

AFTER RECORDING, MAIL TO:

Woodside Homes of Utah, LLC
Attn: Derek Terry
460 West 50 North, Suite 300
Salt Lake City, UT 84101

APN # 12-871-0801 through 12-871-0819
12-860-0901 through 12-860-0929

**SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, RESERVATIONS, AND EASEMENTS
OF
THE COTTAGES AT STILL WATER
PHASES 8 AND 9**

THIS SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF THE COTTAGES AT STILL WATER PHASES 8 AND 9 ("**Declaration**") is executed effective as of August 25, 2020 by Woodside Homes of Utah, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

A. On March 12, 2015 Declarant, as the "**Declarant**" thereunder, executed that certain Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements of The Cottages at Still Water ("**Original Declaration**") recorded on March 24, 2015 as Entry No. 2855938 in the Official Records of Davis County, Utah, covering the real property described therein (the "**Initial Phases**").

B. On November 30, 2015 Declarant executed that certain Supplementary Declaration of Annexation The Cottages at Still Water – Phase 7 (together with the Original Declaration, the "**Cottages Declaration**") recorded on December 3, 2015 as Entry No. 2908340 in the Official Records of Davis County, Utah, covering the real property described therein ("**Phase 7**"). Capitalized terms used and not otherwise defined in this Declaration shall have the meaning set forth in the Cottages Declaration.

C. The residential subdivision known as The Cottages at Still Water (the "**Project**"), which includes the Initial Phases, Phase 7, and the property described in Exhibit A attached hereto ("**Phases 8 & 9**"), is part of a larger community known as Still Water Lake Estates and is subject to that certain Master Declaration of Restrictive Covenants for Still Water Lake Estates, a Master Planned Community (the "**Master Declaration**") recorded on December 29, 2014 as Entry No. 2840926 in the Official Records of Davis County, Utah.

D. The Master Declaration states that the Project will be subject to separate covenants and that the owners of lots within the Project will be members of a sub-association. The Cottages Declaration was recorded for the purpose of fulfilling the requirements of the Master Declaration and carrying out the purposes thereof.

E. The Master Declaration also requires that owners of any property within the Project pay a share of the maintenance and other costs associated with certain common areas that benefit the Project. A sub-association was formed pursuant to the Cottages Declaration (the "**Cottages HOA**") to maintain the Common Area, pay Common Expenses, collect assessments from Owners, and fulfill other obligations and requirements set forth in the Master Declaration.

F. The subdivision plats for Phases 8 & 9 referred to the "CC&Rs," without reference to recording information for such CC&Rs. At the time of recording the plats, Declarant did not separately record Supplementary Declarations annexing Phases 8 & 9 into the Cottages Declaration.

G. All owners of lots within Phases 8 & 9 have at all times been treated as Members of the Cottages HOA and as Owners under the Cottages Declaration. Additionally, at the time of purchasing a lot in Phases 8 & 9 from Declarant, each purchaser signed an acknowledgement and consent that the lot was subject to the Cottages Declaration and as a lot owner the purchaser would be a member of the Cottages HOA.

H. This Declaration is being recorded to correct the prior failure to annex Phases 8 & 9 into the Cottages Declaration, satisfy the requirements of the Master Declaration, clarify that all owners of lots in Phases 8 & 9 have the rights and obligations of membership in the Cottages HOA, and officially annex Phases 8 & 9 into the Cottages Declaration.

I. Declarant has the authority to record this Declaration pursuant to Section 11.2 of the Cottages Declaration.

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

1. Recitals. The Recitals set forth above shall constitute a portion of the terms of this Declaration.

2. Annexation of Phases 8 & 9. This Declaration is a "Supplementary Declaration" in accordance with Section 11.1 of the Cottages Declaration. The Cottages Declaration is hereby amended and supplemented to annex Phases 8 & 9, as such property is described in Exhibit A attached hereto and incorporated herein by reference. For all purposes Phases 8 & 9 shall be part of the "Property" as defined in the Cottages Declaration. Upon recordation of this Declaration, the covenants, conditions, restrictions, reservations, and easements contained in the Cottages Declaration shall apply to Phases 8 & 9 in the same manner as if Phases 8 & 9 had originally been described in the Cottages Declaration and constituted a portion of the Property. Each lot within Phases 8 & 9 shall, for all purposes, be considered a "Lot" as defined in the Cottages Declaration. Furthermore, upon recordation of this Declaration the rights, privileges, duties, and liabilities of the owners of property within Phases 8 & 9 shall be the same as those of Owners of all other

property within the Project, including, without limitation, membership in the Cottages HOA, use of the Common Area, and voting rights as described in the Cottages Declaration.

3. Declaration Remains in Effect. This Declaration shall be considered supplemental to the Cottages Declaration. The Cottages Declaration shall remain in full force and effect and shall not be cancelled, suspended, or otherwise abrogated by the recording of this Declaration. In the event of a conflict or inconsistency between the terms of this Declaration and the provisions of the Cottages Declaration, the provisions of this Declaration shall control.

IN WITNESS WHEREOF, Declarant hereby executes this Second Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements of The Cottages at Still Water Phases 8 and 9 as of the date first set forth above.

Declarant:

Woodside Homes of Utah, LLC,
a Utah limited liability company

By: [Signature]
Name: Derek Terry
Its: Authorized Signer

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

This instrument was acknowledge before me this 25 day of August, 2020, by Derek Terry, the Auth. Agent of Woodside Homes of Utah, LLC.

[Signature]
NOTARY SIGNATURE
Residing at: Syracuse, UT
My Commission Expires: 10.2.21

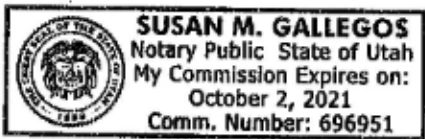


EXHIBIT A

LEGAL DESCRIPTION

The following described real property in Davis County, State of Utah:

Lots 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, and 819 of Still Water Lake Estates Ph. 8 according to the official plat thereof recorded with the Davis County Recorder on October 20, 2016 as Entry No. 2975487 in Book 6626 at Page 129.

Lots 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, and 929 of Still Water Lake Estates Ph. 9 according to the official plat thereof recorded with the Davis County Recorder on August 15, 2016 as Entry No. 2958911 in Book 6579 at Page 1867.