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Edge Gardner Point, LLC
13702 S. 200 W. #B12
Draper, UT 84020

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Andrea Allen
Utah County Recorder
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**FIRST AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM FOR
GARDNER POINT CONDOMINIUMS**

An Expandable Condominium Project in Utah County, Utah

This First Amendment to the Amended and Restated Declaration of Condominium for Gardner Point Condominiums (this "**Amendment**") is executed and adopted by Edge Gardner Point, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

- A. This Amendment applies to and amends that certain Amended and Restated Declaration of Condominiums for Gardner Point Condominiums (the "**Declaration**") recorded with the Utah County Recorder's Office on May 3, 2022, as Entry No. 55031:2022.
- B. Edge Gardner Point, LLC is the Declarant as identified and set forth in the Declaration.
- C. Edge Gardner Point, LLC is the owner of the real property subject to this Amendment, and has the right to amend the Declaration as set forth in Section 15.1 of the Declaration.
- D. Unless otherwise provided in this Amendment, capitalized terms used herein shall have the same meaning and effect as used in the Declaration.

AMENDMENT

NOW THEREFORE, in consideration of the recitals set forth above, the Declaration is amended as follows:

Section 6.14 of the Declaration is hereby restated and replaced in its entirety with the following:

6.14 **Reinvestment Fee.** The Board, on behalf of the Association, shall have the right to establish and collect a Reinvestment Fee assessment in accordance with this Section and Utah Code Ann. § 57-1-46. The following terms and conditions shall govern the Reinvestment Fees to be paid to the Association:

1. Upon the occurrence of any sale, transfer, or conveyance of any Lot as reflected in the office of the County recorder, regardless of whether it is pursuant to the sale of the Lot or not (as applicable, a "Transfer"), but excluding the initial sale or Transfer to Declarant or an affiliate or successor of Declarant, the party receiving title to the Lot (the "Transferee") shall pay to the Association a Reinvestment Fee in an amount to be established by the Board, provided that in no event shall the Reinvestment Fee exceed the maximum rate permitted by law.

2. The Association shall not levy or collect a Reinvestment Fee for any Transfer that is exempt under Utah Code Ann. § 57-1-46.

EXHIBIT A
(Legal Description)

The above Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Gardner Point Condominiums shall be recorded against the following property in Utah County, Utah:

The Gardner Point Condominiums Project includes all real property described in the following phases and plats as recorded with the Office of the Utah County Recorder, State of Utah:

All of Gardner Point Condominiums Phase 1 Plat A, according to the official plat filed in the office of the Utah County Recorder as Entry No. 187577:2021 (including Units 101 through 304 in Building A)

All of Gardner Point Condominiums Phase 1 Plat B, according to the official plat filed in the office of the Utah County Recorder as Entry No. 187580:2021 (including Units 101 through 304 in Building B)

All of Gardner Point Condominiums Phase 1 Plat C, according to the official plat filed in the office of the Utah County Recorder as Entry No. 187583:2021 (including Units 101 through 304 in Building C)

All of Gardner Point Condominiums Phase 1 Plat D, according to the official plat filed in the office of the Utah County Recorder as Entry No. 187586:2021 (including Units 101 through 304 in Building D)

All of Gardner Point Condominiums Phase 1 Plat E, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205229:2021 (including Units 101 through 304 in Building E)

All of Gardner Point Condominiums Phase 1 Plat F, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205232:2021 (including Units 101 through 304 in Building F)

All of Gardner Point Condominiums Phase 1 Plat G, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205235:2021 (including Units 101 through 304 in Building G)

All of Gardner Point Condominiums Phase 1 Plat H, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205238:2021 (including Units 101 through 304 in Building H)

All of Gardner Point Condominiums Phase 1 Plat I, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205241:2021 (including Units 101 through 304 in Building I)

All of Gardner Point Condominiums Phase 1 Plat J, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205244:2021 (including Units 101 through 304 in Building J)

All of Gardner Point Condominiums Phase 1 Plat K, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205247:2021 (including Units 101 through 304 in Building K)

All of Gardner Point Condominiums Phase 1 Plat L, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205250:2021 (including Units 101 through 304 in Building L)

All of Gardner Point Condominiums Phase 1 Plat M, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205253:2021 (including Units 101 through 304 in Building M)

All of Gardner Point Condominiums Phase 1 Plat N, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205256:2021 (including Units 101 through 304 in Building N)

All of Gardner Point Condominiums Phase 1 Plat O, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205259:2021 (including Units 101 through 304 in Building O)

All of Gardner Point Condominiums Phase 1 Plat P, according to the official plat filed in the office of the Utah County Recorder as Entry No. 205262:2021 (including Units 101 through 304 in Building P)

All of Gardner Point Phase 3 Plat Q Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building Q, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 1,623.92 feet and South 593.50 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Southeasterly 37.67 feet along the arc of a 24.00 foot radius curve to the right (center bears South 00°03'24" East and the chord bears South 45°04'59" East 33.92 feet with a central angle of 89°56'50");

thence South 00°06'39" East 142.14 feet;

thence South 89°53'37" West 91.01 feet;

thence North 00°06'22" West 160.19 feet;

thence Easterly 19.33 feet along the arc of a 30.00 foot radius curve to the right (center bears South 36°58'37" East and the chord bears North 71°29'04" East 19.00 feet with a central angle of 36°55'24");

thence North 89°56'46" East 48.99 feet to the point of beginning.

Contains 14,964 Square Feet or 0.344 Acres.

All of Gardner Point Phase 3 Plat R Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building R, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 1,648.21 feet and South 759.64 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 00°06'39" East 147.42 feet;

thence Southerly 12.60 feet along the arc of a 24.00 foot radius curve to the right (center bears South 89°53'21" West and the chord bears South 14°55'32" West 12.45 feet with a central angle of 30°04'24");

thence South 89°57'44" West 75.78 feet;

thence Northwesterly 18.86 feet along the arc of a 12.00 foot radius curve to the right (center bears North 00°09'36" West and the chord bears North 45°07'58" West 16.98 feet with a central angle of 90°03'15");

thence North 00°06'22" West 147.35 feet;

thence North 89°53'37" East 91.01 feet to the point of beginning.

Contains 14,465 Square Feet or 0.332 Acres.

All of Gardner Point Phase 3 Plat S Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building S, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 2,130.77 feet and South 593.92 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 89°56'46" East 149.90 feet;

thence Southeasterly 37.68 feet along the arc of a 24.00 foot radius curve to the right (center bears South 00°03'14" East and the chord bears South 45°04'48" East 33.93 feet with a central angle of 89°56'50");

thence South 00°06'23" East 6.49 feet;

thence South 89°53'37" West 18.50 feet;
 thence South 00°06'23" East 46.00 feet;
 thence North 89°53'37" East 18.01 feet;
 thence South 00°00'25" East 6.00 feet;
 thence Southwesterly 37.20 feet along the arc of a 24.00 foot radius curve to the right (center bears North 88°54'46" West and the chord bears South 45°29'25" West 33.59 feet with a central angle of 88°48'23");
 thence South 89°53'37" West 149.38 feet;
 thence North 00°06'23" West 106.12 feet to the point of beginning.

Contains 17,326 Square Feet or 0.398 Acres.

All of Gardner Point Phase 3 Plat T Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building T, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 2,131.93 feet and South 726.05 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 89°53'37" East 148.95 feet;
 thence Southeasterly 36.50 feet along the arc of a 24.00 foot radius curve to the right (center bears South 00°06'23" East and the chord bears South 46°32'14" East 33.08 feet with a central angle of 87°08'18");
 thence South 00°06'23" East 3.15 feet;
 thence South 89°53'37" West 18.47 feet;
 thence South 00°06'23" East 73.55 feet;
 thence South 89°53'25" West 154.57 feet;
 thence North 00°02'12" West 99.51 feet to the point of beginning.

Contains 15,731 Square Feet or 0.361 Acres.

All of Gardner Point Phase 3 Plat U Condominium according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building U, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 2,132.00 feet and South 825.56 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 89°53'25" East 154.58 feet;
 thence South 00°06'23" East 76.45 feet;
 thence North 89°53'37" East 18.50 feet;
 thence South 00°08'36" East 5.79 feet;
 thence Southwesterly 37.73 feet along the arc of a 24.00 foot radius curve to the right (center bears South 89°53'37" West and the chord bears South 44°55'38" West 33.96 feet with a central angle of 90°04'03");
 thence South 89°57'40" West 149.18 feet;
 thence North 00°02'12" West 106.06 feet to the point of beginning.

Contains 16,844 Square Feet or 0.387 Acres.

All of Gardner Point Phase 3 Plat V Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building V, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 2,418.87 feet and South 618.21 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

- thence South 00°02'16" East 151.14 feet;
- thence South 89°53'37" West 88.00 feet;
- thence North 00°06'23" West 151.25 feet;
- thence North 89°57'48" East 88.18 feet to the point of beginning.

Contains 13,319 Square Feet or 0.306 Acres.

All of Gardner Point Phase 3 Plat W Condominium, according to the official plat filed in the office of the Utah County Recorder, including Units 101 through 304 in Building W, more particularly described as:

A parcel of land situated in the Northeast Quarter of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point being North 89°53'54" East 2,418.97 feet and South 769.36 feet from the North Quarter Corner of Section 11, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running

- thence South 00°02'16" East 202.57 feet;
- thence South 89°57'40" West 11.03 feet;
- thence North 00°02'20" West 36.00 feet;
- thence South 89°57'40" West 61.78 feet;
- thence Northwesterly 23.54 feet along the arc of a 15.00 foot radius curve to the right (center bears North 00°02'20" West and the chord bears North 45°04'22" West 21.20 feet with a central angle of 89°55'57");
- thence North 00°06'23" West 151.49 feet;
- thence North 89°53'37" East 88.00 feet to the point of beginning.

Contains 14,986 Square Feet or 0.344 Acres.

***Note:** This Amendment is intended to be recorded against the same real property described in Exhibit A of the Amended and Restated Declaration of Condominium for Gardner Point Condominiums recorded with the Utah County Recorder's Office on May 3, 2022, as Entry No. 55031:2022