

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
NEUCHATELLE COLONY AT VALAIS, P.U.D.**

**THIS FIRST AMENDMENT TO DECLARATION** made and executed this 29<sup>th</sup> day of June, 2015, by the **COLONIES AT VALAIS MASTER ASSOCIATION, INC.**, a Utah nonprofit corporation (hereinafter referred to as "**Association**").

**RECITALS**

A. Midway Village, L.C., a Utah limited liability company ("Declarant"), as Declarant executed that certain Declaration of Covenants, Conditions and Restrictions of Neuchatelle Colony at Valais, P.U.D. dated August 17, 2004, and recorded the same in the office of the Wasatch County Recorder on September 2, 2004, as Entry No. 274896 in Book 0711 beginning at page 0338 (the "Declaration"). Such Declaration relates to that certain real property located in Wasatch County, State of Utah, more particularly described on Exhibit "A" attached hereto.

B. On or about the 8<sup>th</sup> day of November, 2005, Declarant made and executed that certain First Supplement to Declaration of Covenants, Conditions and Restrictions of Neuchatelle Colony at Valais, P.U.D. (Phase 6B) (herein the "First Supplement"), which First Supplement was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 8<sup>th</sup> day of November, 2005, as Entry No. 291824, in Book 802, beginning at Page 233. The First Supplement added Phase 6B to the Project, which is more particularly described on Exhibit "B" attached hereto.

C. On or about the 29<sup>th</sup> day of May, 2007, Declarant made and executed that certain Second Supplement to Declaration of Covenants, Conditions and Restrictions of Neuchatelle Colony at Valais, P.U.D. (Phase VII, Plat L) (herein the "Second Supplement"), which Second Supplement was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 11<sup>th</sup> day of June, 2007, as Entry No. 321441, in Book 942, beginning at Page 655. The Second Supplement added Phase VII, Plat L, to the Project, which is more particularly described on Exhibit "C" attached hereto.

D. On or about the 10<sup>th</sup> day of August, 2012, Declarant made and executed that certain Third Supplement to Declaration of Covenants, Conditions and Restrictions of Neuchatelle Colony at Valais, P.U.D. (Phase VIII, Plat M) (herein the "Third Supplement"), which Third Supplement was recorded in the office of the County Recorder of Wasatch

County, State of Utah, on the 31<sup>st</sup> day of August, 2012, as Entry No. 382013, in Book 1062, beginning at Page 1563. The Third Supplement added Phase VIII, Plat M, to the Project, which is more particularly described on Exhibit "D" attached hereto.

E. On or about the 10<sup>th</sup> day of September, 2014, Declarant made and executed that certain Fourth Supplement to Declaration of Covenants, Conditions and Restrictions of Neuchatelle Colony at Valais, P.U.D. (Phase IX, Plat N) (herein the "Fourth Supplement"), which Fourth Supplement was recorded in the office of the County Recorder of Wasatch County, State of Utah, on the 15<sup>th</sup> day of September, 2014, as Entry No. 404498, in Book 1112, beginning at Page 1495. The Fourth Supplement added Phase IX, Plat N, to the Project, which is more particularly described on Exhibit "E" attached hereto.

F. Under the terms of the Declaration the Neuchatelle Colony at Valais Homeowners' Association, Inc., (the "Neuchatelle Association"), was created for the benefit of the Owners of lots and living units located in the Neuchatelle Colony (the "Neuchatelle Owners") to administer the terms, conditions and obligations set forth in the Declaration.

G. Pursuant to Articles of Merger dated May 28, 2015, and Amended and Restated Articles of Organization of the Colonies of Valais Master Association, Inc., dated May 20, 2015, both filed with the Utah Department of Commerce, Division of Corporations and Commercial Code, and approved by the Neuchatelle Owners and others, the Neuchatelle Association was merged into the Association.

H. Association therefore desires to amend the Declaration, all in accordance with the terms hereinafter set forth.

**NOW, THEREFORE**, Association hereby declares as follows:

1. Section 1.2 of the Declaration is deleted in its entirety with the following substituted in place thereof:

Association shall mean and refer to Colonies at Valais Master Association, Inc., a Utah nonprofit corporation, and its successors.

2. This Amendment is effective as June 1, 2015, the effective date of the merger of the Mirabelle Association into the Association.

3. This Amendment was approved by members holding more than two-thirds (2/3) of the votes held by all members.



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**(Phase 6)**

BEGINNING AT A POINT WHICH IS SOUTH 404.25 FEET FROM THE FOUND BRASS MONUMENT FOR THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

THENCE SOUTH 83°10'31" EAST 145.82 FEET; THENCE SOUTH 55°16'38" EAST 111.36 FEET; THENCE SOUTH 44°39'36" EAST 91.50 FEET; THENCE SOUTH 24°29'52" EAST 111.36 FEET; THENCE SOUTH 14°43'59" EAST 123.35 FEET; THENCE ALONG THE ARC OF A 15.50 FOOT RADIUS CURVE TO THE LEFT 21.19 FEET (CURVE HAS A CENTRAL ANGLE OF 78°20'08" AND A CHORD BEARING SOUTH 53°54'02" EAST 19.58 FEET); THENCE NORTH 86°55'54" EAST 100.01 FEET; THENCE ALONG THE ARC OF A 975.00 FOOT RADIUS CURVE TO THE LEFT 112.91 FEET (CURVE HAS A CENTRAL ANGLE OF 06°38'07" AND A CHORD BEARING NORTH 83°36'50" EAST 112.85 FEET); THENCE NORTH 80°17'46" EAST 111.29 FEET; THENCE ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT 272.85 FEET (CURVE HAS A CENTRAL ANGLE OF 69°28'51" AND A CHORD BEARING SOUTH 64°57'48" EAST 256.44 FEET); THENCE SOUTH 30°13'22" EAST 60.19 FEET; THENCE ALONG THE ARC OF A 225.00 FOOT RADIUS CURVE TO THE RIGHT 132.79 FEET (CURVE HAS A CENTRAL ANGLE OF 33°48'57" AND A CHORD BEARING SOUTH 13°18'54" EAST 130.88 FEET); THENCE SOUTH 03°35'35" WEST 213.61 FEET; THENCE SOUTH 57°16'53" WEST 169.26 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE NORTH 65°42'42" WEST 62.41 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE NORTH 34°59'39" WEST 98.11 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE NORTH 18°26'51" WEST 110.08 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE NORTH 58°35'19" WEST 102.95 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE SOUTH 87°57'23" WEST 112.59 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE SOUTH 60°02'16" WEST 108.69 FEET ALONG THE VALAIS PARK BOUNDARY; THENCE NORTH 35°11'58" WEST 41.71 FEET ALONG THE PHASE IV BOUNDARY; THENCE SOUTH 85°50'11" WEST 196.61 FEET ALONG THE PHASE IV BOUNDARY; THENCE SOUTH 36.12 FEET ALONG THE PHASE IV BOUNDARY; THENCE SOUTH 77°20'55" WEST 223.94 FEET ALONG THE PHASE IV BOUNDARY; THENCE NORTH 02°14'13" WEST 225.57 FEET; THENCE NORTH 10°35'19" EAST 290.62 FEET; THENCE NORTH 03°16'11" WEST 282.83 FEET TO THE POINT OF BEGINNING. CONTAINING 11.60 ACRES

Which includes Lots 300 through 325, Valais Subdivision, Phase 6, Plat "H", according to the official plat on file and of record in the Wasatch County Recorder's office.

**EXHIBIT "B"**

**LEGAL DESCRIPTION**

**(Phase 6B)**

**BEGINNING** at a point which is east 300.63 feet and south 550.10 feet from the found brass monument for the northeast corner of section 27, township 3 south, range 4 east, Salt Lake base and meridian.

And running thence north  $42^{\circ}03'32''$  east 62.43 feet; Thence north  $86^{\circ}27'28''$  east 153.77 feet; Thence north  $71^{\circ}48'00''$  east 290.66 feet; Thence south  $87^{\circ}12'53''$  east 170.25 feet; Thence south  $02^{\circ}47'07''$  west 97.20 feet; Thence south  $53^{\circ}45'39''$  east 123.72 feet; Thence north  $69^{\circ}39'28''$  east 47.71 feet; Thence south  $63^{\circ}54'11''$  east 231.44 feet; Thence south 702.13 feet; Thence north  $51^{\circ}21'22''$  west 209.58 feet; Thence north  $87^{\circ}57'21''$  west 111.97 feet; Thence south  $57^{\circ}16'53''$  west 22.63 feet; Thence north  $03^{\circ}35'35''$  east 213.61 feet; Thence along the arc of a 225.00 foot radius curve to the left 132.79 feet (curve has a central angle of  $33^{\circ}48'57''$  and a chord bearing of north  $13^{\circ}18'54''$  west 130.88 feet); Thence north  $30^{\circ}13'22''$  west 60.18 feet; Thence along the arc of a 225.00 foot radius curve to the left 272.85 feet curve has a central angle of  $69^{\circ}28'51''$  and a chord bearing north  $64^{\circ}57'48''$  west 256.44 feet); Thence south  $80^{\circ}17'46''$  west 111.29 feet; Thence along the arc of a 975 foot radius curve to the right 112.91 feet (curve has a central angle of  $06^{\circ}38'07''$  and a chord bearing south  $83^{\circ}36'50''$  west 112.85 feet); Thence south  $86^{\circ}55'54''$  west 100.01 feet; Thence along the arc of a 15.50 foot radius curve to the right 21.19 feet (curve has a central angle of  $78^{\circ}20'08''$  and a chord bearing north  $53^{\circ}54'02''$  west 19.58 feet); Thence north  $14^{\circ}43'59''$  west 123.35 feet; Thence north  $24^{\circ}29'52''$  west 111.36 feet to the point of beginning.

Containing 9.32 acres

Which includes Lots 326 through 356, Valais Subdivision, Phase 6B, Plat "I", according to the official plat on file and of record in the Wasatch County Recorder's office.

**EXHIBIT "C"**

**LEGAL DESCRIPTION**

**(Phase VII, Plat L)**

BEGINNING AT A POINT WHICH IS SOUTH 212.91 FEET AND EAST 70.72 FEET FROM THE FOUND BRASS MONUMENT FOR THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

THENCE SOUTH 69°25'24" EAST 148.61 FEET; THENCE NORTH 15°15'06" EAST 22.12 FEET; THENCE SOUTH 77°32'40" EAST 41.00 FEET; THENCE NORTH 05°21'04" EAST 66.21 FEET; THENCE NORTH 01°45'13" WEST 32.31 FEET; THENCE NORTH 84°31'51" EAST 213.89 FEET; THENCE NORTH 62°18'12" EAST 186.22 FEET; THENCE NORTH 71°41'30" EAST 92.07 FEET; THENCE SOUTH 84°33'48" EAST 244.67 FEET; THENCE SOUTH 00°23'26" EAST 172.91 FEET; THENCE SOUTH 03°43'05" EAST 75.95 FEET; THENCE SOUTH 11°03'50" EAST 104.32 FEET; THENCE SOUTH 70°36'20" WEST 56.92 FEET; THENCE NORTH 87°12'53" WEST 170.25 FEET ALONG THE BOUNDARY OF PHASE 6B; THENCE SOUTH 71°48'00" WEST 290.66 FEET ALONG THE BOUNDARY OF PHASE 6B; THENCE SOUTH 86°27'28" WEST 153.77 FEET ALONG THE BOUNDARY OF PHASE 6B; THENCE SOUTH 42°03'32" WEST 62.43 FEET ALONG THE BOUNDARY OF PHASE 6B; THENCE NORTH 44°39'36" WEST 91.50 FEET ALONG THE BOUNDARY OF PHASE 6A; THENCE NORTH 55°16'28" WEST 111.36 FEET ALONG THE BOUNDARY OF PHASE 6A; THENCE NORTH 83°10'31" WEST 145.82 FEET ALONG THE BOUNDARY OF PHASE 6A; THENCE NORTH 19°54'59" EAST 36.96 FEET ALONG THE BOUNDARY OF PHASE 5C; THENCE NORTH 89°56'18" EAST 2.65 FEET; THENCE NORTH 19°54'59" EAST 166.12 FEET ALONG THE BOUNDARY OF THAT CERTAIN BOUNDARY LINE AGREEMENT (CORRECTION DOCUMENT) RECORDED AS ENTRY NUMBER 302593 IN BOOK 862 AT PAGE 269 OF OFFICIAL RECORDS TO THE POINT OF BEGINNING.

CONTAINING 7.25 ACRES.

Which includes Lots 357 through 379, Valais Subdivision, Phase VII, Plat "L", according to the official plat on file and of record in the Wasatch County Recorder's office.

**EXHIBIT "D"**

**LEGAL DESCRIPTION**

**(Phase VIII, Plat M)**

BEGINNING AT A POINT 212.91 FEET SOUTH AND 70.72 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE NORTHWEST CORNER OF THE VALAIS, PHASE VII, PLAT 'L' SUBDIVISION; AND RUNNING THENCE ALONG THE EASTERLY BOUNDARY OF THE DOYLE AND BARBARA WILSON FAMILY, LLC PROPERTY AS DESCRIBED IN A CERTAIN BOUNDARY LINE AGREEMENT RECORDED AS ENTRY NO. 302593, BOOK 862, PAGES 269-271, IN THE OFFICE OF THE RECORDER, WASATCH COUNTY, UT THE FOLLOWING SIX COURSES AND DISTANCES: (1) N19°30'27"E 37.18 FEET; (2) THENCE N02°55'05"E 111.14 FEET; (3) THENCE N04°23'54"E 61.09 FEET; (4) THENCE N00°28'50"E 59.91 FEET; (5) THENCE N03°23'15"W 60.04 FEET; (6) THENCE N08°40'00"W 75.61 FEET TO A POINT IN THE SOUTHERLY BOUNDARY OF THE JOHN H. & HOLLY ZENGER TRUST PROPERTY AS DESCRIBED ON RS#44 ON FILE AND OF RECORD IN THE OFFICE OF THE SURVEYOR, WASATCH COUNTY, UT; THENCE ALONG SAID SOUTHERLY 1 BOUNDARY LINE THE FOLLOWING SIX COURSES AND DISTANCES: (1) N88°30'04"E 6.21 FEET; (2) THENCE N79°14'15"E 57.61 FEET; (3) THENCE N77°59'26"E 161.90 FEET; (4) THENCE N75°53'12"E 300.17 FEET; (5) THENCE N69°43'53"E 212.44 FEET; (6) THENCE S87°40'17"E 2.06 FEET; THENCE S44°35'41"E 37.26 FEET; THENCE S05°33'18"E 173.09 FEET; THENCE S10°57'32"W 194.03 FEET; THENCE S44°02'50"W 20.54 FEET; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF VALAIS PHASE VII, PLAT 'L', THE FOLLOWING NINE COURSES AND DISTANCES: (1) N84°33'48"W 58.56 FEET; (2) THENCE S71°41'30"W 92.07 FEET; (3) THENCE S62°18'12"W 186.22 FEET; (4) THENCE S84°31'51"W 213.89 FEET; (5) THENCE S01°45'13"E 32.31 FEET; (6) THENCE S05°21'04"W 66.21 FEET; (7) THENCE N77°32'40"W 41.00 FEET; (8) THENCE S15°15'06"W 22.12 FEET; (9) THENCE N69°25'24"W 148.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.79 ACRES

Which includes Lots 380 through 395, Valais Subdivision, Phase VIII, Plat "M", according to the official plat on file and of record in the Wasatch County Recorder's office.

**EXHIBIT "E"**

**LEGAL DESCRIPTION**

**(Phase IX, Plat N)**

BEGINNING AT A POINT 792.65 EAST AND 379.93 NORTH FROM THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE VALAIS, PHASE VIII, PLAT 'M' AMENDED SUBDIVISION, RECORDED AS ENTRY 387958 IN BOOK 1077 AT PAGES 22-31 OF WASATCH COUNTY OFFICIAL RECORDS,

AND RUNNING THENCE EASTERLY ALONG THE BOUNDARY OF THE ZENGER PROPERTY THE FOLLOWING THREE COURSES: SOUTH 87°40'17" EAST 228.77 FEET, AND NORTH 43°37'38" EAST 47.77 FEET, AND SOUTH 87°40'17" EAST 288.99 FEET TO THE WESTERN BOUNDARY OF THE BURGI HILL RANCHES PUD AMENDED SUBDIVISION, RECORDED AS ENTRY 336531 IN BOOK 968 AT PAGES 78-87 OF WASATCH COUNTY OFFICIAL RECORDS; THENCE SOUTHERLY ALONG THE WESTERN BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO COURSES: SOUTH 21°40'24" WEST 213.38 FEET, AND SOUTH 12°45'24" WEST 191.24 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTHERLY ALONG THE WESTERN BOUNDARY OF THE RADC/CADC VENTURE, LLC PROPERTY THE FOLLOWING FOUR COURSES: SOUTH 11°54'48" WEST 160.98 FEET, AND SOUTH 02°56'00" WEST 182.00 FEET, AND SOUTH 11°29'22" EAST 227.22 FEET, AND SOUTH 26°51'13" EAST 122.23 FEET TO A POINT ON THE BOUNDARY OF THE VALAIS PHASE 6B, PLAT I SUBDIVISION, RECORDED AS ENTRY 291823 IN BOOK 802 AT PAGES 223-232 OF WASATCH COUNTY OFFICIAL RECORDS; THENCE NORTHWESTERLY ALONG THE NORTHERN BOUNDARY OF SAID SUBDIVISION THE FOLLOWING FOUR COURSES: NORTH 63°54'11" WEST 220.44 FEET, AND SOUTH 69°39'28" WEST 47.71 FEET, AND NORTH 53°45'39" WEST 123.72 FEET, AND NORTH 02°47'07" EAST 97.20 FEET TO THE SOUTHEAST CORNER OF THE VALAIS PHASE VII, PLAT L SUBDIVISION, RECORDED AS ENTRY 321440 IN BOOK 942 AT PAGES 645-654 OF THE WASATCH COUNTY OFFICIAL RECORDS; THENCE NORTHERLY ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING FIVE COURSES: NORTH 70°36'20" EAST 56.92 FEET, AND NORTH 11°03'50" WEST 104.32 FEET, AND NORTH 03°43'05" WEST 75.95 FEET, AND NORTH 00°23'26" WEST 172.91 FEET, AND NORTH 84°33'48" WEST 186.09 FEET TO THE SOUTHEAST CORNER OF THE VALAIS, PHASE VIII, PLAT 'M' AMENDED SUBDIVISION; THENCE NORTHERLY ALONG THE EASTERN LINE OF SAID SUBDIVISION THE FOLLOWING FOUR COURSES: NORTH 44°02'50" EAST 20.54 FEET, AND NORTH 10°57'32" EAST 194.03 FEET AND NORTH 05°33'18" WEST 173.09 FEET, AND NORTH 44°35'41" WEST 37.25 FEET TO THE POINT OF BEGINNING. CONTAINS 7.31 ACRES.

Which includes Lots 396 through 410, Valais Subdivision, Phase IX, Plat "N", according to the official plat on file and of record in the Wasatch County Recorder's office.



**VALAIS PUD PARCEL NUMBERS**

Lot No.	Plat	Parcel Number
300	H	00-0020-2591
301	H	00-0020-2592
302	H	00-0020-2593
303	H	00-0020-2594
304	H	00-0020-2595
305	H	00-0020-2596
306	H	00-0020-2597
307	H	00-0020-2598
308	H	00-0020-2599
309	H	00-0020-2600
310	H	00-0020-2601
311	H	00-0020-2602
312	H	00-0020-2603
313	H	00-0020-2604
314	H	00-0020-2605
315	H	00-0020-2606
316	H	00-0020-2607
317	H	00-0020-2608
318	H	00-0020-2609
319	H	00-0020-2610
320	H	00-0020-2611
321	H	00-0020-2612
322	H	00-0020-2613
323	H	00-0020-2614
324	H	00-0020-2615
325	H	00-0020-2616
326	I	00-0020-3592

Lot No.	Plat	Parcel Number
327	I	00-0020-3593
328	I	00-0020-3594
329	I	00-0020-3595
330	I	00-0020-3596
331	I	00-0020-3597
332	I	00-0020-3598
333	I	00-0020-3599
334	I	00-0020-3600
335	I	00-0020-3601
336	I	00-0020-3602
337	I	00-0020-3603
338	I	00-0020-3604
339	I	00-0020-3605
340	I	00-0020-3606
341	I	00-0020-3607
342	I	00-0020-3608
343	I	00-0020-3609
344	I	00-0020-3610
345	I	00-0020-3611
346	I	00-0020-3612
347	I	00-0020-3613
348	I	00-0020-3614
349	I	00-0020-3615
350	I	00-0020-3616
351	I	00-0020-3617
352	I	00-0020-3618
353	I	00-0020-3619

VALAIS PUD PARCEL NUMBERS

Lot No.	Plat	Parcel Number
354	I	00-0020-3620
355	I	00-0020-3621
356	I	00-0020-3622
357	L	00-0020-6403
358	L	00-0020-6404
359	L	00-0020-6405
360	L	00-0020-6406
361	L	00-0020-6407
362	L	00-0020-6408
363	L	00-0020-6409
364	L	00-0020-6410
365	L	00-0020-6411
366	L	00-0020-6412
367	L	00-0020-6413
368	L	00-0020-6414
369	L	00-0020-6415
370	L	00-0020-6416
371	L	00-0020-6417
372	L	00-0020-6418
373	L	00-0020-6419
374	L	00-0020-6420
375	L	00-0020-6421
376	L	00-0020-6422
377	L	00-0020-6423
378	L	00-0020-6424
379	L	00-0020-6425
380	M	00-0020-9746

Lot No.	Plat	Parcel Number
381	M	00-0020-9747
382	M	00-0020-9748
383	M	00-0020-9749
384	M	00-0020-9750
385	M	00-0020-9751
386	M	00-0020-9752
387	M	00-0020-9753
388	M	00-0020-9754
389	M	00-0020-9755
390	M	00-0020-9756
391	M	00-0020-9757
392	M	00-0020-9758
393	M	00-0020-9759
394	M	00-0020-9760
395	M	00-0020-9761
396	N	00-0021-0441
397	N	00-0021-0442
398	N	00-0021-0443
399	N	00-0021-0444
400	N	00-0021-0445
401	N	00-0021-0446
402	N	00-0021-0447
403	N	00-0021-0448
404	N	00-0021-0449
405	N	00-0021-0450
406	N	00-0021-0451
407	N	00-0021-0452

