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Rhonda Francis Summit County Recorder

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**AMENDMENT TO RESTRICTIVE COVENANTS OF
HIDDEN COVE**

Short Term Rentals Prohibited

A. Certain real property in Summit County, Utah, known as Hidden Cove is subjected to certain covenants, conditions and restrictions pursuant to the Restrictive Covenants of Hidden Cove recorded July 26, 1965, as Entry No. 101415, Book M2, Page 107, in the Recorder’s Office for Summit County, Utah (the “Declaration”).

B. This amendment shall be binding against the property subjected to the Declaration and any annexation or supplement thereto, described as follows:

See Exhibit A.

C. In order to restrict short-term rentals and to correct outdated language in the Declaration that conflicts with current Utah law, the Hidden Cove Owners Association deems it necessary and in the best interests of the Association to adopt this amendment.

D. Pursuant to Utah Code § 57-8a-104, the undersigned hereby certifies that all of the voting requirements to amend the Declaration have been satisfied, that 67% of the voting interests of the Association have affirmatively approved the adoption of this document and that no change from the Declaration affecting lot boundaries or members’ voting rights has been made in this amendment.

AMENDMENT 1

NOW, THEREFORE, the Association hereby amends Section VI of the Declaration to read as follows:

VI

SHORT-TERM RENTALS, REFUSE

6.1 Short-Term Rentals.

6.1.1 Short-Term Rental Restriction: No lot, or any part of a lot, may be rented for a period of less than 30 consecutive days.

6.1.2 Definition of Rental. The following are defined as being rented:

(1) A lot that is not owned by an entity or trust and that is occupied by someone while no owner and no owner's parent, child or sibling occupies the lot as their primary residence; and

(2) A lot owned by an entity or trust, regardless of who occupies the lot, unless: (a) the entity or trust was created for estate planning purposes for the estate of a current resident of the lot or the parent, child, or sibling of the current resident of the lot; or (b) the lot is occupied by an individual who: (i) has voting rights under the owner-entity's organizing documents, and (ii) has a 25% or greater share of ownership, control, and right to profits and losses of the entity.

6.1.3 Exemptions. The following owners and their lots are exempt from the short-term rental restriction in Section 6.1.1 upon submitting satisfactory proof of qualification for the exemption to the Board: (i) an owner in the military for the period of the lot owner's deployment, and (ii) a lot owner whose employer has relocated the lot owner for two years or less.

6.1.4 Rental Agreement. Any rental agreement must be in writing and must recite that it is granted subject to this Declaration, the Bylaws and rules of the Association. No lot may be utilized in any form of time-fractionalized use, including timesharing, fraction-sharing, interval ownership, or similar program.

6.1.5 Administration of Rental Restrictions. The Association shall create by rule or resolution, procedures to: (1) determine and track the number of rentals that qualify for an exemption under Section 6.1.3, and (2) enable or aid in the consistent administration and enforcement of the rental restrictions contained herein.

6.2 Refuse. No trash, ashes, paper or other refuse of any kind shall be thrown, dumped, left or permitted to remain on any lot or portion thereof in the Subdivision.

AMENDMENT 2

NOW, THEREFORE, the Association hereby amends Section X of the Declaration to read as follows:

X

RESTRICTIONS TO RUN WITH THE LAND

All covenants and restrictions herein stated and set forth shall run with the land and shall be binding on all parties and persons claiming any interest in any lot in the Subdivision or any part thereof. These covenants, restrictions and requirements may be amended, modified or changed in any way at any time by a vote of the owners of sixty-seven percent of the lots.

EXHIBIT A
Legal Description

Lots 1 through 34 and Lots 37 through 107, HIDDEN COVE NO. 1, REVISED Subdivision, according to the plat thereof as recorded in the office of the Summit County Recorder, Utah.

Parcel #'s: HC-1-1 through HC-1-34 and HC-1-37 through HC-1-107

Lots 35 and 36, AN AMENDED PLAT TO LOTS 35 & 36 OF HIDDEN COVE NO 1 SUBDIVISION

Parcel #'s: HC-1-35-AM, HC-1-36-AM

THAT PORTION OF LOT 36, AN AMENDED PLAT TO LOTS 35 AND 36 OF HIDDEN COVE NO 1 SUBDIVISION MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE WEST LOT CORNER COMMON TO LOT 36 AND 76 HIDDEN COVE NO. 1 SUBDIVISION SAID SUBDIVISION RECORDED AND ON FILE IN OFFICE OF THE SUMMIT COUNTY RECORDER, SAID CORNER BEING A FOUND REBAR AND SURVEY CAP MARKED "RLS 3082", (BASIS OF BEARING EQUALS NORTH 35°45' EAST 125.15 FEET TO ANOTHER FOUND REBAR AND SURVEY CAP MARKED "RLS 3082") AND SOUTH 95.58 FEET TO THE WEST LOT CORNER COMMON TO LOTS 35 AND 36 SAID HIDDEN COVE NO 1 (SET REBAR AND SURVEY CAP MARKED "4776") AND SOUTH 61°15' EAST 81.13 FEET TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE SOUTH 61°15' EAST 76.56 FEET; THENCE SOUTH 69°12'21" WEST 18.31 FEET; THENCE NORTH 65°47'39" WEST 32.97 FEET; THENCE NORTH 43°16'54" WEST 27.22 FEET; THENCE NORTH 07°15'57" WEST 10.08 FEET TO THE TRUE POINT OF BEGINNING.

Parcel # HC-1-36-A-AM

EASTERLY 1/2 OF LOT 87 HIDDEN COVE #1 REVISED SUBDIVISION DESCRIBED AS: BEGINNING AT THE NORTHEAST PROPERTY CORNER OF LOT 87, HIDDEN COVE NO. 1 REVISED SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND RUNNING THENCE ALONG THE EASTERLY PROPERTY LINE OF SAID LOT 87, SOUTH 31 DEGREES 30'00" EAST 287.76 FEET TO THE SOUTHEAST PROPERTY CORNER OF SAID LOT; THENCE ALONG THE SOUTHERLY PROPERTY LINE OF SAID LOT NORTH 87 DEGREES 00'00" WEST 100.29 FEET; THENCE NORTH 12 DEGREES 36'58" WEST 246.95 FEET TO A POINT ON THE NORTHERLY PROPERTY LINE AND CENTERLINE OF RIGHT-OF-WAY; THENCE ALONG SAID NORTHERLY PROPERTY LINE AND CENTERLINE OF RIGHT-OF-WAY SOUTH 76 DEGREES 45'00" EAST 3.83 FEET TO THE POINT OF BEGINNING.

Parcel # HC-1-87

WESTERLY 1/2 OF LOT 87 HIDDEN COVE #1 REVISED SUBDIVISION DESCRIBED AS: BEGINNING AT THE NORTHWEST PROPERTY CORNER OF LOT 87, HIDDEN COVE NO. 1, REVISED SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND RUNNING THENCE ALONG THE NORTHERLY PROPERTY LINE OF SAID LOT 87 AND CENTERLINE OF RIGHT-OF-WAY SOUTH 76°45'00" EAST 3.83 FEET;

THENCE SOUTH 12°36'58" EAST 246.95 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE NORTH 87°00'00" WEST 99.71 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE ALONG THE WESTERLY PROPERTY LINE OF SAID LOT NORTH 10°02'30" EAST 240.33 FEET TO THE POINT OF BEGINNING. (NOTE: THE NORTHERLY PROPERTY LINE OF LOT 87 IS PLATTED 7.76 FT, ACTUAL CALCULATED DISTANCE IS 7.67 FT)

Parcel # HC-1-87-A