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09/06/2012 04:30 PM \$20.00
Book - 10054 Pg - 115-119
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
COTTONWOOD TITLE
BY: KSR, DEPUTY - WI 5 P.

Space above for Recorder's use.

**SECOND SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS
FOR THE COTTAGES AT THE NORTH DISTRICT
(A Planned Unit Development)
ADDING
COTTAGES AT THE NORTH DISTRICT PHASE 3
(A Planned Unit Development)**

This Second Supplement to Declaration of Covenants, Conditions, Restrictions, and Easements for The Cottages at the North District (the "Supplement") is made and executed this 5 day of September, 2012, by BDN LAND DEVELOPMENT, INC., a Utah corporation (the "Declarant").

RECITALS:

A. Declarant was previously the record owner of that certain tract of real property known as Cottages at the North District Phase 3 ("Phase 3"), which property is more specifically shown on the plat thereof recorded in the official records of Salt Lake County, State of Utah, on April 6, 2012 as Entry Number 11365219 in Book 2012P at Page 40 (the "Phase 3 Plat"). The description of Phase 3 is set forth on Exhibit "A" of this Supplement. The current record owner of Phase 3 is Henry Walker Land, LLC, a Utah limited liability company, who, by its signature below, consents to the execution and recordation of this Supplement.

B. Declarant previously recorded those certain plats of subdivision known as Cottages at the North District Phase 1 ("Phase 1") and Cottages at the North District Phase 2 ("Phase 2") in the official records of Salt Lake County, State of Utah. The Phase 1 Plat was recorded on April 23, 2010, as Entry Number 10939104 in Book 2010P at Page 69. The Phase 2 Plat was recorded on April 6, 2012, as Entry Number 11365218 in Book 2012P at Page 39.

C. Declarant has previously executed and recorded that certain Declaration of Covenants, Conditions, Restrictions and Easements for The Cottages at the North District, dated April 22, 2010 (the "Original Declaration"), which Original Declaration was recorded in the official records of Salt Lake County, State of Utah on April 23, 2010 as Entry Number 10939105 in Book 9820 at Pages 703-738. Capitalized terms not specifically defined herein have the meaning ascribed to such terms in the Declaration.

D. Pursuant to Section 13 of the Declaration, Declarant reserved the right to expand the Development by submitting certain Additional Land to the Declaration or, in Declarant's sole discretion, permitting other holders of real property to annex the real property owned by them to the Development. Phase 3 is a part of the Additional Land.

E. Pursuant to Section 13.1 of the Declaration, Declarant desires to expand the Development by adding Phase 3 to the Project, to subject Phase 2 to the Declaration, and to establish additional uses for the Additional Land in Phase 3 with this Supplement.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Declarant hereby declares that, as more fully set forth in Section 13 of the Declaration, the Development known as The Cottages at the North District shall be expanded to include Phase 3 and that Phase 3, from and after the recording of this Supplement, shall be a part of the Development.

2. Declarant hereby declares that Phase 3 shall be held, transferred, sold, conveyed, hypothecated, encumbered, used, occupied and improved subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration, as the same may be amended or supplemented from time to time in accordance with the terms and provisions of the Declaration.

3. Declarant hereby reserves those rights-of-ways and easements as are shown on the Phase 3 Plat or otherwise reserved in the Declaration, such that the said rights-of-way and easements shall be available for and used for the purposes stated on the Phase 3 Plat and the Declaration.

4. Declarant hereby establishes that side-yard parking of recreational vehicles, campers, or camper shells is permitted on Phase 3 Lots which are larger than 14,000 square feet, provided however, that such parking for recreational vehicles, campers or camper shells is located behind the front-yard set back line.

[Continued on the next page.]

Executed by Declarant on this 30 day of August, 2012.

“DECLARANT”

BDN Land Development, Inc.
a Utah corporation

By: [Signature]
Name: JACOB BOYER
Title: Manager

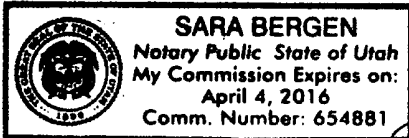
“HENRY WALKER LAND”

Henry Walker Land, LLC, a Utah limited liability
company

By: [Signature]
Name: Chad Bessinger
Title: Manager

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

On this 5th day of September, 2012, personally appeared before me Jacob L. Boyer, who being by me duly sworn, did say that he/she is a Manager of BDN Land Development, Inc., a Utah corporation, that the foregoing instrument was signed on behalf of said corporation by proper authority, and did acknowledge to me that said corporation executed the same.

[Seal] 

My Commission Expires:
04-04-16

[Signature]
Notary Public
Residing at Salt Lake

STATE OF UTAH)
) ss
COUNTY OF Davis)

On this 30 day of August, 2012, personally appeared before me Chad Bessinger, who being by me duly sworn, did say that he/she is a Manager of Henry Walker Land, LLC, a Utah limited liability company, that the foregoing instrument was signed on behalf of said limited liability company by proper authority, and did acknowledge to me that said ~~limited liability company~~ executed the same.



My Commission Expires:

03/25/2015

Katie Sales
Notary Public
Residing at 2402 W Pennada Dr Park West, UT 84404

EXHIBIT "A"

**COTTAGES AT THE NORTH DISTRICT PHASE 3 – DESCRIPTION OF THE
PROPERTY**

Lots 301-303 as shown on the official plat of Cottages at the North District
Phase 3 – Planned Unit Development, on file and of record in the office of the
Salt Lake County Recorder.