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**THIRD AMENDED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE SCENIC RIDGE ESTATES PHASE II & III
SUBDIVISION**

THIS THIRD AMENDED DECLARATION of Covenants, Conditions and Restrictions ("CCRs") is made on the date hereinafter set forth for the project known as The Scenic Ridge Estates Phase II and III Subdivision, Salt Lake County, State of Utah all as more particularly described in Exhibit A attached hereto.

RECITALS

A. WHEREAS, Scenic Development, Inc., a Utah corporation, was the "Declarant" under that certain Declaration of Covenants, Conditions, and Restrictions of The Scenic Ridge Estates Phase II Subdivision ("Phase II"), recorded June 30, 2004, as Entry No. 9108168, in Book 9009, beginning at Page 757 in the Official Records of the Office of the Salt Lake County Recorder (the "Phase II Declaration")

B. WHEREAS, Scenic Development, Inc., a Utah corporation, was the "Declarant" under that certain Declaration of Covenants, Conditions, and Restrictions of The Scenic Ridge Estates Phase III Subdivision ("Phase III"), recorded May 2, 2005, as Entry No. 9364432, in Book 9125, beginning at Page 5205 in the in the Official Records of the Office of the Salt Lake County Recorder (the "Phase III Declaration")

C. WHEREAS, as of the date of this Amendment, Scenic Development, Inc., has sold, transferred, and conveyed all Lots governed by the Phase II Declaration and Phase III Declaration, and has thereby relinquished all of its right, title, and interest to the Lots in Phase II and III.

D. WHEREAS, Phase III was annexed into Phase II pursuant to the Termination of the Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Estates Phase III Subdivision, recorded June 7, 2012, as Entry No. 11405757, Book 10024, beginning at Page 1523 in the Official Records of the Office of the Salt Lake County Recorder; and the Supplemental Declaration of Covenants, Conditions, and Restrictions of The Scenic Ridge Estates Phase II Subdivision recorded June 7, 2012 as Entry No. 11405756, Book 10024, beginning at Page 1529 in the Official Records of the Office of the Salt Lake County Recorder.

E. WHEREAS, Phases II and III are part of the Scenic Ridge Estates Subdivision.

F. WHEREAS, Phase II was comprised of twenty (20) lots, and Phase III was comprised of five (5) lots; therefore, are now twenty-five (25) Lots, all of which shall be referred herein as the "Subdivision".

G. WHEREAS, the first Amended Declaration was amended again by document filed 09/26/2016 Entry No. 12373001, Book 10480, Page 547-552, in the Official Records of the Office of the Salt Lake County Recorder.

H. WHEREAS, a proposal was made by the sitting officers and directors of the homeowner's association to amend the CCRs an additional time, and a ballot was submitted to the owners of all lots in Phase II and III of Scenic Ridge Estates (now combined into one phase) authorizing the following:

1. Remove the restrictions/requirements to have trees in the park strips
 - a. Home owners will no longer be required to replace tree in the park strips, and
 - b. Trees placed in the park strip should be appropriate for the park strips in UT and receive approval from the architectural committee to ensure damage doesn't occur due to root or tree growth.
2. Allow for exteriors other than the stated rock, brick and stucco. Advancements in building materials over time present exterior materials that are considered highly desirable and would fit with the desire to maintain a community of high end homes. The Architectural committee can approve exterior materials other than rock, brick and stucco as long as the exterior is generally considered by the building community for luxury/estate style homes.
3. Allow home owners to incorporate lower water usage landscapes. Landscapes should be well maintained and attractive to the community so as to protect investment and property values in the HOA.
4. Allow the HOA to restrict short term rentals (less than 30 days) as allowed by Utah Code Section 57-8a-209.
 - a. See Utah Code for details https://le.utah.gov/xcode/Title57/Chapter8A/57-8a-S209.html?v=C57-8a-S209_2023050320230503
 - b. allow property owners to rent portions of the property (including short-term rentals) as long as the property owner is the primary resident on the property. For example, basements, rooms, detached buildings, etc.

I. WHEREAS, ballots were distributed to homeowners and 92% of the homeowners approved the aforementioned changes, removing restrictions as set forth therein which met the minimum threshold requirement of the existing restrictive covenants.

NOW, THEREFORE, in consideration of the proposal made, the ballots distributed with votes counted and the necessary threshold having been met, the Restrictive Covenants are amended a third time to provide the following:

ARTICLE I ARCHITECTURAL CONTROL

1. Park Strips. Homeowners will no longer be required to place trees in park strips. Any trees placed, however, should be appropriate for park strips in Utah and receive approval from the Architectural Control Committee to ensure that damage does not occur due to overgrowth of roots or the tree itself.
2. Exterior building materials. Advancements in building materials over time have presented considerably improved exterior materials other than rock, brick and stucco, including Hardi board and similar materials. Any building materials other than rock, brick and stucco may be approved by the Architectural Control Committee as long as said building materials are generally considered by the building community to be used for luxury/estate style homes.
3. Xeriscaping and water conservation. Homeowners are allowed to incorporate xeriscaping and reduced water consumption landscapes to any lot or park strip so long as they are well maintained and attractive and do not deter from the investment and property values of homeowners. Said landscaping will be approved by the Architectural Control Committee and must comply with local ordinance.

4. Short term rentals. The homeowner's association may restrict short term rentals, defined as those less than 30 days, as allowed by Utah Code Ann. 57-8a-209. Notwithstanding, the restriction on short term rentals, property owners who reside on site and wish to rent portions of their property, including short term rentals, may do so as long as the property owner dwells on site during the period of time of the short term rental. This may include the rental of basements, single rooms, detached buildings, etc.

IN WITNESS WHEREOF, the Association adopts this Third Amendment to the Declaration of Covenants, Conditions and Restrictions of The Scenic Ridge Phases II and III with the required necessary approval of lot owners.

DATED this 10 day of November 2023.

DECLARANT:
SCENIC RIDGE ESTATES PHASE II
HOME OWNERS ASSOCIATION INC.
a Utah limited liability company

By: Paula Gephart
Its: Secretary / Treasurer

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 10 day of November 2023 personally appeared before me Paula Gephart, who by me being duly sworn, did say that he/she is the Secretary / Treasurer of Scenic Ridge Estates Phase II Home Owners Association Inc. and that the foregoing instrument was properly ratified by more than the requisite 75% of owners in the subject development.

[Signature]
Notary

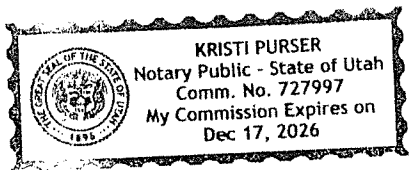


EXHIBIT A
Parcel Number and Legal Description

<u>Parcel Number</u>	<u>Legal Description</u>
33161760090000	LOT 1, SCENIC RIDGE ESTATES PHASE 2
33161760020000	LOT 2, SCENIC RIDGE ESTATES PHASE 2
33161760030000	LOT 3, SCENIC RIDGE ESTATES PHASE 2
33161760040000	LOT 4, SCENIC RIDGE ESTATES PHASE 2
33161760050000	LOT 5, SCENIC RIDGE ESTATES PHASE 2
33161760060000	LOT 6, SCENIC RIDGE ESTATES PHASE 2
33161760070000	LOT 7, SCENIC RIDGE ESTATES PHASE 2
33161770100000	LOT 8, SCENIC RIDGE ESTATES PHASE 2
33161760080000	LOT 9, SCENIC RIDGE ESTATES PHASE 2
33161770110000	LOT 10, SCENIC RIDGE ESTATES PHASE 2
33161770120000	LOT 11, SCENIC RIDGE ESTATES PHASE 2
33161770130000	LOT 12, SCENIC RIDGE ESTATES PHASE 2
33161770090000	LOT 13, SCENIC RIDGE ESTATES PHASE 2
33161770080000	LOT 14, SCENIC RIDGE ESTATES PHASE 2
33161770070000	LOT 15, SCENIC RIDGE ESTATES PHASE 2
33161770060000	LOT 16, SCENIC RIDGE ESTATES PHASE 2
33161770050000	LOT 17, SCENIC RIDGE ESTATES PHASE 2
33161770040000	LOT 18, SCENIC RIDGE ESTATES PHASE 2
33161770030000	LOT 19, SCENIC RIDGE ESTATES PHASE 2
33161770020000	LOT 20, SCENIC RIDGE ESTATES PHASE 2
33162510070000	LOT 301, SCENIC RIDGE ESTATES PHASE 3

33162510080000	LOT 302, SCENIC RIDGE ESTATES PHASE 3
33162510090000	LOT 303, SCENIC RIDGE ESTATES PHASE 3
33162510100000	LOT 304, SCENIC RIDGE ESTATES PHASE 3
33162510110000	LOT 305, SCENIC RIDGE ESTATES PHASE 3