HIDDEN CANYON ESTATES PHASE 2 SUBDIVISION (NOT YET RECORDED); THENCE ALONG SAID SUBDIVISION THE FOLLOWING SEVEN (7) COURSES: 1) NORTH 37°05'00" WEST 66.21 FEET, 2) NORTH 30°22'12" WEST 787.50 FEET, 3) NORTH 33°56'56" WEST 50.10 FEET, 4) NORTH 30°22'12" WEST 100.00 FEET, 5) NORTH 51°26'00" EAST 106.70 FEET, 6) NORTH 42°40'04" EAST 106.82 FEET, 7) NORTH 82°06'33" EAST 394.78 FEET TO THE POINT OF A 770.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 39.38 FEET THROUGH A CENTRAL ANGLE OF 2°55'49" (CHORD BEARS SOUTH 09°07'25" EAST 39.38 FEET); THENCE SOUTH 88°29'38" EAST 330.27 FEET TO THE POINT OF BEGINNING.

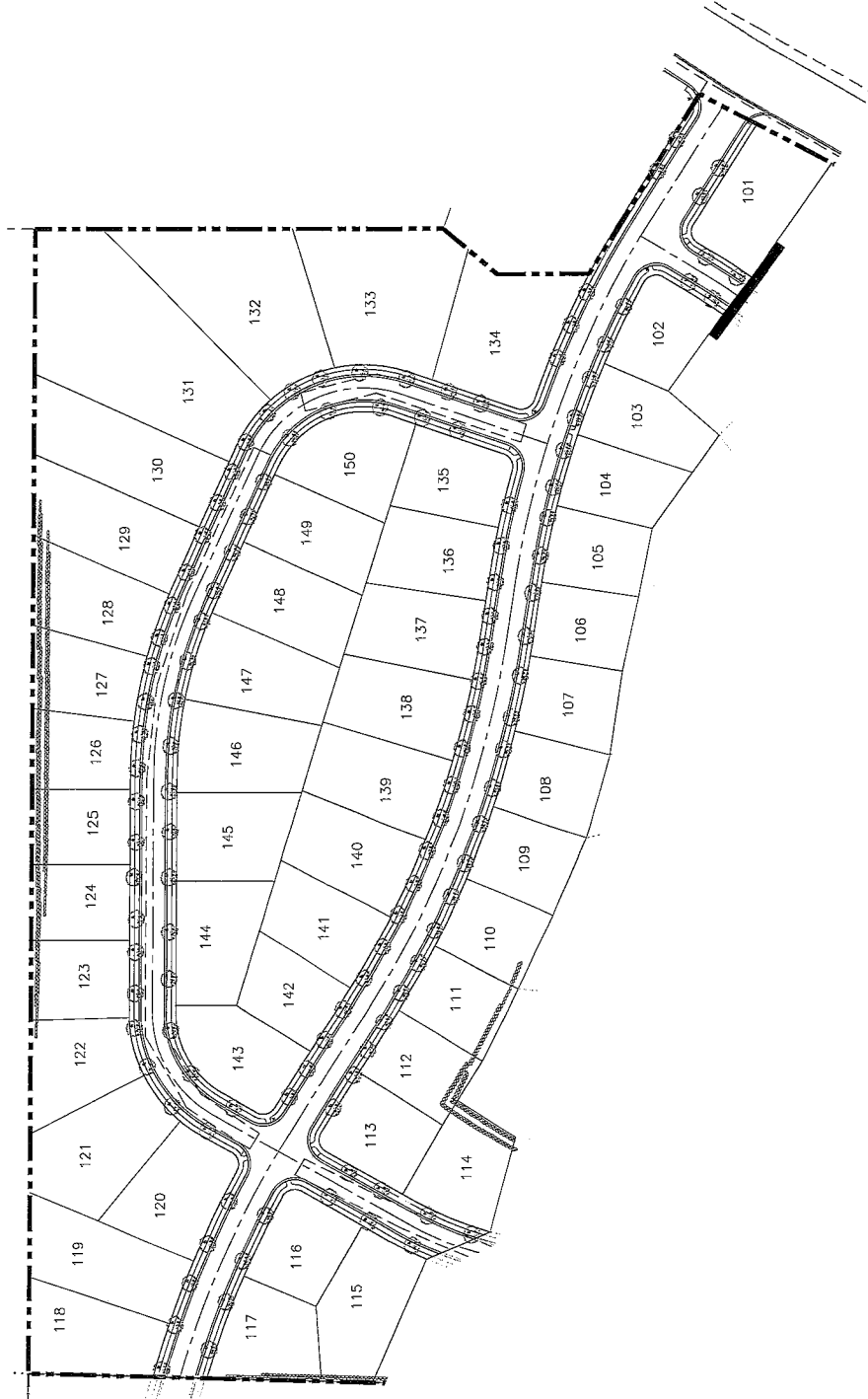
CONTAINS 479,947 SQUARE FEET
 11.018 ACRES, MORE OR LESS
 38 LOTS

EXHIBIT B

Number of Street Trees Required per Lot

HIDDEN CANYON ESTATES PHASE 1

STREET TREE PLAN




WILDLING
ENGINEERING

14741 BIRCH HOLLOW DRIVE, SUITE 100
DRAPER, UTAH 84020
WWW.WILDLINGENGINEERING.COM

DRAWING NOTES:

1. TREE LOCATIONS, TREE TYPES, AND OTHER INFORMATION SHOWN ON THIS PLAN ARE APPROVED BY THE CITY ENGINEER AND THE CITY ENGINEER'S OFFICE.
2. TREE SPACING IS 30 FEET MINIMUM PER DDCS SECTION 10.01.01.
3. TREES WILL BE PLANTED AND IRRIGATED BY LOT OWNERS.
4. TREE LOCATIONS WILL BE ADJUSTED TO ALLOW FOR CURB CUTS TO ACCESS TO THE HOUSES.

LEGEND

APPROXIMATE LOCATION OF STREET TREES

DATE: 06/02/16
DRAWN BY: JRP
CHECKED BY: MEC
PROJECT NO: 15090

PROJECT INFORMATION

HIDDEN CANYON ESTATES PHASE 1
STREET TREE PLAN

DRAPER, UTAH

DATE: 06/02/16
SCALE: 1" = 60'
SHEET: 1 OF 1

ENGINEER'S STAMP

EXHIBIT C
Draper City Street Tree Guide
(Current as of the Recording Date of this Amendment)

Draper City Approved Commercial Tree List

Trees In Parking Strips *Beneath Power Lines.*

<u>Common Name:</u>	<u>Botanical Name:</u>
Crabapple, Flowering	Malus (non weeping only) 15' or under
Goldenchain Tree	Laburnum x watereri
Hawthorne, Crusader Cockspur	Crataegus crus-galli 'Crusader'
Chinese Lilac Tree	Syringa pekinensis (all cultivars)
Maple, Tatarian	Acer tataricum (all cultivars)
Plum, Flowering	Prunus cerasifera (all cultivars)

Trees In Parking Strips 5 Feet Or Less *Without Power Lines.*

<u>Common Name:</u>	<u>Botanical Name:</u>
Crabapple, Flowering	Malus (non weeping only)
Elm, Hybrids	Ulmus hybrids (30' or less in width)
Maidenhair (Ginkgo)	Ginkgo biloba 'Princeton Sentry'
Goldenrain, Columnar	Koelreuteria paniculata 'Golden Candles'
Hackberry, Columnar	Celtis occidentalis 'Prairie Sentinel'
Hawthorne, Thornless Cockspur	Crataegus crus-galli 'Inermis'
Honeylocust	Gleditsia triacanthos (all seedless cultivars)
Japanese Pagoda Tree	Sophora japonica
Lilac, Japanese Tree	Syringa reticulata (all cultivars)
Maple, Tartarian	Acer tartarica (all cultivars)
Mountain Ash	Sorbus aucuparia (all cultivars)
Oak, Columnar English	Quercus robur fastigiata (all cultivars)
Oak, Swamp White	Quercus bicolor
Oak, Bur	Quercus macrocarpa (all cultivars)
Zelkova, Japanese	Zelkova serrata Mushashino

Trees In Parking Strips Of 5 To 8 Feet Or Larger Without Power Lines.

<u>Common Name:</u>	<u>Botanical Name:</u>
Beech, Columnar	Fagus sylvatica 'Dawyck', 'Dawyck Purple' or 'Red Obelisk'
Crabapple, Flowering	Malus (non weeping varieties only)
Elm, Hybrids	Ulmus hybrids (30' or less in width)
Ginkgo	Ginkgo biloba (all cultivars)
Honeylocust	Gleditsia triacanthos (all seedless varieties)
Ironwood	Parrotia persica
Lilac, Japanese Tree	Syringa reticulata (all cultivars)
Maple, State Street	Acer miyabei
Maples, Norway and Shantung hybrids	Acer truncatum x Acer platanoides (Crimson, Norwegian, Pacific, Ruby, and Urban)
Mountain Ash	Sorbus aucuparia (all cultivars)
Oak, Columnar English	Quercus robur fastigiata (all cultivars)
Oak, Swamp White	Quercus bicolor
Oak, Bur	Quercus macrocarpa
Redbud	Cercis canadensis
Serviceberry Tree	Amelanchier laevis 'Spring Flurry'
Zelkova, Japanese	Zelkova serrata (all cultivars)

Trees In Parking Strips 10 Feet Or Larger Without Power Lines.

<u>Common Name:</u>	<u>Botanical Name:</u>
Catalpa, Northern	Catalpa speciosa
Coffeetree, Kentucky	Gymnocladus dioica
Elm, Hybrids	Ulmus hybrids (no restriction on size)
Hackberry, Common	Celtis occidentalis
Linden, American	Tilia americana Redmond
Linden, Littleleaf	Tilia cordata (all cultivars)
Linden, Silver	Tilia tomentosa (all cultivars)
London Planetree	Platanus x acerifolia (all cultivars)

Maple, State Street	Acer miyabei
Maples, Norway and Shantung hybrids	Acer truncatum x Acer platanoides (Crimson, Norwegian, Pacific, Ruby, and Urban)
Maple, Sycamore	Acer pseudoplatanus
Oak, Bur	Quercus macrocarpa (all cultivars)
Oak, Chinkapin	Quercus muehlenbergii
Oak, Shumard	Quercus shumardii
Oak, Swamp White	Quercus bicolor
Tulip Tree	Liriodendron tulipifera 'Emerald City'
Yellowwood, American	Cladrastis kentukea (C. lutea)
Zelkova, Japanese	Zelkova serrata (all cultivars except Musashino)

Conifers: Best In Groupings At Entrances To Developments And In Non-Traditional Parking Strips At Least 20 Feet Wide

<u>Common Name:</u>	<u>Botanical Name:</u>
Arborvitae	Thuja orientalis
Cedar, Blue Atlas	Cedrus atlantica Glauca
Cedar, Deodara	Cedrus deodara 'Karl Fuchs', Kashmir', 'Shalimar'
Cedar, Weeping Alaskan	Chamaecyparis nootkatensis 'Pendula'
Fir, Concolor	Abies concolor*
Fir, Douglas	Pseudotsuga menziesii
Incense cedar	Calocedrus decurrens
Juniper, Chinese	Juniperus chinensis
Juniper, Rocky Mountain	Juniperus scopulorum
Juniper, Utah	Juniperus osteosperma**
Pine, Austrian	Pinus nigra (cultivars for columnar)
Pine, Bosnian	Pinus leucodermis 'Heldreichii'
Pine, Scotch	Pinus sylvestris
Pine, White	Pinus strobus
Pine, Vanderwolf	Pinus flexilis Vanderwolf's Pyramid'

Red Cedar, Eastern
Spruce, Colorado

Juniperus virginiana
Picea pungens (smaller cultivars)*

Trees For Elevations Above 5,000 Feet.

<u>Common Name:</u>	<u>Botanical Name:</u>
Hackberry, Common	Celtis occidentalis
Hawthorne, Black	Crataegus douglasii
Juniper, Rocky Mountain	Juniperus scopulorum (all cultivars)
Maple, Amur	Acer ginnala (all cultivars)
Maple, Bigtooth	Acer grandidentatum* (all cultivars)
Oak, Gambel	Quercus gambelii
Pine, Bristlecone	Pinus aristata
Pine, Pinyon	Pinus edulis
Serviceberry	Amelanchier alnifolia or utahensis
Serviceberry, Autumn Brilliance	Amelanchier x grandifolia 'Autumn Brilliance'
Sumac, Smooth	Rhus glabra
Spruce, Colorado	Picea pungens (all cultivars)

*We have found that these species do not do well with secondary water.

**These have limited availability