

**SUPPLEMENT TO
FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR THE COTTAGES ON 78TH**

EXPANSION OF LIMITED COMMON AREA

This Supplement to the *First Amendment to the Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th* (the "Supplement") is executed and adopted by the Cottages on 78th Community Association (the "Association").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th was recorded on June 24, 2014 as Entry No. 1187025, Book 10240, beginning at Page 4853 in the offices of the Salt Lake County Recorder (hereinafter the "Declaration").

B. The First Amendment to the Declaration was recorded in the Salt Lake County Recorder's Office on July 18, 2018 as Entry. No 12812867 ("First Amendment").

C. The First Amendment altered the Declaration's definition of Limited Common Area to include certain portions of Common Area adjacent to Units to allow any desiring Owner to enclose that area with a fence. Exhibit B to the First Amendment identified the specific Units that desired to have additional Limited Common Area for the purpose of installing a privacy fence.

D. Since the recording of the First Amendment in 2018, additional Units have desired to install a privacy fence around Common Area, thus necessitating this Supplement to identify those portions of Common Area that shall be now designated as Limited Common Area. Exhibit B to this Supplement (attached hereto) also supplements the Exhibit B to the First Amendment.

E. Pursuant to Article 15, Section 15.4 of the Declaration, the Association desires to supplement the First Amendment by further expanding the Limited Common Area available to Unit Owners within the Association, which expansion necessarily converts some of the Common Area identified on the plat map and on Exhibit B to the First Amendment into Limited Common Area, for the exclusive use of the appurtenant Unit Owners, as shown on the Supplemental Plat drawing attached hereto as Exhibit "B".

F. Unless otherwise set forth herein, the capitalized terms shall have their same meanings and definitions as stated in the Declaration.

G. Pursuant to Article 15, Sections 15.1 and 15.4 of the Declaration, the undersigned hereby certifies that this Supplement was approved by the necessary voting interests of the Association.

NOW, THEREFORE, in consideration of the foregoing Recitals, the Association hereby executes this First Amendment, which shall be effective as of its recording date with the Salt Lake County Recorder's office.

AMENDMENT ONE

Article 1, Section 1.13 "Limited Common Area" of the Declaration and the First Amendment is hereby amended and replaced in its entirety, to read as follows:

"1.13 'Limited Common Area' shall mean a portion of the Common Area specifically designated in this Declaration, the Plat map, and Exhibit "B" of the Supplement to the First Amendment to the Declaration for the exclusive use of one or more Owners to the exclusion of other Owners. Conveyance of a Unit includes the use of the Limited Common Area appurtenant to the Unit."

AMENDMENT TWO

Article 3, Section 3.2(a) of the Declaration and in the First Amendment is hereby amended and replaced in its entirety, to read as follows:

"(a) Specific Identification of Limited Common Areas. The Limited Common Area of each Unit shall consist of areas identified on the Plat and Exhibit "B" of the Supplement to the First Amendment to the Declaration as Limited Common Area that are spatially associated with that Unit. This shall generally include, for most Units, driveways and rear yard areas that may or may not be fenced in. No roadways are Limited Common Areas."

----- END OF AMENDMENTS -----

IN WITNESS WHEREOF, this Supplement to First Amendment to the Declaration of Covenants, Conditions and Restrictions for the Cottages on 78th was executed on behalf of the Association on the date set forth below.

DATED this 12 day of October, 2021.

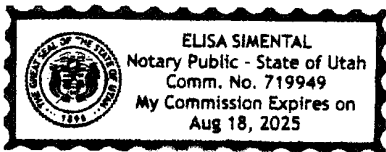
The Cottages on 78th Community Association

By: Nichole Marie Keddington

Its: Board President

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

On the 12th day of October, 2021, personally appeared before me Nichole Marie Keddington who by me being duly sworn, did say that she/he is an authorized representative of The Cottages on 78th Community Association, and that the foregoing instrument is signed with all necessary authority.



Elisa Simental
NOTARY PUBLIC

EXHIBIT A

Legal Description

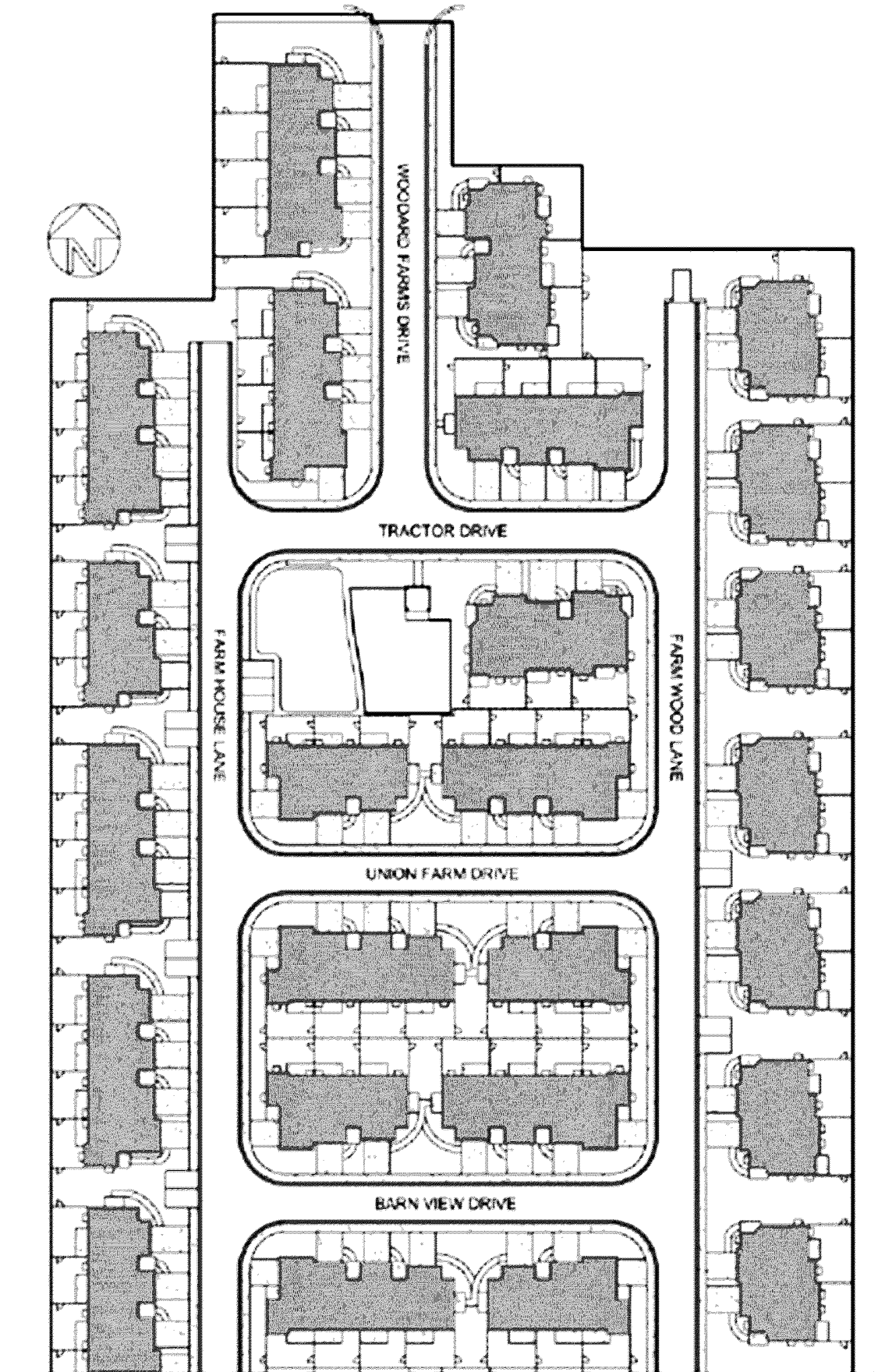
All of Units 1 through and including 117 of THE COTTAGES ON 78TH AMD

Parcel Nos. 2231203120000 – 2231203237000

EXHIBIT B

COTTAGES ON 78TH FENCE BOUNDARY ADJUSTMENT

NORTH CC



COTTAGES ON 78TH
FENCE BOUNDARY ADJUSTMENT

