

After Recording Return To:
The Law Offices of Kirk A. Cullimore
644 East Union Square
Sandy, UT 84070

**AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment to the Declaration of Covenants, Conditions and Restrictions (“Declaration”) for Silverlake Subdivision Plat 6 is executed on the date set forth below by SL6, L.L.C. (“Declarant”).

RECITALS

A. Real property in Utah County, Utah, known as Silverlake Subdivision Plat 6 was subjected covenants, conditions, and restrictions pursuant to a Declaration recorded April 4, 2007, as Entry No. 49067:2007, records of Utah County, Utah;

B. This amendment shall be binding against the property described in EXHIBIT A and the Declaration and any annexation or supplement thereto;

C. Pursuant to Article XVII, Section 13.03(B) of the Declaration, the Declarant is authorized to make this amendment;

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

Article VIII, Section 8.01 of the Declaration is hereby repealed and amended in its entirety to read as follows:

Approval. Before starting any landscape installation (excluding minor flower plantings), fence, screening wall, retaining wall, arbor, gazebo, or patio cover Owners must obtain approval from the Design Review Committee. Approval shall be obtained according to Article IX of this Declaration and as contained in paragraphs 7.6.1.A through 7.6.1.K of the Community Guidelines. If an Owner will be landscaping multiple Lots containing similar terrain, they may submit a standard landscape plan and obtain bulk approval for all Lots. However, the Owner must submit a separate plan for each Lot requiring unique landscape features (*i.e.*, retaining walls, specialized grading, etc.).

Article VIII, Section 8.02 of the Declaration is hereby repealed and amended in its entirety to read as follows:

Completion of Landscaping. In the case of initial home construction, approved landscaping shall be completed within 45 days after the occupancy permit is issued. If the home is occupied during winter months, landscaping shall be completed by the following June 1st. In all other cases, unless the Design Review Committee approves a longer timeframe, approved landscaping shall be completed within 45 days of starting construction on the landscaping. The Design

Review Committee may require an escrow deposit to secure completion of the landscaping in accordance with the approved plans. The amount and terms of the deposit shall be determined by the Design Review Committee. If the Owner fails to install the approved landscaping within the required timeframe, the Design Review Committee may use the escrow deposit to complete the landscaping. The Design Review Committee shall not be liable to the Owner for exercising their rights under this section. Additionally, violations of this section shall carry a \$50.00 per calendar day fine from the required date of completion to the actual date of completion.

Article VIII, Section 8.03 of the Declaration is hereby repealed and amended in its entirety to read as follows:

Front Yard Landscaping. For purposes of landscaping, the front yard of a Lot is the area of the Lot beginning at the public street and extending to the front corners of the house. If the Lot is a corner Lot, the front yard includes the side yard area from the public street along the side of the home, beyond the corners of the side of the house and to the end of the lot, including all park strip area. Front yard areas shall meet the requirements of the Community Design Guidelines. The Community Design Guidelines shall require a minimum of:

- A. Turf at a minimum of 50% coverage;
- B. Automatic sprinklers to all planter areas and sod;
- C. Two 1.5-inch caliper trees; and
- D. Eight 2-gallon shrubs.
- E. Sod is required in the park strip
- F. Park strip trees are installed by the City via the permit fees paid by builder
- G. If park strip trees are not installed by the City, the Owner shall install said trees

Xeriscape is not permitted. Marble chips, volcanic rock, or high contrast stone shall not be used in the landscape design of the front yard. Earth tone stone may be used as rock mulch in planter beds, however may not be used for extending parking areas (which must be brick, paver or concrete). Owners may not install plants infected with noxious insects or disease which are likely to spread to other Lots. Owner shall maintain turf free of weeds, trees shall be removed and replaced if declining/dead, including those in the park strip and shrubs shall be removed and replaced if declining/dead. Overall yard shall be maintained in good condition as defined by the Design Review Committee. In rare cases, the DRC may allow a variance for earth tone stone in the park strip depending on size of park strip and location. All variances must be approved in writing.

Article VIII, Section 8.04 of the Declaration is hereby repealed, shall retain its number but shall contain no text.

Article VIII, Section 8.05 of the Declaration is hereby repealed, and amended in its entirety to read as follows:

Rear and Side Yard Landscaping and Maintenance. The rear and side yard of each lot is to be landscaped and/or fenced by the below deadline depending on the issuance date of the occupancy permit:

- Occupancy Permit issued in January – due date is September 1 of same year;
- Occupancy Permit issued in February – due date is September 1 of same year;
- Occupancy Permit issued in March – due date is September 1 of same year;

Occupancy Permit issued in April – due date is July 1 of following year;
 Occupancy Permit issued in May – due date is July 1 of following year;
 Occupancy Permit issued in June – due date is July 1 of following year;
 Occupancy Permit issued in July – due date is July 1 of following year;
 Occupancy Permit issued in August – due date is July 1 of following year;
 Occupancy Permit issued in September – due date is July 1 of following year;
 Occupancy Permit issued in October – due date is July 1 of following year;
 Occupancy Permit issued in November – due date is July 1 of following year;
 Occupancy Permit issued in December – due date is July 1 of following year.

Until landscaped, Owner shall maintain area free of any unsightly condition, including, but not limited to, trash, debris and weeds taller than 6". Once landscaped, Owner shall maintain landscape in good condition.

If fenced, but not landscaped, Owner shall continue to keep weeds mowed below 12" and keep yard free of trash and debris.

Yards that are not fenced must be 100% landscaped with turf, planter beds and other improvements with fully automated sprinklers and at least 50% turf coverage. Raised gardens are permitted. Garden beds and play areas or other ground level improvements are also permitted provided there is a division between said areas and turf, such as brick borders, concrete curbing, bender board, or landscape edging.

Parking is not permitted in the rear yard.

Owners may add driveway extensions and a parking pad on the same side of the home as the existing driveway. The park strip must be turf and cannot be changed to concrete or rock as part of a driveway extension.

Chain link dog runs are not permitted, unless in a rear yard that is already fenced and is not visible above the fence.

Small fenced areas that do not encompass the entire rear and side yard are not permitted in a rear or side yard unless it is installed within a rear yard that is already completely fenced. Any smaller fence cannot be visible above the outer perimeter fence. For example, fencing of any kind right around a garage access door, or a rear patio door is not permitted.

Owners in the Villages PUD Plat 5 must obtain written approval from the Villages PUD Board of Directors on any exterior improvement, whether to the home or to the yard area, including fencing and driveway modifications. The Villages PUD may have requirements that are more restrictive. The most restrictive requirement shall prevail.

Article VIII, Section 8.06 of the Declaration is hereby amended to add the following language at the end:

All fencing along lot line boundaries is owned and maintained by each Lot Owner, whether installed by builder, HOA, or Owner.

**EXHIBIT A
LEGAL DESCRIPTION**

LOTS 601 THROUGH 641 AND ALL LOTS CONTAINED WITHIN SILVERLAKE PLAT 6
SUBDIVISION AS SHOWN ON THE PLAT MAP RECORDED IN THE UTAH COUNTY
RECORDER'S OFFICE, STATE OF UTAH.

Parcel Nos: 66:194:0601 and all other parcels in Silverlake Plat 6 Subdivision.