

**SECOND AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS OF DRAPER CREEKSIDE TOWNHOMES**

This SECOND AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF DRAPER CREEKSIDE TOWNHOMES ("Second Amendment") is effective when recorded with the Salt Lake County Recorder's Office by Draper Creekside Homeowners Association, Inc. ("Association"), pursuant to the Utah Community Association.

RECITALS

- A. *The Amended and Restated Declaration of Covenants, Conditions and Restrictions of Draper Creekside Townhomes* was recorded on September 18, 2017 as Entry No. 12618486 (the "Declaration") in the office of the Salt Lake County Recorder;
- B. *The First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions of Draper Creekside Townhomes* was recorded on June 11, 2020 as Entry No. 13295625 in the office of the Salt Lake County Recorder (the "First Amendment");
- C. Whereas, Article VII, Section 7.14 of the Declaration regulates and restricts the storage and visibility of Owners' garbage and trash containers within the Association;
- D. Whereas, the Association desires to provide more flexibility in the storage and visibility of garbage and trash containers, such that the Board of Trustees may be authorized to adopt reasonable rules and regulations regarding the storage and visibility of said containers;
- E. Pursuant to the amendment requirements in Article XI, Section 11.2 of the Declaration, the undersigned hereby certifies that this Second Amendment was approved by Owners holding at least two-thirds (2/3) of the membership votes of the Association;
- F. Unless specifically modified herein, all remaining provisions of the Declaration and First Amendment shall remain in full force and effect;
- G. Unless otherwise provided in this Second Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration;
- H. The Recitals above are hereby incorporated into this Second Amendment.

NOW, THEREFORE, the Declaration is amended as follows:

AMENDMENT ONE

Article VII, Section 7.14 of the Declaration is hereby amended and replaced in its entirety, and shall now read:

7.14. Trash Containers and Collection. All garbage and trash shall be kept in covered containers of a type and style which shall be approved by the Architectural Control Committee. Each Owner must at all times and at their expense provide garbage cans and plastic liners therefor, unless the Association, through its Board of Trustees, elects to provide the same. The Board of Trustees may adopt reasonable rules to regulate the storage location(s) of garbage containers, and the timeframes in which such may remain on the curb for collection.

----- END OF AMENDMENT -----

IN WITNESS WHEREOF, the Association has caused this Second Amendment to be executed as follows:

Draper Creekside Homeowners Association, Inc.,
a Utah Nonprofit Corporation

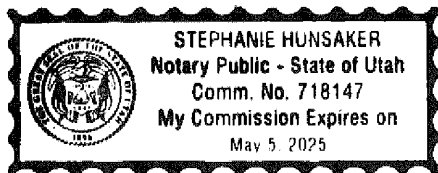
Signed: C. Mike B.

Print: C. Mike B.

Position: Secretary

State of Utah)
County of SL) ss.

On the 15th day of June, 2021, personally appeared before me E. Michael Bylund who by me being duly sworn, did say that the foregoing instrument is signed on behalf of said corporation and executed with all necessary authority.



Notary Public Stephanie Hunsaker

EXHIBIT A

Legal Description

The Property is also described as follows:

All of Lots 1 through 58, contained within DRAPER CREEKSIDE Townhomes, A Planned Unit Development, as the same is identified in the Plat recorded as Entry No. 11851974 in Book 10231, at Page 9648 (as to Lots 1-44), or as identified in the Plat recorded as Entry No. 12664240 in Book 2017P, at Page 324 (as to Lots 45-58), and in the "Amended and Restated Declaration of Covenants, Conditions and Restrictions of Draper Creekside Townhomes, A Planned Unit Development," recorded on September 18, 2017, as Entry No. 12618486, in Book 10599, beginning at page 7148 in the official records of the Salt Lake County Recorder.

TOGETHER WITH a right and easement of use and enjoyment in and to the Common Areas and Private Streets described and provided for in said Declaration of Covenants, Conditions and Restrictions and in the Record of Survey Map in the official record of the Salt Lake County Recorder.

Parcel ID Numbers:

34-06-104-001-0000; 34-06-104-002-0000; 34-06-104-003-0000; 34-06-104-004-0000;
34-06-104-005-0000; 34-06-104-006-0000; 34-06-104-007-0000; 34-06-104-008-0000;
34-06-104-009-0000; 34-06-104-010-0000; 34-06-104-011-0000; 34-06-104-012-0000;
34-06-104-013-0000; 34-06-104-014-0000; 34-06-104-015-0000; 34-06-104-016-0000;
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34-06-104-072-0000