

## Second Amendment to the Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Canyon View Commercial Subdivision

This Second Amendment to the Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Canyon View Commercial Subdivision (the “Declaration”) is executed on the date set forth below by HCA Investments LLC (HCA).

### RECITALS

- A. Real property in Morgan County, Utah, known as Canyon View Commercial Subdivision, is subject to covenants, conditions, and restrictions pursuant to the CCR’s recorded November 16<sup>th</sup>, 2021, in the Morgan County Recorder’s Office as Entry No. 159085 Bk 385 Pg 466.
- B. This amendment shall also be binding against the property described as Canyon View Commercial West Subdivision as described in EXHIBIT A and the CCR’s, and any amendment, annexation, or supplement thereto.
- C. This amendment is intended to change the Declarant of the CCR’s, to outline the composition of the Architectural Review Committee, and to specify the responsibility of the property owner during construction on their individual lots.
- D. HCA hereby certifies that it approves of these changes to the CCR’s, and that it has all powers described as Declarant in the Declaration.
- E. HCA desires to exercise its right to amend the Declaration as set forth below.

NOW THEREFORE, HCA hereby amends the Declaration as follows:

- 1- The Declaration shall change the Declarant from HCA Investments LLC to Val L. Poll.
- 2- The Architectural Review Committee will be compromised of the Declarant, a licensed architect, a licensed civil engineer, and a landscape architect. All property owners within Canyon View Commercial and Canyon View Commercial West Subdivisions will submit their site plans and construction plans to the ARC for preliminary review prior to securing a building permit from Morgan County. Any fees associated with the preliminary review by the professionals on the ARC will be at the current and customary rate and will be paid by the property owner submitting the application.
- 3- During the construction period of each lot, the property owner will be responsible to maintain or restore all subdivision infrastructure to its current condition so as to pass the inspection of the Morgan County engineer. This will include but is not limited to any changes or damage to utilities, roads, curb and gutter, sidewalks, etc.

Parcel #s 00-0090-5046  
Thru #s 00-0090-5055

## EXHIBIT A

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE, SOUTH 89°44'44" EAST ALONG THE SECTION LINE COMMON WITH SECTIONS 23 AND 26, A DISTANCE OF 573.42 FEET; THENCE, SOUTH, A DISTANCE OF 2111.23 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF OLD HIGHWAY ROAD (STATE ROAD 167, 66 FEET WIDE), SAID POINT IS ALSO THE NORTHWESTERLY CORNER OF LOT 7 OF THE CANYON VIEW COMMERCIAL SUBDIVISION RECORDED ON NOVEMBER 16, 2021 AS ENTRY No. 159084 IN BOOK 385 AT PAGE 465, OF OFFICIAL RECORDS, SAID POINT BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE, FOLLOWING THE WESTERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING FOUR (4) COURSES :

- 1) SOUTH 06°06'37" EAST, A DISTANCE OF 284.15 FEET;
- 2) SOUTH 05°12'46" EAST, A DISTANCE OF 329.93 FEET;
- 3) SOUTH 05°46'10" EAST, A DISTANCE OF 181.45 FEET;
- 4) SOUTH 04°18'20" EAST, A DISTANCE OF 238.06 FEET;

TO A POINT ON THE NORTH LINE OF INTERSTATE 84 (WIDTH VARIES); THENCE, ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 83°02'14" WEST, A DISTANCE OF 239.22 FEET;
- 2) NORTH 83°25'09" WEST, A DISTANCE OF 918.48 FEET;
- 3) ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3899.72 FEET, THROUGH A CENTRAL ANGLE OF 01°13'39", A DISTANCE OF 83.55 FEET (CHORD BEARS NORTH 84°01'59" WEST, A DISTANCE OF 83.54 FEET);

THENCE, NORTH 00°00'19" WEST, A DISTANCE OF 256.65 FEET; THENCE, NORTH 63°50'10" EAST, A DISTANCE OF 150.07 FEET; THENCE, NORTH 14°27'25" WEST, A DISTANCE OF 147.10 FEET, TO A POINT ON THE SOUTHEASTERLY SIDELINE OF SAID OLD HIGHWAY ROAD; THENCE, ALONG THE SOUTH LINE OF SAID ROAD THE FOLLOWING TWO (2) COURSES:

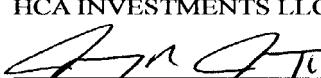
- 1) NORTH 64°10'48" EAST, A DISTANCE OF 712.86 FEET;
- 2) ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1153.55 FEET, THROUGH A CENTRAL ANGLE OF 20°34'35", A

DISTANCE OF 414.27 FEET (CHORD BEARS NORTH 74°28'06" EAST, A  
DISTANCE OF 412.05 FEET),

TO THE POINT OF BEGINNING FOR THIS DESCRIPTION.

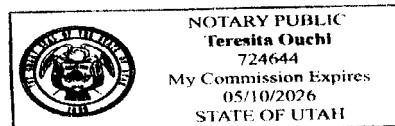
CONTAINS 20.274 ACRES, MORE OR LESS

IN WITNESS WHEREOF, HCA has executed this amendment to the Declarations as of this 1<sup>st</sup> day of July, 2023.  
HCA INVESTMENTS LLC:

  
Jeremy Jaggi - Managing Director

STATE OF UTAH)

  
Weber  
COUNTY OF Utah ) ss

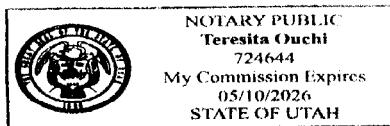


On this 1<sup>st</sup> day of July, 2023, personally appeared before me,  
Teresita Ouchi, Jeremy Jaggi, who being by me duly sworn  
did say that he is the Managing Director of HCA Investments LLC, and that the foregoing

instrument was signed in behalf of HCA Investments LLC, and acknowledged to me that  
said company executed the same.

*Teresita Ouchi*

NOTARY PUBLIC



Ent 166904 Bk 414 Pg 244