

COTTONWOOD HILLS
COVENANTS, CONDITIONS AND RESTRICTIONS
COTTONWOOD MEADOWS, A P.U.D. SUBDIVISION, COTTONWOOD MEADOWS

ADDENDUM 1

THIS ADDENDUM is made this 19th day of July, 2007, by Gardner Cottonwood Creek, L.C., a Utah limited liability company ("Declarant").

In addition to the requirements set forth in the Master Declaration and the Cottonwood Hills Covenants, Conditions & Restrictions recorded with Morgan County, entry #104100 Book 234 page 380, the following additional restrictions will apply to Lots 3058 – 3077, and 3099 – 3121, found on the Subdivision Plat Cottonwoods Meadows Phase III.

RECITALS:

B. Subsection 1: On August 8, 2007 Declarant recorded the plat entitled "**Cottonwood Meadows, a P.U.D** Subdivision in Mountain Green, Morgan County, Utah" as Entry Number 108786, in Book 251, at Pages 806-809, of the Book of Plats of Morgan County, Utah (the "Plat"). The real property described and shown in the Plat and more fully described on "Exhibit A" hereto is a Project, as defined in Section 1.24 of the Master Declaration, to be known as "**Cottonwood Meadows**" and is referred to in this Declaration as the "Project Property."

1. **DEFINITIONS.**

1.5.1 "**Plat**" means that certain plat entitled "Cottonwood Meadows, a P.U.D. Subdivision in Mountain Green, Morgan County, Utah" and recorded as Entry Number 108786, in Book 251, at pages 806-809 of the Book of Plats of Morgan County, Utah.

3. **LAND CLASSIFICATIONS.**

3.3.1 **Common Areas.** Open Space Parcels, A and N identified on the Plat, Cottonwood Meadows, a P.U.D. Subdivision in Mountain Green, Morgan County, Utah shall be Common Areas as defined in Section 1.6 of the Master Declaration.

5. **PROJECT MANAGEMENT.**

5.5.1 **Submittal to Project Architectural Committee.** Prior to applying for a Building Permit, Morgan County requires a full-size set of plans stamped with approval from the Project Architectural Review Committee. Submittal made by the end of the day on Friday will be reviewed at the next Project Architectural Review Committee meeting. Submittal shall consist of the following:

- a. Two full-size sets and one half-size set of architectural plans
- b. Two full-size and one half-size copy of the Site Plan with placement on the Lot.
- c. Color samples of exterior façade, including brick and stone
- d. One full-size and one half size landscape drawing

The full-size drawings will be returned to the applicant for submittal to the County. The County will require stamped drawings approved by the Architectural Committee before submitting for a building permit. The half-size and samples will be retained by the Project Architectural Review Committee.

Ent **108788** Bk **251** Pg **812**
Date: 08-AUG-2007 12:27PM
Fee: \$57.00 Check
Filed By: NPS
BRENDA NELSON, Recorder
MORGAN COUNTY
For: GARDNER COTTONWOOD CREEK LC

6. **ADDITIONAL RESTRICTIONS.**

6.2.1 **Minimum Square Footages—Garage Orientation.** No single story Residence shall be constructed, altered, placed or permitted to remain on any Lot unless the main floor area, exclusive of basement, open porches and garages, is 2,000 square feet or greater. No multi-story Residence shall be constructed, altered, placed or permitted to remain on any Lot unless the main floor, exclusive of basements, open porches and garages, is a total of 1,800 square feet or greater and the upper level, exclusive of open porches, is a total of 800 square feet or greater. Garages shall be enclosed, large enough for at least two (2) cars and, where possible, situated so as to utilize a side facing entrance unless otherwise approved by the Project Architectural Review Committee

6.3.1 **Setbacks.** No improvements shall be located on a Lot closer to the respective Lot line than as follows: twenty (20) feet from the front Lot line for the garage and fifteen (15) feet from the balance of the Improvement, unless a side facing garage entry is utilized, in which case the fifteen (15) foot standard shall apply; ten (10) feet from each side Lot line, unless the Lot is a corner Lot, in which case the twenty (20) foot front yard standard shall apply to the applicable side yard; and twenty (20) feet from the rear Lot line. Homes shall be designed so that the garage extends no more than five (5) feet beyond the furthest forward plane of the house and preferred maximum of eight (8) feet at the discretion of the Architectural Review Committee based upon superior architecture. The Project Architectural Review Committee and Morgan County Board of Appeals may take into account unique aspects of a particular Lot and grant variances to the foregoing standards; provided, however, that no such variance shall be granted in contravention of applicable Morgan County zoning ordinances and any purported variance in violation of such ordinances shall be deemed void to the extent it is inconsistent with such zoning ordinances. A site plan shall be submitted to the Project Architectural Review Committee for review prior to any improvements being made on the Lot. Flag lot homes shall be oriented to face towards the stem entry of the lot. The front yard shall be considered to be the side of the flag portion that adjoins the staff, although the flag lot homes should be oriented to face towards the stem entry of the lot. The angle of the home should be reviewed and approved by the Architectural Review Committee. All front, side and rear yard setback for buildings in the flag portion shall conform to the setbacks set above. Flag lot homes shall be oriented to face towards the stem entry of the lot.

6.5.1 **Architectural Style and Compatibility of Improvements.** The exterior of all Residences must be constructed of brick, stucco, hardboard siding, and/or stone. Log homes and log veneer siding are prohibited. Every Residence shall have a minimum of 75% brick or stone on the front façade and 50% brick or stone on each the remaining façades. Stone and/or Brick needs to wrap the corners a min. 48". Street facing side and back facades on corner Lots shall have the minimums set forth above for front facades. Aluminum soffits and fascia trim is allowed, provided, however, that a minimum width of 10 inches shall be required on the fascia. No aluminum exterior siding is permitted in the Project. Roof surfaces shall slope a minimum of 6:12 pitch and shall be 25-year asphalt architectural shingles, tile or slate shingles unless specific written approval of the Project Architectural Review Committee is received for the use of other roofing materials. Flat roofs, A-frame, geodesic dome and other irregular roof forms are prohibited. Colors of exterior materials shall be earth tones and grays while allowing accents of white, beige, rust, black or green. Care should be given that each Residence complements those around it, and not detract in design, quality or appearance. All exterior materials and colors must be approved in writing by the Project Architectural Review Committee. All final decisions with respect to these enumerated standards and their application to a particular proposed structure in the Project shall be made by the Project Architectural Review Committee. All exposed metal flues, vents, ventilators, or other metallic rooftop protrusions shall be positioned on the back slope of the roof and shall be coated or painted with tones which complement surrounding structures.

EXHIBIT A.1

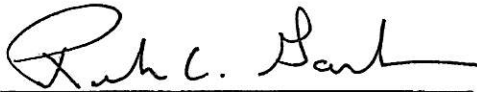
The legal description of the Cottonwoods Meadows, Found in Morgan County records as Entry 104099 Book 0234 on page 0377 will be amended o include the following description:

All that certain real property located in Morgan County, Utah, located within that certain plat entitled "The Cottonwood Meadows, a P.U.D. Subdivision in Mountain Green, Morgan County, Utah" filed in the plat records of Morgan County, Utah, including Lots 3058 – 3077 and 3099 – 3121 an open space parcels A and N.

IN WITNESS WHEREOF, Declarant has executed this Addendum as of the day and year first set forth above.

Declarant:

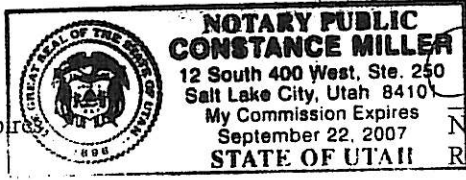
GARDNER COTTONWOOD CREEK, L.C.,
a Utah limited liability company

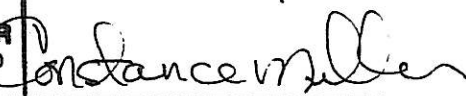
By: 
Rulon C. Gardner, Manager

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

The foregoing Addendum to the Covenants, Conditions and Restrictions for the Cottonwood Hills neighborhood, was acknowledged before me this 19th day of July, 2007, by Rulon C. Gardner, who duly acknowledged to me that he executed the same as a Manager of Gardner Cottonwood Creek, L.C., a Utah limited liability company.

My Commission Expires
9-22-2007




Notary Public
Residing in Salt Lake County