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RUTH E. AMUNDSON
WEBER COUNTY CLERK
DEPUTY

AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS

COUNTRY HILLS MANOR CONDOMINIUM

PHASE NUMBER 2

AND

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND

RESTRICTIONS OF COUNTRY HILLS MANOR CONDOMINIUM

PHASE NUMBER 1

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This Declaration of Covenants, Conditions and Restrictions, hereinafter called "Declaration" is made and executed in Ogden, Weber County, State of Utah, this 7th day of August, 1968, by Country Hills, Inc., a Utah corporation, hereinafter designated and referred to as "DECLARANT", pursuant to the provisions of the Utah Condominium Ownership Act.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of the following described real property situate in Weber County, State of Utah, to-wit:

Part of Blocks 9 thru 12 and the vacated streets abutting thereon, South Ogden Plat "A", described as follows: Beginning at a point S. 89° 13' East 215.00 feet from the Northwest Corner of Lot 1, Block 9, South Ogden Plat "A", said point of beginning being also South 89° 13' East 243.94 feet from the Northwest Corner of the Northeast Quarter of Section 9, Township 5 North, Range 1 West, Salt Lake Base & Meridian; and running thence South 89° 13' East 210.00 feet; thence South 0° 58' West 638.67 feet to the North line of Country Hills Drive; thence along the North line of Country Hills Drive on a 779.00 foot radius curve to the right 216.42 feet (chord bears North 75° 48' 13" West 215.73 feet); thence North 0° 58' East 588.65 feet to the point of beginning.

WHEREAS, Declarant is the owner of certain townhouse and garden type buildings and certain other improvements heretofore or hereafter to be constructed upon said premises; and,

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WHEREAS, the buildings and other improvements described herein were constructed in accordance with the plans and specifications set forth in the Record of Survey Map filed and recorded herewith; and,

WHEREAS, Declarant desires by filing this Declaration and the aforesaid Record of Survey Map to submit the above-described property and the buildings and other improvements to the provisions of the Utah Condominium Ownership Act as a condominium project; and,

WHEREAS, the said property, buildings and improvements are sometimes hereinafter referred to as Phase 2; and,

WHEREAS, Declarant has heretofore filed of record that certain Declaration of Covenants, Conditions and Restrictions, Country Hills Manor Condominium, Phase Number 1, dated the 18th day of July, 1966, recorded in Book 841, Page 569 of Records, as Entry Number 476348, on July 19, 1966; and that certain Record of Survey Map recorded in Book 15, Page 42 of Plats as Entry Number 476349 on July 19, 1966, relating to the property, buildings and improvements therein described and herein sometimes referred to as Phase 1; and,

WHEREAS, Declarant desires and intends to sell the fee title to the apartment units contained in said Phase 2, together with the undivided ownership interests in the common areas and facilities as is hereinafter more specifically provided for to various purchasers, subject to the covenants, restrictions and limitations reserved to be kept and observed; and,

WHEREAS, pursuant to the Declaration relating to Phase 1, and the agreements in writing attached to deeds of conveyance between Declarant and purchasers of units in Phase 1, Declarant desires to amend said Declaration to provide that the common areas and facilities of Phase 2 shall be included in the common areas and facilities of Phase 1, and the common areas and facilities of Phase 1 shall be included in the common areas and facilities of Phase 2, and to establish one condominium project of Phase 1 and Phase 2. The property of Phases 1 and 2 is in Weber County, State

Part of Section 2, Township 12 North, Range 1 East, Salt Lake Meridian, U. S. Survey, and starting thence South 89° 02' East 425.00 feet; thence South 0° 58' East 120.00 feet to the North line of Country Hills Drive; thence along the South line of Country Hills Drive on a 778.0 foot radius curve to the right 389.23 feet (chord bears North 73° 07' 20" West 287.65 feet); thence South 62° 29' West 9.33 feet; thence North 0° 58' East 120.00 feet; thence North 89° 02' West 140.00 feet to the West line of Graneray Avenue; thence North 0° 58' East along West line of Graneray Avenue 426.31 feet to the place of beginning.

NOW, THEREFORE, Declarant hereby publishes and declares that all of the property in Phase 2 is held and shall be held, conveyed, hypothecated, encumbered, rented, used, occupied and improved, subject to the following covenants, conditions, restrictions, uses, limitations and obligations, which shall be deemed to run with the land and shall be a burden and a benefit to Declarant, its successors and assigns, and any person, legal or natural acquiring or owning an interest in the same and such persons, successors, assigns, executors, administrators, heirs and devisees.

1. Name. The above-described Phase 2 property, buildings, improvements and appurtenances thereto are submitted to the provisions of the Utah Condominium Ownership Act, as a condominium project to be known as COUNTRY HILLS MANOR CONDOMINIUM, Phase Number 2.

2. Description of Buildings. The said Phase 2 project consists of: Five buildings designated E through I inclusive.

<u>Building</u>	<u>Single Story Units</u>	<u>Two Story Units</u>	<u>Total Units</u>
E	2	6	8
F	2	6	8
G	2	5	7
H	2	6	8
I	2	7	9

The said Phase 2 buildings are or shall be constructed of steel, concrete, masonry and wood.

The apartment number of each apartment, its location, approximate area and number of rooms regarding Phase 2 is as indicated on the attached Exhibit marked "A", and by this reference made a part hereof.

3. Common Areas and Facilities. The common areas and facilities of Phase 2 shall be and are all of the land and roofs, foundations, pipes, ducts, flues, chutes, conduits, wires, and other utility installations to the outlets, bearing walls, perimeter walls, columns and girders to the interior surfaces thereof, greens, gardens, service streets, parking areas, recreational areas, swimming pool, all installations of power, lights, gas and water, common television antenna; those common areas and facilities designated as such on the map, excepting however, heating units, air conditioning units, air conditioning equipment, water heaters, gas lamps, gas fired barbeque units, individual gas lines from laterals serving ranges, water heaters, furnaces and barbeques, which said excepted items are part of the apartment unit to which they appertain; that part of the condominium project not specifically included in the units as hereinafter defined; all other parts of the property necessary or convenient to the existence, maintenance and safety of the common areas or normally in common use.

4. Limited Common Areas and Facilities. The limited common areas and facilities of the project shall be and are the patios, carports and storage rooms which are hereby set aside and reserved for the use of the respective apartment units to which they are attached and/or appurtenant and as designated on the map to the exclusion of the other apartments and the limited common areas and facilities of Phase 1 with the uses and restrictions thereto appertaining.

5. Apartment Units. The apartment units, sometimes called units and sometimes called apartments are as designated on the map and are the elements of the condominium which are not owned in common with the owners of the other units. The boundary lines of each unit are the interior surfaces of its perimeter walls, bearing walls, basement floors, top story ceilings, windows and window frames, door and door frames and trim, and includes the portions of the buildings so described and the air space so encompassed and includes the individual heating units, air conditioning units, air conditioning equipment, water heaters, gas lamps, gas fired

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barbeques, individual gas lines from laterals serving ranges, water heaters, furnaces and barbeques.

6. Combined Phases. The common areas and facilities of Phase 1 include the common areas and facilities of Phase 2. The limited common areas and facilities of Phase 1 include the limited common areas and facilities of Phase 2 with the uses and restrictions thereto appertaining.

Phase 1 and Phase 2 shall be one condominium project.

7. Future Development. Within the next reasonable period of time, Declarant contemplates developing and constructing a future condominium project or projects including housing apartment units and common areas and facilities. The said future development and construction phases shall be on land contiguous to either or both of the projects sometimes referred to herein as Phase 1 and Phase 2, and shall not cover in excess of 10.23 acres including the land in Phases 1 and 2, and shall not exceed one hundred nineteen (119) apartments including the apartments of Phases 1 and 2. The said future common areas and facilities shall be included in the common area and facilities of Phase 1 and Phase 2 and the common areas and facilities of Phase 1 and Phase 2 shall be included in the common areas and facilities of the future phase or phases. Phase 1 and Phase 2 and the future phase or phases shall be treated, managed and governed as one condominium project. In this connection, Declarant reserves the irrevocable right, power and authority to amend this Declaration and the prior Declaration, from time to time, to provide for the same, and such right, power and authority is granted to Declarant by the apartment owners.

The proportionate share of the separate owners of the respective apartments in the common areas and facilities is based on the proportionate value that each of the apartments bears to the total value of all of the apartments.

8. Apartment Values. The value of each apartment in Phase 2 is as indicated on the attached Exhibit "A", and the total value of all apartments regarding Phase 2 is \$ 778,250.00.

The total value of all apartments of Phase 1 and Phase 2 is \$ 1,326,611.00.

9. Total values. The total value of the property of Phase 2, as defined by the Utah Condominium Ownership is \$ 846,250.00. Such value regarding Phase 1 and Phase 2 is \$ 1,455,540.00.

10. Paragraph 1 Definitions of Declaration relative to Phase 1 is adopted herein by reference as Paragraph 10.

11. Paragraphs ten (10) through and including forty-two (42) of the said Declaration of Phase 1 are adopted herein by reference as paragraphs ten (10) through and including forty-two (42).

Made and executed as of the day and year first above written.

COUNTRY HILLS, INC.

By [Signature]
President

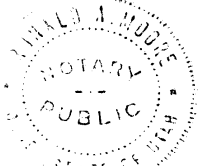
ATTEST:

[Signature]
Secretary

STATE OF UTAH)
: ss.
County of Weber)

On this 7th day of August, 1968, personally appeared before me, a notary public in and for said county and state, ROBERT B. JACKSON and JACQUELINE JACKSON, known to me to be the President and Secretary, respectively, of the corporation that executed the foregoing instrument and upon oath, did depose and say that they are acquainted with the seal of the said corporation and that the seal affixed to said instrument is the corporate seal of said corporation; that the signatures to said instrument were made by officers of the said corporation as indicated after said signatures; that the said corporation executed the said

instrument freely and voluntarily and for the uses and purposes
therein mentioned.



A handwritten signature in cursive script, appearing to read "Daniel A. Hudde".

Notary Public
Residing at: Ogden, Utah

My Commission Expires: October 27, 1970

EXHIBIT "A"

(Phase 2)

<u>APARTMENT UNIT NUMBER</u>	<u>LOCATION (Bldg.)</u>	<u>APPROXIMATE AREA IN SQUARE FEET (including basement)</u>	<u>NUMBER OF ROOMS (excluding bath- rooms)</u>	<u>VALUE</u>
29	E	1951	5	\$18,500
30	E	2168	6	20,245
31	E	2190	6	20,245
32	E	2168	6	20,245
33	E	2168	6	20,245
34	E	2190	6	20,245
35	E	2168	6	20,245
36	E	1951	5	19,000
37	F	1951	5	18,500
38	F	2168	6	20,245
39	F	2190	6	20,245
40	F	2168	6	20,245
41	F	2168	6	20,245
42	F	2190	6	20,245
43	F	2168	6	20,245
44	F	2069	6	19,500
45	G	1951	5	18,500
46	G	2168	6	20,245
47	G	2190	6	20,245
48	G	2168	6	20,245
49	G	2190	6	20,245
50	G	2168	6	20,245
51	G	1951	5	18,500
52	H	1951	5	19,500
53	H	1951	5	20,000
54	H	2168	6	20,245
55	H	2190	6	20,245
56	H	2168	6	20,245
57	H	2168	6	20,245
58	H	2190	6	20,245
59	H	2168	6	20,695
60	I	1951	5	19,500
61	I	1951	5	19,500
62	I	2168	6	20,245
63	I	2190	6	20,245
64	I	2168	6	20,245
65	I	2168	6	20,245
66	I	2190	6	20,245
67	I	2168	6	20,245
68	I	2168	6	20,695