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RASHELLE HOBBS
Recorder, Salt Lake County, UT
SEB LEGAL LLC
BY: eCASH, DEPUTY - EF 8 P.

After Recording Return To:

SEB Legal, LLC
5200 South Highland Drive, Suite 303
Salt Lake City, UT 84117

**SECOND AMENDMENT TO THE NEIGHBORHOOD DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR MARKETPLACE ACLAIME AT
INDEPENDENCE AND FIRST AMENDMENT TO THE BYLAWS OF MARKETPLACE AT
INDEPENDENCE OWNERS ASSOCIATION, INC.**

This Second Amendment to the Neighborhood Declaration of Covenants, Conditions, and Restrictions for Marketplace Aclaime at Independence and First Amendment to the Bylaws of Marketplace at Independence Owners Association, Inc., is executed on the date set forth below by Solis Homes at the Marketplace, LLC, a Utah limited liability company (“Declarant”).

RECITALS

- A. The Neighborhood Declaration of Covenants, Conditions, and Restrictions for Marketplace Aclaime at Independence, was recorded in the Salt Lake County Recorder’s Office on October 16, 2015, as Entry No. 12152791 in Book 10371 at Pages 1249–1288 (the “Declaration”);
- B. Contemporaneously with the recording of the Declaration, the Bylaws of Marketplace at Independence Owners Association, Inc. (the “Bylaws”) were also recorded on October 16, 2015 as part of Entry No. 12152791 in Book 10371 at Pages 1249-1288 in the records of the Salt Lake County Recorder’s Office;
- C. The Declaration was amended by that certain First Amendment to the Neighborhood Declaration of Covenants, Conditions, and Restrictions for Marketplace Aclaime at Independence, recorded in the Salt Lake County Recorder’s Office on June 27, 2018, as Entry No. 12800260 in book 10688 at Pages 4710-4715 (the “First Amendment”);
- D. Unless otherwise specified, this amendment incorporates all defined terms in the Declaration and Bylaws;
- E. Solis Homes at the Marketplace, LLC, is identified as the Declarant under the Declaration;
- F. The Declarant has the unilateral right to amend the Declaration so long as the Declarant owns any Lot in the Project, and the Declarant hereby certifies that it owns at least one Lot in the Project;
- G. This amendment is intended to exempt certain licensed occupations from the prohibition on “massage parlors” found in Section 7.10 -Live-Work Units;
- H. This amendment is also intended to exempt the Declarant from certain procedures imposed by Utah Code Ann. § 57-8a-217, as permitted by Utah Code Ann. § 57-8a-217;
- I. This amendment is intended to clarify Declarant’s power to amend the Bylaws;

- J. This amendment is intended to finalize and clarify the amount of reinvestment fee that may be charged by the Association under § 6.8.3 of the Declaration;
- K. This amendment is intended to clarify the definition of a Member under § 1.19 of the Declaration;
- L. Finally, this amendment is intended to permit Declarant to appoint the initial Directors on the Board after the Turnover Meeting, and to ensure that Ted Payne is one of the Directors of the Board after the Turnover Meeting;
- M. This amendment affects the real property located in Salt Lake County, Utah, described in Exhibit A;
- N. Pursuant to power granted to the Declarant under Article 13 of the Declaration, the Declarant approves of this amendment to the Declaration;
- O. Pursuant to the power granted to the Board under Section 7.1 of the Bylaws to amend the Bylaws, the Board, acting by and through Declarant who controls the same at the time of the execution and recording of this amendment, hereby amends the Bylaws;

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

Section 1.19 is amended in its entirety to read as follows:

1.19 Member

Member means an Owner. If an Owner is not a natural person, the Owner may designate an individual in writing to act as its representative. If no representative is designated, then an officer, trustee, director, manager, or member as shown in the entity's formative documents shall be its representative.

Section 7.10 is amended in its entirety to read as follows:

7.10 Live-Work Units

No portion of a Live-Work Unit may be utilized as a warehouse; secondhand store; unemployment or welfare office; barber shop or beauty shop; pet shop; animal raising business; veterinary hospital; any medical use generating bio-hazardous materials; pool hall; "adult" type bookstore; liquor store; bar or tavern; private club; commercial laundry; dry cleaning plant; laundromat; massage parlor; sexually oriented business (as that term is defined in the Bluffdale City Code); theater exhibiting pornographic movies or productions; arcade or game room; smoke shop; head shop or any establishment displaying or selling drug paraphernalia; tattoo studio; sports game or off-track betting facility; mortuary, crematorium, or funeral home; auto parts store; convenience store; fire sale, bankruptcy sale, or auction house operation; or any other operation which causes unreasonable amounts of traffic or noise, leads to loitering on the sidewalks or stoops, or which causes objectionable odors. Should any Live-Work Unit violate these restrictions, the Association may, after notice to the Owner, evict the tenant for violation of the restrictions. Any expenses incurred by the Association, including attorney's fees and court costs, shall be collectable from the Owner as an assessment.

The foregoing prohibition on massage parlors shall not be read to include those individuals legally and appropriately licensed by the Utah Department of Occupation and Professional Licensing ("DOPL") as a

On the 2th day of June, 2020, personally appeared Ted Payne
who, being first duly sworn, did prove on the basis of satisfactory evidence to be
the person whose name is subscribed to this instrument and did say that s(he) is the declarant of Solis
Homes at the Marketplace, LLC, authorized to execute this instrument on behalf of said entity; and
acknowledged said instrument to be his/her voluntary act and deed.

Miriam Leany
Notary Public



Exhibit "A"
LEGAL DESCRIPTION

LOTS T50 THROUGH T190 AS SHOWN ON THE MARKETPLACE ACCLAIM AT
INDEPENDENCE PLAT 'A' AS SHOWN ON THE OFFICIAL MAP THEREOF ON RECORD IN
THE SALT LAKE COUNTY RECORDER'S OFFICE.

33123020130000	LOT	T100	14702 S RISING STAR WY
33123020120000	LOT	T101	14698 S RISING STAR WY
33123020110000	LOT	T102	14696 S RISING STAR WY
33123020090000	LOT	T103	14694 S RISING STAR WY
33123020080000	LOT	T104	14692 S RISING STAR WY
33123020070000	LOT	T105	14690 S RISING STAR WY
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33123030020000	LOT	T109	14709 S RISING STAR WY
33123030030000	LOT	T110	14713 S RISING STAR WY
33123030040000	LOT	T111	14717 S RISING STAR WY
33123030050000	LOT	T112	14723 S RISING STAR WY
33123030060000	LOT	T113	14725 S RISING STAR WY
33123030070000	LOT	T114	14729 S RISING STAR WY
33123030080000	LOT	T115	14733 S RISING STAR WY
33123030090000	LOT	T116	14737 S RISING STAR WY
33123030100000	LOT	T117	14741 S RISING STAR WY
33123030110000	LOT	T118	14745 S RISING STAR WY
33123030120000	LOT	T119	14749 S RISING STAR WY
33123030130000	LOT	T120	636 W LIFE DR
33123030140000	LOT	T121	632 W LIFE DR
33123030150000	LOT	T122	628 W LIFE DR
33123030270000	LOT	T123	14756 S NOB LN
33123030260000	LOT	T124	14752 S NOB LN
33123030250000	LOT	T125	14748 S NOB LN
33123030240000	LOT	T126	14744 S NOB LN
33123030230000	LOT	T127	14742 S NOB LN
33123030220000	LOT	T128	14738 S NOB LN
33123030210000	LOT	T129	14732 S NOB LN
33123030200000	LOT	T130	14728 S NOB LN
33123030190000	LOT	T131	14724 S NOB LN
33123030180000	LOT	T132	14722 S NOB LN
33123030170000	LOT	T133	14718 S NOB LN
33123030160000	LOT	T134	14714 S NOB LN
33123040010000	LOT	T135	14719 S NOB LN
33123040020000	LOT	T136	14723 S NOB LN
33123040030000	LOT	T137	14725 S NOB LN
33123040040000	LOT	T138	14727 S NOB LN
33123040050000	LOT	T139	14731 S NOB LN
33123040060000	LOT	T140	14735 S NOB LN
33123040070000	LOT	T141	14737 S NOB LN

33123040080000	LOT	T142	14741 S NOB LN
33123040090000	LOT	T143	14743 S NOB LN
33123040100000	LOT	T144	14745 S NOB LN
33123070020000	LOT	T145	608 W LIFE DR
33123070030000	LOT	T146	606 W LIFE DR
33123070040000	LOT	T147	604 W LIFE DR
33123070050000	LOT	T148	602 W LIFE DR
33123070060000	LOT	T149	598 W LIFE DR
33123070070000	LOT	T150	594 W LIFE DR
33123070080000	LOT	T151	592 W LIFE DR
33123070090000	LOT	T152	588 W LIFE DR
33123070100000	LOT	T153	586 W LIFE DR
33123070110000	LOT	T154	582 W LIFE DR
33123070120000	LOT	T155	578 W LIFE DR
33123070130000	LOT	T156	576 W LIFE DR
33123070140000	LOT	T157	574 W LIFE DR
33123070150000	LOT	T158	572 W LIFE DR
33123070160000	LOT	T159	568 W LIFE DR
33123050190000	LOT	T160	14777 S LEWSKI LN
33123050180000	LOT	T161	14773 S LEWSKI LN
33123050170000	LOT	T162	14771 S LEWSKI LN
33123050160000	LOT	T163	14767 S LEWSKI LN
33123050150000	LOT	T164	14763 S LEWSKI LN
33123050140000	LOT	T165	14759 S LEWSKI LN
33123050130000	LOT	T166	14757 S LEWSKI LN
33123050120000	LOT	T167	14753 S LEWSKI LN
33123050110000	LOT	T168	14751 S LEWSKI LN
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33123050080000	LOT	T170	564 W LEWSKI LN
33123050070000	LOT	T171	566 W LEWSKI LN
33123050060000	LOT	T172	568 W LEWSKI LN
33123050050000	LOT	T173	572 W LEWSKI LN
33123050040000	LOT	T174	576 W LEWSKI LN
33123050030000	LOT	T175	578 W LEWSKI LN
33123050020000	LOT	T176	582 W LEWSKI LN
33123050010000	LOT	T177	584 W LEWSKI LN
33123060010000	LOT	T178	14733 S ASHER LN
33123060020000	LOT	T179	14735 S ASHER LN
33123060030000	LOT	T180	14737 S ASHER LN
33123060040000	LOT	T181	14741 S ASHER LN
33123060050000	LOT	T182	14745 S ASHER LN
33123060060000	LOT	T183	577 W LEWSKI LN
33123060070000	LOT	T184	575 W LEWSKI LN
33123060080000	LOT	T185	573 W LEWSKI LN
33123060090000	LOT	T186	571 W LEWSKI LN
33123060100000	LOT	T187	569 W LEWSKI LN
33123060110000	LOT	T188	567 W LEWSKI LN
33123060120000	LOT	T189	565 W LEWSKI LN
33123060130000	LOT	T190	563 W LEWSKI LN
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33123020670000	LOT	T52	14794 S RISING STAR WY
33123020660000	LOT	T53	14792 S RISING STAR WY
33123020650000	LOT	T54	14788 S RISING STAR WY
33123020630000	LOT	T55	662 W KOINS WY
33123020620000	LOT	T56	664 W KOINS WY
33123020610000	LOT	T57	666 W KOINS WY
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33123020590000	LOT	T59	670 W KOINS WY
33123020550000	LOT	T60	14782 S RISING STAR WY
33123020560000	LOT	T61	14780 S RISING STAR WY
33123020570000	LOT	T62	14778 S RISING STAR WY
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33123020450000	LOT	T71	14760 S RISING STAR WY
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33123020400000	LOT	T75	14752 S RISING STAR WY
33123020390000	LOT	T76	14750 S RISING STAR WY
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33123020310000	LOT	T83	14736 S RISING STAR WY
33123020300000	LOT	T84	14734 S RISING STAR WY
33123020290000	LOT	T85	14732 S RISING STAR WY
33123020280000	LOT	T86	14730 S RISING STAR WY
33123020270000	LOT	T87	14728 S RISING STAR WY
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33123020220000	LOT	T92	14718 S RISING STAR WY
33123020200000	LOT	T93	14716 S RISING STAR WY
33123020190000	LOT	T94	14714 S RISING STAR WY
33123020180000	LOT	T95	14712 S RISING STAR WY
33123020170000	LOT	T96	14710 S RISING STAR WY
33123020160000	LOT	T97	14708 S RISING STAR WY
33123020150000	LOT	T98	14706 S RISING STAR WY
33123020140000	LOT	T99	14704 S RISING STAR WY

PARCEL AREA AND PARCEL D THROUGH V AS SHOWN ON THE MARKETPLACE ACCLAIM
AT INDEPENDENCE PLAT 'A' AS SHOWN ON THE OFFICIAL MAP THEREOF ON RECORD IN
THE SALT LAKE COUNTY RECORDER'S OFFICE.

3312305010000	Parcel D
3312303029000	Parcel E
3312307001000	Parcel F
3312302064000	Parcel G
3312302070000	Parcel H
3312302054000	Parcel I
3312302043000	Parcel J
3312302032000	Parcel K
3312302021000	Parcel L
3312302010000	Parcel M
3312303028000	Parcel N
3312304011000	Parcel P
3312307017000	Parcel Q
3312306014000	Parcel R
3312305020000	Parcel S
3312302058000	Parcel T
3312302002000	Parcel U
3312302003000	Parcel V
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