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Ent 1065134 Bk 1715 Pg 311
Date: 30-May-2012 04:08 PM Fee \$96.00
Cache County, UT
Michael Gleed, Rec. - Filed By SG
For PECK HADFIELD BAXTER & MOORE LLC

**AMENDMENT TO DECLARATION OF PROTECTIVE EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS OF THE PROVIDENCE
HIGHLANDS - PHASE I SUBDIVISION**

In Cache County, Utah

THIS AMENDMENT ("Amendment"), made on the 18th day of April, 2012, amends that certain Declaration of Protective Easements, Covenants, Conditions and Restrictions of the Providence Highlands - Phase I Subdivision, Cache County, Utah, recorded on April 8, 2005, as Entry No. 887346 in the Cache County Recorder's Office (the "Declaration") relating to the following described Property:

See Exhibit "A"

RECITALS

- A. The Providence Highlands Community Association, Inc. (the "Association"), a Utah nonprofit corporation, has been lawfully established by filing Articles of Incorporation with the Utah Division of Corporations and Commercial Code;
- B. The Board of the Association has determined that the Declaration is in need of amendment and at least 75% of the owners of the lots governed by the Declaration have voted to amend the Declaration;
- C. The Board, under Section 19.01 of the Declaration, hereby certifies the vote of owners and approves the filing of this Amendment.

NOW THEREFORE, the Declaration is amended as follows:

- I. Article 12 of the Declaration is hereby Amended in its entirety to read as follows:

12. LOT DEVELOPMENT CRITERIA AND CONSTRUCTION DESIGN GUIDELINES

12.1. The building lots within the Project are expressly limited to the construction of single family residential homes, the development and construction of which shall comply with all aspects of the local, state, and federal law, ordinances, building codes, and all other applicable construction guidelines.

12.2. One story, rambler type homes, shall have a minimum square footage of 1,600 square feet of above ground level living space; Living space does not include garage and porch areas, however Declarant may designate from time to time specific lots that may have a minimum ground level or main living space of 1500 square feet provided it includes a 3-car garage. Two story homes, with two floors above ground level, shall have a minimum square footage of 2000 square feet of above ground level living space, with at least 1000 square feet on the main level; any lots with rear property boundaries on the east side of open space or the west side of the development boundaries shall be no less than 1,800 square feet on the main for a single story home or 1,500 square feet on the main for a multistory home. Each home, regardless of type, shall have a minimum width of fifty feet (50') including garage areas.

12.3. Building heights shall be governed by Providence City Zoning Ordinances.

12.4. Each residential home shall include, as a minimum, a private, attached, two car garage; no home shall have more than three car garage doors facing any streets.

12.5. Garages shall be constructed on the front or side elevation of a residence.

12.6. Detached garages or storage buildings may be permitted upon prior written approval of the Architectural Review Committee, providing that such buildings will not encroach upon or into any established easements or setbacks and that they must have the same exterior materials, coloring, and style as the home.

12.7. All construction to be of new materials, except that used brick may be used with prior written approval of the Architectural Review Committee.

12.8. The exterior finish of each dwelling shall be 4-sided or 360 degree architecture which carries the exterior theme and materials used on the front elevation of the home (in proportionate ratios) onto the side and rear elevations of the home. Only stucco, rock products, brick or composite siding will be used for the exterior finish of each dwelling.

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12.9. All soffit shall extend a minimum of 12" and be of a maintenance-free material. Fascias shall be a minimum of 6" and also be of a maintenance-free-material.

12.10. All roof pitches upon or over 80% of the main body of any home shall have a minimum 7/12 slope/pitch angle (this requirement shall not apply to dormers and deck coverings). Roof materials are to be of Architectural grade shingles and Duraridge or wood shakes, unless written approval from the Architectural Review Committee is granted otherwise. Copper, steel or other similar roofing materials may be used provided that they do not make up more than 20% of the visual roof or as approved by the Architectural Review Committee.

12.11. Roofs are to be dark colors, preferably dark brown or black. Brick, stone, stucco and siding are to be natural colors or earth tones. All colors are to be approved by the Architectural Review Committee in writing.

12.12. Buildings shall comply with minimum front, back, and side setback requirements as established by Providence City ordinance, any variance must be approved by the City and the Architectural Review Committee.

12.13. To eliminate or reduce visibility from the street, all roof-mounted heating and cooling equipment, TV antennas, satellite dishes, and etc., must be approved by the Architectural Review Committee in writing and must state the specific location of the installation.

12.14. Landscaping on each residential home must be installed as soon as reasonably possible and shall be complete not later than nine (9) months following the issuance of a Certificate of Occupancy. The front, side and rear yards shall be completely landscaped pursuant to Providence City ordinance and shall include the following: Automatic sprinkling systems and sod (sod planting, hydro-seeding, and etc. are precluded); each lot must include a minimum of two (2) two inch (2") caliper trees in the park strip, which the Association has determined will be Blaze Maple trees)some lots may include only one park strip tree based on the review of the Architectural Review Committee); in addition to the trees planted in the park strip area, a minimum of two (2) two inch (2") caliper trees, of a species approved by the Architectural Review Committee, will be planted in each front yard; planting areas, of at least thirty inches (30") in width, consisting of trees, shrubs, and flowers shall surround the foundation of each home; planting areas, of at least eighteen inches (18"), shall surround any retaining wall, and no more than three (3) inches of material shall be exposed or visible on front or side elevation window wells.

12.15. Once a single family residence is constructed on a Lot, the Owner of the Lot must install and maintain a mailbox that has been approved by the Architectural Review Committee within 30 days of home occupancy. The intent of this provision is that each Lot will have a mailbox that is similar in design thus providing a unified theme. The mailboxes will be of a design so as, to the extent possible, each mailbox will service two Lots and each Owner will have the responsibility to pay its proportionate share of the installation and maintenance of the mailbox.

12.16. Each Lot must include a streetlight, of a design and type approved by the Architectural Review Committee within 30 days of home occupancy. The approved streetlight must automatically turn on at dusk and automatically turn off at dawn. The Owner of the Lot will be responsible for the repair and maintenance of the streetlight installed on that Lot.

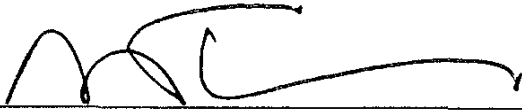
II. Article 14 is amended to add the following section:

14.4. All weeds, on both improved and unimproved Lots, shall be trimmed periodically, and shall never be more than 12 inches in height. The Owner of the Lot will be responsible for weed maintenance on their Lot.

III. The remainder of the Declaration remains unchanged.

DATED as of the date first written above.

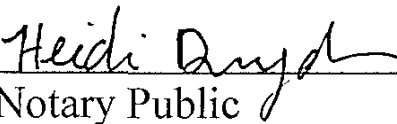
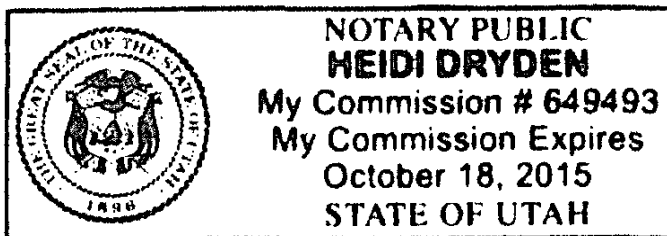
PROVIDENCE HIGHLANDS COMMUNITY
ASSOCIATION, INC., a Utah nonprofit
corporation



David Clark, President

STATE OF UTAH)
 :SS
County of Cache)

On the 18th day of April, 2012, personally appeared before me, David Clark, who, being duly sworn, stated that he is a member of the President of the Providence Highlands Community Association, Inc.; that the foregoing instrument was signed on behalf of the company; and that he is vested with authority to execute this instrument on behalf of the company.


Notary Public

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EXHIBIT A
PROPERTY DESCRIPTION

Lots 1-79 of PROVIDENCE HIGHLANDS SUBDIVISION PHASE 1, as shown by the official plat thereof, recorded on April 8, 2005, as Entry No. 887343, in the office of the Recorder, Cache County, Utah

Parcels #02-203-0001 through 02-203-0070

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