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 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 REX C BUSH  
 5525 S 900 E STE 345  
 MURRAY UT 84117  
 BY: ZJM, DEPUTY - WI 14 P.

**AMENDMENT TO  
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
 OF  
*The Cottages on Kimball's Lane, a PUD***

This Amendment to Declaration of Covenants, Conditions and Restrictions of The Cottages on Kimball's Lane, a PUD, is made and executed by the Cottages on Kimball's Lane Homeowners Association of 5525 S. 900 E., Suite 345, Murray, Utah 84117 (the "Association").

**RECITALS**

A. The Declaration of Covenants, Conditions and Restrictions of The Cottages on Kimball's Lane, a PUD was recorded in the office of the County Recorder of Salt Lake County, Utah on or about October 4, 1996 as Entry No. 6474782 of the official records (the "Declaration").

B. This document affects the real property located in Salt Lake County, Utah, described with particularity on Exhibit "A," attached hereto and incorporated herein by this reference (the "Property").

C. All of the voting requirements to amend the Declaration have been satisfied.

D. The Association is the managing agent of the Owners of the Property.

E. The Owners desire to delete the earthquake insurance requirement.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the Project and the Owners thereof, the Association hereby executes this Amendment to Declaration of Covenants, Conditions and Restrictions of The Cottages on Kimball's Lane, a PUD, for and on behalf of and for the benefit of all of the Owners.

1. The Declaration generally and in particular Article VIII, Section 2(a) of the Declaration, entitled "Multi-peril Coverage," are hereby modified to remove the requirement that the Association obtain earthquake insurance. The Association is not required to obtain earthquake insurance anything to the contrary notwithstanding.

2. Article VII, Section 2(a) is hereby changed to delete the reference to earthquake insurance as follows:

(a) Multi-peril Coverage. A multi-peril type policy covering the entire Project (including all Living Units, Common Areas and facilities Area). Such policy shall provide coverage against loss or damage by the standard extended coverage endorsement, debris removal, cost of demolition, vandalism, malicious mischief, windstorm, fire, ~~earthquake~~, hailstorm, water damage, and such other risks as customarily are covered with respect to projects similar to this Project in its construction, location, and use. As a minimum, such policy shall provide coverage on a replacement cost basis in an amount not less than that necessary to comply with any co-insurance percentage specified in the policy, but not less than 100% of the full insurable value (based upon current, actual replacement cost). Such policy shall include an "agreed amount endorsement" or its equivalent, a "demolition endorsement" or its equivalent, an "increased cost of construction endorsement" or its equivalent, and a "contingent liability from operation of building laws endorsement" or its equivalent.

3. Article VIII, Section 2(a) of the Declaration, entitled "Multi-peril Coverage," shall now read as follows:

(a) Multi-peril Coverage. A multi-peril type policy covering the entire Project (including all Living Units, Common Areas and facilities Area). Such policy shall provide coverage against loss or damage by the standard extended coverage endorsement, debris removal, cost of demolition, vandalism, malicious mischief, windstorm, fire, hailstorm, water damage, and such other risks as customarily are covered with respect to projects similar to this Project in its construction, location, and use. As a minimum, such policy shall provide coverage on a replacement cost basis in an amount not less than that necessary to comply with any co-insurance percentage specified in the policy, but not less than 100% of the full insurable value (based upon current, actual replacement cost). Such policy shall include an "agreed amount endorsement" or its equivalent, a "demolition endorsement" or its equivalent, an "increased cost of construction endorsement" or its equivalent, and a "contingent liability from operation of building laws endorsement" or its equivalent.

4. It is expressly agreed by the parties that this Amendment is supplemental to the Declaration, which is by reference made a part hereof, and all the terms, conditions, and provisions thereof requiring, directly or indirectly, that the Association obtain earthquake insurance are hereby deleted in their entirety.

5. In the event of any conflict, inconsistency, or incongruity between the provisions

of this Amendment and any of the provisions of the Declaration, the former shall in all respects govern and control.

6. The effective date of this Amendment is the date it is recorded in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the Association has executed this instrument the 27 day of January, 2007.

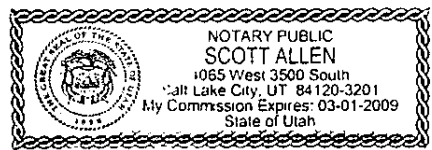
THE COTTAGES ON KIMBALL'S LANE HOMEOWNERS ASSOCIATION

By: LeRoy Pistorius  
Name:  
Title: President

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

On the 27 day of January, 2007, personally appeared before me LEROY PISTORIUS, who by me being duly sworn, did say that s/he is the President of The Cottages at Kimball's Lane Homeowners Association, and that the within and foregoing instrument was signed in behalf of said Association by authority of a resolution of its Board of Directors, and said LeRoy Pistorius duly acknowledged to me that said Association executed the same.

Scott Allen  
NOTARY PUBLIC  
Residing At: SANDY  
Commission Expires: 3/1/09



**Exhibit "A"**  
**LEGAL DESCRIPTION**  
**THE COTTAGES AT KIMBALL'S LANE PUD**

The land described in the foregoing document is located in Salt Lake County, Utah and is described more particularly as follows:

| RXLP COTTAGES ON KIMBALLS LANE PH 1 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
| L                                       |          |         | 1A       | 28-30-127-001-0000 | NO        |
| L                                       |          |         | 1B       | 28-30-127-002-0000 | NO        |
| L                                       |          |         | 2A       | 28-30-127-004-0000 | NO        |
| L                                       |          |         | 2B       | 28-30-127-003-0000 | NO        |
| L                                       |          |         | 3A       | 28-30-127-006-0000 | NO        |
| L                                       |          |         | 3B       | 28-30-127-005-0000 | NO        |
| L                                       |          |         | 4A       | 28-30-126-001-0000 | NO        |
| L                                       |          |         | 4B       | 28-30-126-002-0000 | NO        |
| L                                       |          |         | 5A       | 28-30-126-003-0000 | NO        |
| L                                       |          |         | 5B       | 28-30-126-004-0000 | NO        |
| L                                       |          |         | 6A       | 28-30-127-008-0000 | NO        |
| L                                       |          |         | 6B       | 28-30-127-007-0000 | NO        |
| L                                       |          |         | 7A       | 28-30-126-005-0000 | NO        |
| L                                       |          |         | 7B       | 28-30-126-006-0000 | NO        |
| L                                       |          |         | 8A       | 28-30-126-008-0000 | NO        |
| L                                       |          |         | 8B       | 28-30-126-007-0000 | NO        |
| L                                       |          |         | 9A       | 28-30-126-010-0000 | NO        |
| L                                       |          |         | 9B       | 28-30-126-009-0000 | NO        |
| L                                       |          |         | 10A      | 28-30-127-010-0000 | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 1 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 10A      | 28-30-127-010-0000 | NO        |
|   |          | L       | 10B      | 28-30-127-009-0000 | NO        |
|   |          | L       | AREA     | 28-30-126-011-0000 | YES       |
|   |          | L       | AREA     | 28-30-126-012-0000 | YES       |
|   |          | L       | AREA     | 28-30-126-020-0000 | NO        |

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 2 PUD |          |         |          | BLK, LOT-QUAR      | OBSOLETE? |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      |           |
|   |          | L       | 11A      | 28-30-128-006-0000 | NO        |
|   |          | L       | 11B      | 28-30-128-005-0000 | NO        |
|   |          | L       | 12A      | 28-30-128-004-0000 | NO        |
|   |          | L       | 12B      | 28-30-128-003-0000 | NO        |
|   |          | L       | 13A      | 28-30-128-002-0000 | NO        |
|   |          | L       | 13B      | 28-30-128-001-0000 | NO        |
|   |          | L       | 14A      | 28-30-128-008-0000 | NO        |
|   |          | L       | 14B      | 28-30-128-007-0000 | NO        |
|   |          | L       | 15A      | 28-30-126-013-0000 | NO        |
|   |          | L       | 16A      | 28-30-126-014-0000 | NO        |
|   |          | L       | 16B      | 28-30-126-015-0000 | NO        |
|   |          | L       | 17A      | 28-30-126-017-0000 | NO        |
|   |          | L       | 17B      | 28-30-126-016-0000 | NO        |
|   |          | L       | 18A      | 28-30-126-018-0000 | NO        |
|   |          | L       | 18B      | 28-30-126-019-0000 | NO        |
|   |          | L       | 19A      | 28-30-128-009-0000 | NO        |
|   |          | L       | 19B      | 28-30-128-010-0000 | NO        |
|   |          | L       | 20A      | 28-30-128-011-0000 | NO        |
|   |          | L       | 20B      | 28-30-128-012-0000 | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 2 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 20B      | 28-30-128-012-0000 | NO        |
|   |          | L       | AREA     | 28-30-128-013-0000 | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS



| RXLP COTTAGES ON KIMBALLS LANE PH 3 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 21A      | 28-30-128-014-0000 | NO        |
|   |          | L       | 21B      | 28-30-128-015-0000 | NO        |
|   |          | L       | 22A      | 28-30-128-016-0000 | NO        |
|   |          | L       | 22B      | 28-30-128-017-0000 | NO        |
|   |          | L       | 23A      | 28-30-126-022-0000 | NO        |
|   |          | L       | 23B      | 28-30-126-023-0000 | NO        |
|   |          | L       | 24A      | 28-30-126-025-0000 | NO        |
|   |          | L       | 24B      | 28-30-126-024-0000 | NO        |
|   |          | L       | 25A      | 28-30-126-030-0000 | NO        |
|   |          | L       | 25B      | 28-30-126-031-0000 | NO        |
|   |          | L       | 26A      | 28-30-128-018-0000 | NO        |
|   |          | L       | 26B      | 28-30-128-019-0000 | NO        |
|   |          | L       | 27A      | 28-30-128-020-0000 | NO        |
|   |          | L       | 27B      | 28-30-128-021-0000 | NO        |
|   |          | L       | 28A      | 28-30-128-022-0000 | NO        |
|   |          | L       | 29A      | 28-30-126-032-0000 | NO        |
|   |          | L       | 30A      | 28-30-126-034-0000 | NO        |
|   |          | L       | 30B      | 28-30-126-033-0000 | NO        |
|   |          | L       | 31A      | 28-30-126-026-0000 | NO        |

PF1=VTDI PF5=RKXP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 3 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG,                                  | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 31A      | 28-30-126-026-0000 | NO        |
|   |          | L       | 31B      | 28-30-126-027-0000 | NO        |
|   |          | L       | 32A      | 28-30-126-029-0000 | NO        |
|   |          | L       | 32B      | 28-30-126-028-0000 | NO        |
|   |          | L       | 33A      | 28-30-127-012-0000 | NO        |
|   |          | L       | 33B      | 28-30-127-011-0000 | NO        |
|   |          | L       | 34A      | 28-30-127-014-0000 | NO        |
|   |          | L       | 34B      | 28-30-127-013-0000 | NO        |
|   |          | L       | 35A      | 28-30-127-015-0000 | NO        |
|   |          | L       | 35B      | 28-30-127-016-0000 | NO        |
|   |          | L       | 36A      | 28-30-127-017-0000 | NO        |
|   |          | L       | 36B      | 28-30-127-018-0000 | NO        |
|   |          | L       | 37A      | 28-30-127-019-0000 | NO        |
|   |          | L       | 37B      | 28-30-127-020-0000 | NO        |
|   |          | L       | AREA     | 28-30-126-021-0000 | NO        |

PF1=VTDI PF5=RKXP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 4 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 45A      | 28-30-127-021-0000 | NO        |
|   |          | L       | 45B      | 28-30-127-022-0000 | NO        |
|   |          | L       | 46A      | 28-30-127-023-0000 | NO        |
|   |          | L       | 46B      | 28-30-127-024-0000 | NO        |
|   |          | L       | 47A      | 28-30-127-026-0000 | NO        |
|   |          | L       | 47B      | 28-30-127-025-0000 | NO        |
|   |          | L       | 48A      | 28-30-127-028-0000 | NO        |
|   |          | L       | 48B      | 28-30-127-027-0000 | NO        |
|   |          | L       | 49A      | 28-30-127-030-0000 | NO        |
|   |          | L       | 49B      | 28-30-127-029-0000 | NO        |
|   |          | L       | 50B      | 28-30-127-031-0000 | NO        |
|   |          | L       | AREA     | 28-30-127-032-0000 | NO        |

PF1=VTDI PF5=RXKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD |          |         |          | BLK, LOT-QUAR      |           |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      | OBSOLETE? |
|   |          | L       | 51A      | 28-30-128-031-0000 | NO        |
|   |          | L       | 52A      | 28-30-128-030-0000 | NO        |
|   |          | L       | 52B      | 28-30-128-029-0000 | NO        |
|   |          | L       | 53A      | 28-30-128-028-0000 | NO        |
|   |          | L       | 53B      | 28-30-128-027-0000 | NO        |
|   |          | L       | 54A      | 28-30-128-026-0000 | NO        |
|   |          | L       | 54B      | 28-30-128-025-0000 | NO        |
|   |          | L       | 55A      | 28-30-128-033-0000 | NO        |
|   |          | L       | 55B      | 28-30-128-032-0000 | NO        |
|   |          | L       | 56A      | 28-30-128-034-0000 | NO        |
|   |          | L       | 57C      | 28-30-129-002-0000 | NO        |
|   |          | L       | 57D      | 28-30-129-001-0000 | NO        |
|   |          | L       | 58A      | 28-30-129-006-0000 | NO        |
|   |          | L       | 58B      | 28-30-129-005-0000 | NO        |
|   |          | L       | 59A      | 28-30-129-008-0000 | NO        |
|   |          | L       | 59B      | 28-30-129-007-0000 | NO        |
|   |          | L       | 60A      | 28-30-129-013-0000 | NO        |
|   |          | L       | 61A      | 28-30-129-012-0000 | NO        |
|   |          | L       | 61B      | 28-30-129-011-0000 | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD |          |         |          | BLK, LOT-QUAR      | OBSOLETE? |
|---|----------|---------|----------|--------------------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL NUMBER      |           |
|   |          | L       | 61B      | 28-30-129-011-0000 | NO        |
|   |          | L       | 62A      | 28-30-129-010-0000 | NO        |
|   |          | L       | 62B      | 28-30-129-009-0000 | NO        |
|   |          | L       | 63C      | 28-30-129-004-0000 | NO        |
|   |          | L       | 63D      | 28-30-129-003-0000 | NO        |
|   |          | L       | 64C      | 28-30-128-035-0000 | NO        |
|   |          | L       | 64D      | 28-30-128-036-0000 | NO        |
|   |          | L       | 65C      | 28-30-128-037-0000 | NO        |
|   |          | L       | 65D      | 28-30-128-038-0000 | NO        |
|   |          | L       | 66B      | 28-30-128-039-0000 | NO        |
|   |          | L       | 67C      | 28-30-128-040-0000 | NO        |
|   |          | L       | 67D      | 28-30-128-041-0000 | NO        |
|   |          | L       | 68C      | 28-30-130-003-0000 | NO        |
|   |          | L       | 68D      | 28-30-130-002-0000 | NO        |
|   |          | L       | 69B      | 28-30-130-001-0000 | NO        |
|   |          | L       | 70C      | 28-30-130-005-0000 | NO        |
|   |          | L       | 70D      | 28-30-130-004-0000 | NO        |
|   |          | L       | 71B      | 28-30-130-006-0000 | NO        |
|   |          | L       | 72C      | 28-30-131-003-0000 | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS

| RXLP COTTAGES ON KIMBALLS LANE PH 5 PUD |          |         |          | BLK, LOT-QUAR  |        |           |
|---|----------|---------|----------|----------------|--------|-----------|
| B FLG                                   | BLK/BLDG | IND FLG | LOT/QUAR | PARCEL         | NUMBER | OBSOLETE? |
|   |          | L       | 72C      | 28-30-131-003- | 0000   | NO        |
|   |          | L       | 72D      | 28-30-131-002- | 0000   | NO        |
|   |          | L       | 73B      | 28-30-131-001- | 0000   | NO        |
|   |          | L       | 74B      | 28-30-131-006- | 0000   | NO        |
|   |          | L       | 75C      | 28-30-131-004- | 0000   | NO        |
|   |          | L       | 75D      | 28-30-131-005- | 0000   | NO        |
|   |          | L       | AREA     | 28-30-129-014- | 0000   | NO        |

PF1=VTDI PF5=RKKP PF7=RXAB LIST PF12=PREV ENTER=NEXT CURSOR DOWN AND ENTER=RXPN  
 PF4=RETURN TO RXEN PF10=LAST RECORDS