

WHEN RECORDED, MAIL TO:

Thomas G. Bennett  
Ballard Spahr LLP  
201 So. Main Street, Suite 800  
Salt Lake City, UT 84111-2221

**FIRST AMENDMENT TO  
NEIGHBORHOOD DECLARATION OF COVENANTS,  
CONDITIONS, EASEMENTS AND RESTRICTIONS  
FOR  
RIDGE NEST AT POWDER MOUNTAIN, A P.R.U.D.  
(Formerly known as Summit Eden Ridge Nests)**

THIS FIRST AMENDMENT TO NEIGHBORHOOD DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR RIDGE NESTS AT POWDER MOUNTAIN ("Amendment"), dated as of September 1, 2015, is made and executed by SMHG Phase I LLC, a Delaware limited liability company ("Neighborhood Developer") for itself, its successors and assigns.

**RECITALS**

A. Neighborhood Developer executed that certain Neighborhood Declaration of Covenants, Conditions, Easements and Restrictions for Summit Eden Ridge Nests, recorded in the Official Records of Weber County on January 27, 2014 as Entry No. 2672950 ("Neighborhood Declaration").

B. The name of the Project has changed and Neighborhood Developer desires to revise the Neighborhood Declaration to indicate the new name of the Project, "Ridge Nests at Powder Mountain."

C. The legal description attached to the Neighborhood Declaration was missing references to recorded plats.

D. Pursuant to Section 12.3.3 of the Neighborhood Declaration, Neighborhood Developer has the unilateral right to amend the Neighborhood Declaration for any purpose prior so long as Neighborhood Developer owns any Lot or other portion of the Property. As of the date of this Amendment, Neighborhood Developer owns all except one of the Lots.

E. This Amendment was previously recorded in the Official Records of Weber County, Utah on October 16, 2014 as Entry No. 2706798 in the exact form of this document, except for this recital and the legal description describing the portion of the Community in Weber County. The legal description attached hereto only includes the portion of the Community located in Cache County.

NOW, THEREFORE, NEIGHBORHOOD DEVELOPER hereby declares, covenants and agrees as follows:

1. Defined Terms and Status of Recitals. Capitalized terms used and not otherwise defined in this Amendment shall have the meaning or meanings given to them in the Neighborhood Declaration. The Recitals set forth above shall constitute a portion of the terms of this Amendment and are hereby incorporated by this reference.

2. Project Name Change. The name of the Project is hereby changed to "Ridge Nests at Powder Mountain". All references in the Neighborhood Declaration to "Summit Eden Ridge Nests" are hereby replaced with "Ridge Nests at Powder Mountain." The Neighborhood Association shall be known as Ridge Nests at Powder Mountain Association, Inc., and the Articles and Bylaws have or will be amended to reflect this name.

3. Community Name Change. The name of the Community has been changed to "Powder Mountain." All references in the Neighborhood Declaration to "Summit Eden" as the name of the Community are hereby replaced with "Powder Mountain." The Community Association has also changed its name to Powder Mountain Owners Association, Inc. and all references in the Neighborhood Declaration to the Community Association shall refer to the Powder Mountain Owners Association, Inc.

4. Replacement of Exhibit A. Exhibit A to the Neighborhood Declaration is hereby amended and restated in its entirety and replaced with Exhibit A attached hereto and incorporated herein by this reference.

5. Neighborhood Declaration Remains in Effect. This Amendment shall be considered supplemental to the Neighborhood Declaration. Except as expressly amended by the foregoing, the Neighborhood Declaration shall remain in full force and effect and shall not be canceled, suspended or otherwise abrogated by the recording of this Amendment.

6. Neighborhood Developer Rights. Neighborhood Developer shall retain all rights of Neighborhood Developer as set forth in the Neighborhood Declaration, and this Amendment shall neither amend nor abrogate such rights, except as specifically provided for herein.

*[Signatures on Following Page]*



**EXHIBIT A**

**Description of the Project Located in Cache County**

Development Parcel B according to the Summit Eden Phase 1B subdivision plat recorded in the Official Records of Cache County, Utah on April 29, 2015 as Entry No. 1124285, including Lots 7 through 15 and all Common Area according to the Summit Eden Ridge Nests PRUD plat recorded in the Official Records of Cache County, Utah on April 29, 2015 as Entry No. 1124284.