

4108691

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS & RESTRICTIONS
OF

EMIGRATION OAKS, A PLANNED UNIT DEVELOPMENT

2000
SALT LAKE COUNTY
JUL 11 4 33 PM '85

THIS AMENDMENT (the "Amendment") is made and entered into this 3rd day of July, 1985, by THE BOYER COMPANY, a Utah general partnership (the "Declarant").

RECITALS:

A. Declarant previously executed and recorded the following:

(i) A Declaration of Covenants, Conditions and Restrictions of Emigration Oaks, a Utah general partnership, dated February 3, 1985 which was recorded April 26, 1985, as Entry No. 4078735, in Book 5648, at Page 2997, of the official records of Salt Lake County, State of Utah (the "Declaration").

(ii) A Plat Map for Emigration Oaks - Phase 1A, recorded April 26, 1985, as Entry No. 4078734, in Book 85-4, at Page 77 of the official records of Salt Lake County, State of Utah (the "Plat").

B. Declarant desires to amend the Declaration in certain respects.

NOW, THEREFORE, in consideration of the foregoing covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant agrees as follows:

1. The following sections of Article I shall be amended as follows:

(a) Section 2 of said Article I shall be amended to read as follows:

2. Articles or Articles of Incorporation shall mean and refer to the instrument entitled "Articles of Incorporation of Pioneer Fork Road Owners Association" which was filed for record in the office of the Utah Lieutenant Governor on June 20, 1985.

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(b) Section 3 of said Article I shall be amended to read as follows:

3. Association shall mean and refer to The Emigration Oaks Owners Association, a Utah nonprofit corporation which is created by the filing of the Articles.

2. In any other place in the Declaration in which the term "The Emigration Oaks Owners Association" is used, the term "Pioneer Fork Road Owners Association" shall be substituted in its stead.

3. When "The Emigration Oaks Owners Association" is used in the Plat, it shall hereafter be understood that the reference is to "Pioneer Fork Road Owners Association."

4. In all other respects the Declaration and Plat are ratified and affirmed.

EXECUTED by Declarant on this 3rd day of July, 1985.

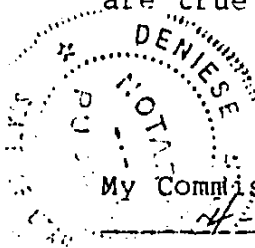
"DECLARANT"

THE BOYER COMPANY,
a Utah general partnership

By [Signature]
Its [Signature]

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

On this 13th day of July, 1985, personally appeared before me A. Roger Payne, who duly acknowledged to me that he executed the foregoing instrument as one of the Partners of THE BOYER COMPANY, a Utah general partnership, and that the statements contained therein are true.



My Commission Expires: 4-28-89

[Signature]
NOTARY PUBLIC
Residing at: Salt Lake City

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EXHIBIT "A"

Real property situate in Salt Lake County, State of Utah and more particularly described as follows:

Lots 1 through 40, inclusive, EMIGRATION OAKS PHASE 1A, a planned unit development, located in the Southwest Quarter of Section 32, Township 1 North, Range 2 East, Salt Lake Base and Meridian, Salt Lake County, State of Utah, according to the official plat thereof, filed in Book "85-4" of Plats at Page 77 of the Official Records of the Salt Lake County Recorder.

TOGETHER WITH a right and easement of use and enjoyment in and to the common areas and facilities as described in and provided for in the Declaration of Covenants, Conditions and Restrictions of Emigration Oaks, a planned unit development, recorded April 26, 1985 as Entry No. 4078735 in Book 5648 at Page 2996 of the Official Records.

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