

**FIRST AMENDMENT
TO THE
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
CANYON PLACE
PLANNED UNIT DEVELOPMENT**

This first amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Canyon Place Planned Unit Development (the “**First Amendment**”) is made by the Canyon Place Home Owners Association (the “**Association**”).

RECITALS

- A. The Association is the homeowners association for the Canyon Place Planned Unit Development located in Salt Lake County, Utah (the “**Subdivision**”).
- B. The Declaration of Covenants, Conditions, and Restrictions of Canyon Place Planned Unit Development – Part I was recorded on September 28, 1976 with the Salt Lake County Recorder’s Office as Entry No. 2860668 (the “**Enabling Declaration**”).
- C. The Declaration of Covenants, Conditions, and Restrictions of Canyon Place Planned Unit Development – Part II was recorded on October 6, 1976 with the Salt Lake County Recorder’s Office as Entry No. 2863566 (the “**Part II Declaration**”).
- D. The Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Canyon Place Planned Unit Development was recorded on June 29, 2017 with the Salt Lake County Recorder’s Office as Entry No. 12566319, superseding and replacing the Enabling Declaration and the Part II Declaration.
- E. The Amended & Restated Declaration of Covenants, Conditions & Restrictions for Canyon Place Planned Unit Development in Salt Lake County, Utah WAS RECORDED ON April 6, 2023 with the Salt Lake County Recorder’s Officers as Entry No. 14090813 (the “**Amended Declaration**”).
- F. Pursuant to § 19.7 of the Amended Declaration, the Association has obtained the approval of Owners representing at least sixty-seven percent (67%) of the total votes of the Association for the adoption of this First Amendment.

NOW, THEREFORE, pursuant to the foregoing, the Association adopts this First Amendment subject to the terms and conditions set forth below.

AMENDMENT

1. Definitions. All capitalized terms herein shall have the same meaning as in the Amended Declaration.

2. Amendment. Section 5.4 of the Amended Declaration is amended by the addition of the following language:

5.4.1 Each Owner, at such Owner's sole cost and expense, shall be responsible for bringing such Owner's Unit into compliance with the Design Guideline for Exterior Appearance of Canyon Place Residences (attached hereto as Exhibit B). Each Owner, at such Owner's sole cost and expense, shall be responsible for ensuring such Owner's Unit remains in compliance with the Design Guideline for Exterior Appearance of Canyon Place Residences.

(a) The Design Guideline for Exterior Appearance of Canyon Place Residences is adopted as Rules.

3. Remaining Provisions. All remaining provisions of the Amended Declaration not specifically amended in this Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Amended Declaration or any prior amendments, the provisions of this document shall in all respects govern and control.

4. Effective Date. This First Amendment is effective when recorded.

(signature page follows)

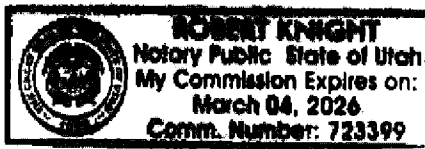
IN WITNESS WHEREOF, the undersigned officer of the Association hereby certifies that the Board of Directors has obtained the affirmative vote of the Owners holding at least sixty-seven percent (67%) of the total voting interest of the Association and consistent with the requirements of the Amended Declaration and the Utah Community Association Act.

CANYON PLACE HOME OWNERS ASSOCIATION

By: Eric A. Belec
Name: Eric A. Belec
Its: HOA Board President

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 19 day of July, 2023, by _____
Eric Belec, who by me being duly sworn, did say that he/she is the _____
of the Canyon Place Home Owners Association.



[Signature]
Notary Public

EXHIBIT A
LEGAL DESCRIPTION

LOTS 1 THROUGH 14, CANYON PLACE PLANNED UNIT DEVELOPMENT PART 1, ACCORDING TO THE OFFICIAL PLAT THEREON ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

TAX I.D. NOS. 28-01-305-014 THROUGH 28-01-305-001

LOTS 15 THROUGH 24, CANYON PLACE PLANNED UNIT DEVELOPMENT PART II, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.

TAX I.D. NOS. 28-01-305-017 THROUGH 28-01-305-026; 28-01-305-039

EXHIBIT B
LEGAL DESCRIPTION

Design Guideline for Exterior Appearance of Canyon Place Residences

Section 1 - Introduction

- 1.1 Unless expressly defined herein, capitalized terms shall have the meaning set forth in the Amended and Restated Declaration of Covenants, Conditions & Restrictions (CC&R's) for Canyon Place Planned Unit Development (the "Declaration"), as amended. The Architectural Control Committee ("ACC") is also known as the Architectural Review Committee ("ARC").
- 1.2 The purpose of these Guidelines is to enhance and preserve the value of the individual Lots by preserving and maintaining an overall clean, safe, well-maintained and otherwise desirable environment for the Canyon Place Planned Unit Development and the Association members.
- 1.3 These Guidelines, apply to all Owners, occupants, Mortgagees, purchasers at foreclosure sales, and any other person who may enter the Project at any time.
- 1.4 The Board and the Architectural Committee recognize that adding a limited number of compatible exterior siding colors across Canyon Place may provide a modernized appearance for the community, and may ultimately enhance property values.

Section 2 – General Requirements

- 2.1 All construction, repair, renovation, or maintenance of exterior siding across all units in the Project must conform to the following guidelines.
- 2.2 The structural footprint and profile of each building must remain the same, with no additional protrusions and/or other structural adaptations. Variations from existing may be permitted if approved in advance and in writing by the ARC.
- 2.3 All exterior trim and associated features of each home must be of "Architectural Brown" color with satin finish to provide continuity throughout the community and aesthetically "tie" the community together. This requirement must be completed within 10 years for units that do not currently have architectural brown trim and features.

This will include any building surfaces not composed of either siding material or the flat surface under the eaves of each roof (and adjacent abutting moldings), which will match the color of the siding.

With that in mind, Architectural Brown colored components will include the following:

- Doors, garage doors, and wood moldings adjacent to (or around) all windows & doors
- The structural frames of windows and sliding glass doors (per limitations of the manufacturer, a color as close to architectural brown as possible).
- Exterior Corner Moldings
- Fascia Boards around the periphery of the roof

The custom formulation for Architectural Brown paint is available from PPG Paints at 10701 State Street, Sandy, UT 84070. The paint is a PPG Fortis 350 exterior acrylic latex paint with satin finish, which Canyon Place residents will receive at a discounted cost.

Variations from this may be permitted if approved in advance and in writing by the ARC.

- 2.4 Any replacement siding should either match the existing cedar siding or be HardiPlank "Select Cedarmill" Lap Siding with natural cedar appearance having 6.25" width, 5" exposure, and 5/16 in. thickness. Variations from these siding options may be permitted if approved in advance and in writing by the ARC. All siding must be installed in a horizontal pattern.

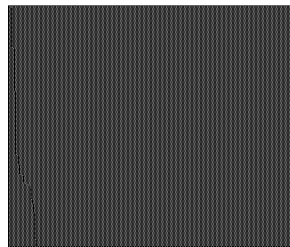
Section 3 – Exterior Siding Color Options

The following colors are permitted:

- 3.1 The existing “Canyon Brown” color, as shown below with Architectural Brown trim.



Since the image (above) does not convey precise siding color information, more accurate images of the specific Canyon Brown and Architectural Brown colors are found below.



Canyon Brown



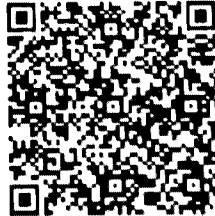
Architectural Brown

The specific PPG paint formulations are as follows. The formulation for each specific paint color should be provided to the PPG sales representative when purchasing paint.

Canyon Brown:

COLOR
Canyon Brown 2402XI
PRODUCT
2402XI FORTIS 350 EXT ACRY SATIN
BASE
2402-500XI Ultra Deep (1 Gallon)
CUSTOMER **Canyon Place**
JOB INFO
JOB LOCATION

BX 2Y + 43½
CX 2Y + 35
FX 2Y + 19
WX 2Y + ½



Architectural Brown:

Product: 76-3000XI/01
Invoice : 974202090721103448 09/07/20
Employee: 273269 9:34 AM
Color Name: Architectural Brown
Color #: 974203000009386
Version: 0
Customer: CANYON PLACE

BX-3Y+4
CX-3Y+20
HX-2Y+44
WX-34

Each paint is a PPG Fortis 350 exterior acrylic latex paint with satin finish.

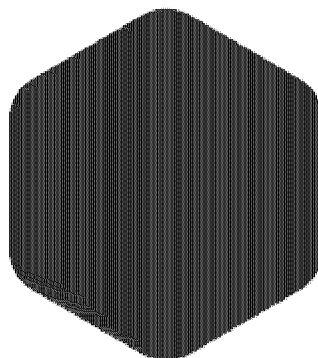
The custom formulations for Canyon Brown and Architectural Brown paint colors are available from PPG Paint at 7023 S 700W, Midvale UT, 84047 – with telephone number (801) 568-0001. Approved paint colors can also be purchased from other certified PPG paint stores as long as the specific paint formulations and paint types are obtained.

Please make sure the PPG sales representative understands the paint is for a project at the Canyon Place community in Cottonwood Heights, to help ensure PPG provides the correct (approved) paint.

- 3.2 The “**Deep Green**” color, as shown below with Architectural Brown trim, but without the stone accent panels surrounding the garage as depicted in the picture.



Since the image (above) does not convey precise siding color information, a more accurate image of the specific Deep Green color (otherwise known as Osiris) is found below.



Osiris
PPG1031-7

This specific PPG color is known as “Osiris” with product code number PPG1031-7. The paint type is a Fortis 350 exterior acrylic latex paint with satin finish – having the specific formulation shown below. Please provide the formulation info to the PPG sales representative when purchasing the paint.

Osiris:

COLOR
PPG1031-7 OSIRIS
PRODUCT
2402XI FORTIS 350 EXT ACRY SATIN
BASE
2402-500XI Ultra Deep (1 Gallon)

CUSTOMER : **Canyon Home Repair**
JOB INFO : **None**
JOB LOCATION : **None**

CX 1Y + 8
DX 40
LX 11Y + 16
WX 34



The custom formulation for Osiris is available from PPG Paint at 7023 S 700W, Midvale UT, 84047 – with telephone number (801) 568-0001. This approved paint color can also be purchased from other certified PPG paint stores as long as the specific paint formulation and paint types are obtained.

Please make sure the PPG sales representative also understands the paint is for a project at the Canyon Place community in Cottonwood Heights, to help ensure PPG provides the correct (approved) paint.

3.3 The “Canyon Red” color as shown below with Architectural Brown trim.



Since the image (above) does not provide precise siding color information, a more accurate image of the specific Canyon Red color is found below.



Canyon Red

The paint is a PPG Fortis 350 exterior acrylic latex paint with satin finish.

The custom formulation for Canyon Red is available from PPG Paint at 7023 S 700W, Midvale UT, 84047 – with telephone number (801) 568-0001. Please provide the formulation to the PPG sales representative when purchasing the paint. This approved paint color can also be purchased from other certified PPG paint stores as long as the specific paint formulation and paint type is obtained.

Canyon Red:

COLOR

Canyon Red

PRODUCT

2402XI FORTIS 350 EXT ACRY SATIN

BASE

2402-500XI Ultra Deep (1 Gallon)

CUSTOMER **Canyon Place**

JOB INFO **None**

JOB LOCATION **None**

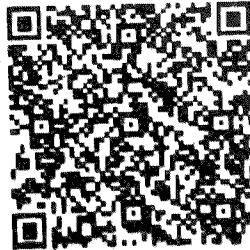
BX 36

DX 12

FX 8

HX 9Y + 16

WX 16

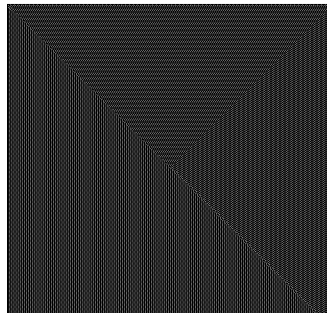


Please make sure the PPG sales representative understands the paint is for a project at the Canyon Place community in Cottonwood Heights, to help ensure PPG provides the correct (approved) paint.

3.4 The “Canyon Gray” color as shown below with Architectural Brown trim.



Since the image (above) does not provide precise siding color information, a more accurate image of the specific Gray/Blue color is found below:



Canyon Gray

The paint is a PPG Fortis 350 exterior acrylic latex paint with satin finish.

The custom formulation for Canyon Gray is available from PPG Paint at 7023 S 700W, Midvale UT, 84047 – with telephone number (801) 568-0001. Please provide the formulation to the PPG sales representative when purchasing the

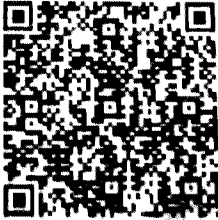
paint. This approved paint color can also be purchased from other certified PPG paint stores as long as the specific paint formulation and paint type is obtained.

Canyon Gray:

! COLOR
Canyon Gray
PRODUCT
2402XI FORTIS 350 EXT ACRY SATIN
BASE
2402-300XI Intermediate Tint (1 Gallon)

CUSTOMER **Canyon Place**
JOB INFO **None**
JOB LOCATION **None**

BX 14Y + 18
CX 4Y + 18
FX 18³/₄
WX 1Y



Please make sure the PPG sales representative understands the paint is for a project at the Canyon Place community in Cottonwood Heights, to help ensure PPG provides the correct (approved) paint.

Section 4 – Color Distribution Methodology

- 4.1 Since the distribution and spacing of exterior home colors will be key enablers of an attractive color scheme across the Canyon Place community in the longer term, an exterior color distribution methodology will be implemented (and governed by the ARC) as owners enhance their unit's exterior appearance with the 3 new colors as described in Section #3.
- 4.2 While Canyon Place is an integrated PUD community inclusive of 24 residential units, we will consider that the community is actually composed of 3 separate "rows" of adjacent units - allowing a straightforward explanation of the proposed siding color distribution methodology. These "rows" can be identified as follows:
 - 4.2.1 8 Units from #9008 South to #9044 South, all on 3605 East
All backing up on Wasatch Blvd
 - 4.2.2 10 Units from #9005 South to #9041 South, all on 3605 East
All Backing up on Little Cottonwood Road
 - 4.2.3 6 Units from #3590 East to #3606 East, all on 9050 South
All backing up on the South border fence of the Canyon Place community
- 4.3 Homeowners can select any new color that is not already present in their row or use the existing brown color.
- 4.4 No units can be painted the same new color as another unit immediately adjacent it. This requires that 2 adjacent units be painted different new colors.
- 4.5 If all three new colors are already present in a row, additional homeowners can select any other new color, as long as multiple units with the selected color don't already exist in that row.
- 4.6 Once 6 units in a given row have been painted new colors (per the prescribed methodology above), remaining homeowners can paint their unit any of the new colors, providing the 2 adjacent units are not painted the same color.
- 4.7 To ensure the color distribution methodology is implemented in a fair and consistent manner across the Canyon Place community, the ARC will provide final judgement on which new exterior color will be incorporated on each specific unit. This will be enabled via provisions as identified within Sections 5.1 and 5.2.

Section 5 – Color Implementation Process and Schedule

- 5.1 Each owner that wants to change their siding color **MUST** submit an ARC form indicating their proposed new color and obtain **approval from the ARC in writing prior to having the new siding color installed**. The ARC form should also indicate if the owner intends to paint the existing siding or if new siding is being installed.
- 5.2 Siding color changes will be reviewed and approved in the order in which ARC form submittals are received.
- 5.3 To ensure architectural continuity and consistency across the community, the trim on all Canyon Place units (as identified in Section 2.3) must be painted Architectural Brown the next time the unit is painted, and by no later than 10 years from the date this Guideline is approved.
- 5.4 Each owner can paint their unit themselves, or select their own contractor to paint and/or replace their siding as long as the selected contractor is licensed and bonded, and delivers all aspects as described within this Design Guideline. Regardless of whether the painting is performed by a licensed contractor or the Owner, all painting must be done to a high standard commensurate with the quality of painting in the Project. The ARC may require that any substandard painting be remediated.
- 5.5 There is no specific schedule to implement new exterior siding colors, and exterior siding color changes are not required by homeowners. A siding color change will only occur if/when an owner wants to change their unit's siding color.
- 5.6 For ongoing harmonization purposes, an ARC form must be submitted and approved in writing prior to painting any exterior siding area exceeding 100 square feet. This includes maintenance of the existing Canyon Brown color.

Section 6 – Exterior Maintenance Requirements for Canyon Place Residences

6.1 General Expectations

All unit exteriors must be maintained in what is known as "serviceable condition". Serviceable condition means that after some cleaning and/or minor touch-up work, the exterior of a unit will have the same general appearance as it did when first constructed – having no damage beyond the exterior requirements as stated below.

6.2 Detailed Requirements

6.2.1) Any exterior component that has holes, cracks, rot, or obvious damage greater than 4 square inches in size (total surface area) must be repaired or replaced within a reasonable timeframe. The repair must return the subject area to a condition consistent with adjacent materials.

6.2.2) All exterior siding and/or trim must be straight, smooth, and have a general appearance consistent with when the exterior siding and/or trim was originally installed.

6.2.3) Any external area with an exposed unpainted surface - or any exterior area not painted according to the painting guidelines established herein must be painted according to the established painting guidelines (Sections #2, #3, and #4)

6.2.4) If any exterior building component (fascia, soffit, siding, trim pieces, etc.) has paint that is peeling, cracking, flaking, or is otherwise damaged, and the total area of damage is greater than 36 square inches or 10% of the component's total surface area, the area must be repainted within a reasonable timeframe. Either the damaged component or the complete set of associated components (for window trim, fascia boards, etc.) must be repainted in a manner where the color is visually consistent across the entire area - or set of components.

6.2.5) If any components of the exterior have become dislodged, broken, mis-aligned, or are otherwise missing, they must be repaired or replaced within a reasonable timeframe