

Supplemental Declaration Page 1 of 4
Russell Shirts Washington County Recorder
07/28/2020 03:28:53 PM Fee \$40.00 By
INTEGRATED TITLE INSURANCE SERVICES,
LLC (MAIN)

WHEN RECORDED, MAIL TO:

FCS Community Management
3143 S. 840 East, Suite 325
St. George, UT 84790-8689
435-627-1776
cottamcove@hoaliving.com

**SECOND SUPPLEMENT TO THE
DECLARATION OF RESTRICTIVE COVENANTS FOR
COTTAM COVE SUBDIVISION**

Phase 2

This Second Supplement to the Declaration of Restrictive Covenants for Cottam Cove Subdivision (the "Project") is executed by CWI Enterprises LLC of 6150 S Redwood Road, Suite 150, Taylorsville, Utah 84123 (the "Declarant").

RECITALS

Whereas, the Declaration of Restrictive Covenants for Cottam Cove Subdivision was recorded in the office of the County Recorder of Washington County, Utah on June 20, 2015 as Document No. 20150017123, of the official records (the "Declaration").

Whereas, the First Supplement to the Declaration of Restrictive Covenants for Cottam Cove Subdivision was recorded in the office of the County Recorder of Washington County, Utah on March 29, 2018 as Document No. 20180012667, of the official records (the "First Supplement").

Whereas, the related Plat Map(s) for Phase 2 (the "Property") of the Project was recorded in the office of the County Recorder of Washington County, Utah on April 8, 2020 as Document No. 20200017276 (the "Plat").

Whereas, under Article II Section 5.5 of the Declaration, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

Whereas, CWI Enterprises LLC ("the Developer") is the fee simple owner of record of that certain real property located in Washington, Utah and described with particularity on Exhibit A attached hereto and incorporated herein by this reference (Phase 2).

Whereas, Declarant desires to expand the Project by creating additional Lots, Common Areas and other improvements of a less significant nature.

COURTESY RECORDING
This document is being recorded solely as a courtesy and an accommodation to the parties named therein. INTEGRATED TITLE INSURANCE SERVICES LLC hereby expressly disclaims any responsibility or liability for the accuracy or the content thereof.

Whereas, the Developer now intends that the property, which plat shall be known as "Phase 2," shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Unit Owners thereof, the Declarant hereby executes this Second Supplement to the Declaration of Restrictive Covenants for Cottam Cove Subdivision for and on behalf of and for the benefit of all of the Owners and Members of Cottam Cove Homeowners Association.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:
 - a. **Second Supplement Declaration** shall mean and refer to this Second Supplement to the Declaration of Restrictive Covenants for Cottam Cove Subdivision.
 - b. **Phase 2 Plat Map** shall mean and refer to the map of Cottam Cove Subdivision Phase 2 Subdivision of the Project previously recorded.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.
3. **Annexation.** Developer hereby declares that the Property shall be annexed to and become subject to the Declaration, which, upon recordation of this First Supplement Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.
4. **Effective Date.** The effective date of this Second Supplement Declaration and the Plat Map shall be the date on which said instruments are filed for record in the Office of the County Recorder of Washington County, Utah.

EXECUTED the 23 day of July 2020

DEVELOPER:
CWI ENTERPRISES LLC

Derek Wright
Name: Derek Wright
Title: Manager

ACKNOWLEDGMENT

STATE OF UTAH)
ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 23 day of July, 2020 by Derek Wright, the Manager of CWI Enterprises LLC and said Derek Wright duly acknowledged to me that said CWI Enterprises LLC executed the same.

April Gomez
NOTARY PUBLIC
Residing at:
My Commission Expires: 4/12/2023

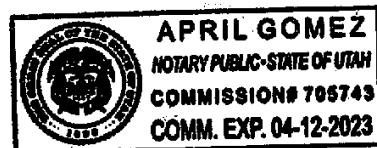


EXHIBIT A

LEGAL DESCRIPTION

COTTAM COVE PHASE 2

BEGINNING AT A POINT N 1°12'54" E 2641.66 FEET ALONG THE EAST SECTION LINE OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, TO THE EAST 1/4 CORNER OF SAID SECTION 5, AND N 88°49'40" W 66.65 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 5, FROM THE SOUTHEAST CORNER OF SAID SECTION 5, POINT ALSO BEING ON THE NORTHWESTERLY BOUNDARY OF COTTAM COVE PHASE 3, RECORDED AND ON FILE AT THE OFFICE OF THE RECORDER, STATE OF UTAH, AND RUNNING THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES, (1) THENCE S 42°20'42" W 75.44 FEET, (2) THENCE S 61°44'59" W 88.19 FEET, (3) THENCE N 88°40'34" W 69.19 FEET, TO A POINT ON THE WESTERLY BOUNDARY OF COTTAM COVE PHASE 1, RECORDED AND ON FILE AT THE OFFICE OF THE RECORDER, STATE OF UTAH; THENCE ALONG SAID BOUNDARY THE FOLLOWING NINE (9) COURSES, (1) THENCE N 47°38'26" W 124.38 FEET, TO A POINT ON A 175.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 41°25'59" E, (2) THENCE ALONG THE ARC OF SAID CURVE 42.76 FEET THROUGH A CENTRAL ANGLE OF 14°00'01", (3) THENCE N 55°28'00" W 115.91 FEET, (4) THENCE S 46°59'13" W 60.28 FEET, (5) THENCE S 4°07'00" W 64.88 FEET, (6) THENCE N 85°53'00" W 91.95 FEET, (7) THENCE N 22°09'58" W 110.00 FEET, (8) THENCE N 25°08'05" W 60.07 FEET, (9) THENCE N 30°16'38" W 103.42 FEET; THENCE N 64°36'10" E 40.51 FEET; THENCE N 42°48'23" E 378.32 FEET; THENCE S 84°19'59" E 135.85 FEET, TO A POINT ON A 247.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS N 84°19'59" W; THENCE ALONG THE ARC OF SAID CURVE 26.19 FEET THROUGH A CENTRAL ANGLE OF 6°03'46", THENCE S 78°16'13" E 116.98 FEET; THENCE N 13°41'30" E 18.63 FEET; THENCE S 89°18'06" E 278.23 FEET, TO A POINT THE WESTERLY BOUNDARY OF SAID COTTAM COVE PHASE 3; THENCE ALONG SAID BOUNDARY THE FOLLOWING FIVE (5) COURSES, (1) THENCE S 3°58'14" W 77.23 FEET, (2) THENCE S 14°35'08" W 87.82 FEET, (3) THENCE S 20°48'28" W 87.52 FEET, (4) THENCE S 27°18'30" W 87.82 FEET, (5) THENCE S 42°20'42" W 97.32 FEET, TO THE POINT OF BEGINNING.

CONTAINING 305,720 SQ FT OR 7.02 ACRES MORE OR LESS

SG-CTC-2-8, 9, 10, 11, 12, 21, 22, 23, 24, 25, 26,
 34, 35, 36, 37, 38, 39, 42, 43, 44, 45, 46, 47.