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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
MCKAY BURTON & THURMAN
170 MAIN ST STE 800
SLC UT 84101
BY: ZJM, DEPUTY - MA 10 P.

When Recorded Return To:
John D. Morris
Jamie L. Nopper
MCKAY, BURTON & THURMAN
170 South Main Street, Suite 800
Salt Lake City, Utah 84101

10 42

**AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
HICKORY RIDGE, A PLANNED DEVELOPMENT**

This Amendment is adopted and recorded by the Board of Trustees for Hickory Ridge Homeowners Association ("the Association").

Recitals

A. The DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HICKORY RIDGE, A PLANNED DEVELOPMENT is recorded in the Salt Lake County Recorder's office as Entry No. 8283001, beginning at Book 8616, Page 5647 ("the Declaration").

B. Currently, the Association is assessed directly by Salt Lake County for county property taxes for certain "open space" lots within the project that are for all purposes common area, but are not designated as such on the plat.

C. The lot owners desire to have the "open space" lots be identified as "common area" within the meaning of the Utah Community Ownership Act, for the purpose of having any property taxes for those parcels be assessed, not to the Association, but to the individual lot owners pursuant to Utah Code Ann. § 17-27a-606(2).

D. In addition, the lot owners desire to amend the Declaration to expressly provide for the right of the Association to fine owners for violations of the governing documents.

E. As evidenced by this instrument, the Board of Trustees has obtained the approval and signatures of at least 70% of the lot owners entitled to vote in order to amend the Declaration, as provided for in section 9.02 of the Declaration.

NOW, THEREFORE, pursuant to the foregoing, the Board of Trustees hereby records this amendment to the Declaration, which shall be effective as of its recording date.

1. Amendment #1. The Declaration is amended by replacing section 1.03 of the Declaration with the following:

“Common Areas” or “Facilities” shall mean and refer to that part of the Property which is not included within the Lots, including all improvements other than utility lines now or hereafter constructed or located thereon, owned or to be owned by the Association for the common use and enjoyment of the Owners.

2. Amendment #2. The Declaration is amended by adding the following provision in Article III as section 3.04 and renumbering the other sections in that Article accordingly:

Changes to Plat. The Association may adopt an amended Plat, supplemental Plat, or correction to the Plat upon the vote of 70% of the Owners entitled to vote. If such a vote is obtained, any member of the Board of Trustees may sign the Plat on behalf of the Association. Provided that 70% of the Owners have approved said Plat by vote, all Owners shall, as necessary or required, sign, consent to, and execute any further documents required for the finalization, recording, and/or governmental approval of any such document regardless of whether they approved of or consented to the change in the Plat. The Board of Trustees is appointed and hereby authorized by the Owners to execute the Owners’ names, as necessary, on such an amendment in the event that an Owner does not sign, consent to, or execute the required documents within a reasonable time of any request. The Board of Trustees may enforce any failure to comply with this provision through fines, lawsuits for mandatory injunctive or declaratory relief, and any other enforcement mechanism provided for in this Declaration or the Rules of the Association.

3. Amendment #3. The Declaration is amended by deleting in its entirety Article X (Miscellaneous).

4. Amendment #4. The Declaration is amended by adding the following as section 9.07:

Power to Impose Fines. The Association, through its Board of Trustees, shall have the power and authority to impose fines against Owners for violations of the Declaration, the Bylaws, and any rules and regulations.

5. Conflicts. All remaining provisions of the Declaration not specifically amended in this Amendment shall remain in full force and effect. In the case of any conflict between the provisions of this document and the provisions of the Declaration or any prior amendments, the provisions of this document shall in all respects govern and control.

6. Incorporation and Supplementation of Declaration. This document is supplemental to the Declaration, which by reference is made a part hereof, and all the terms, definitions, covenants, conditions, restrictions, and provisions thereof, unless specifically modified herein, are to apply to this document and are made a part hereof as though they were expressly rewritten, incorporated, and included herein.

IN WITNESS THEREOF, the undersigned hereby affirms that this instrument is signed by not less than seventy percent (70%) of the Lot Owners entitled to vote, as provided for in section 9.02 of the Declaration, and that this **AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HICKORY RIDGE, A PLANNED DEVELOPMENT** is hereby executed this 23 day of July, 2010.

President of the Association



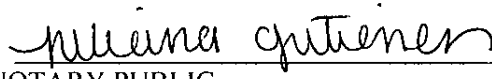
(Signature)

Cassandra Ostler

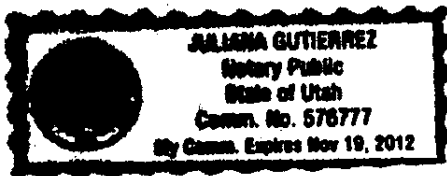
(Print)

STATE OF UTAH)
 : ss.
COUNTY OF Salt Lake)

On the 23 day of July, 2010, personally appeared before me Juliana Gutierrez, the signer of the foregoing **AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HICKORY RIDGE, A PLANNED DEVELOPMENT**, who duly acknowledged to me that he or she executed the same.



NOTARY PUBLIC



INDIVIDUAL LOT OWNER SIGNATURES

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 12822 S. Hickory Ridge Lane, Draper, UT 84020

David P. Shum
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 12757 S Hickory Ridge Draper ut 84020

David D. Duffol
Signature of Owner

Heidi M. Duffol
Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 12856 S Ellsbeck Ln.

Mike Duffol
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 1873 Hickory Ridge Ct

B. Smith
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 1858 HICKORY RIDGE CT.

[Signature]
Signature of Owner
HARRISON

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: (VASELS) HICKORY RIDGE CT. (1865)

[Signature]
Signature of Owner
HARRISON

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 12982 Hickory Knobs CTR
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: Lot 20 12968 Hickory Knobs CTR
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: Lot 35
DK Management, LLC
by: David C. Clark, Mgr.
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: 18163 W. Hickory Ridge Ct.
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: 12864 Hickory Ridge Ln
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: 12883 S. Hickory Ridge Lane
lot #27
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

Address: 12788 S. Hickory Ridge Ln #33
Signature of Owner [Signature] Signature of Co-Owner (if any) [Signature] Signature of Co-Owner (if any) [Signature]

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 12946 Hickory Knolls Court

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 12769 Hickory Ridge Ln

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 12882 S. Ellerbeck Ln

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

* HOA
President

Address: 12803 S. Ellerbeck Ln

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 1886 Hickory Ridge Ct. Lot 12

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 1883 Hickory Ridge Ct Lot 3

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

Address: 1876 East Hickory Ridge Ct Lot 11

[Signature]
Signature of Owner

Signature of Co-Owner (if any)

Signature of Co-Owner (if any)

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 12853 South Hickory Ridge Lane Lot #26
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: 12836 S. Hickory Ridge Lane
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: 1893 Hickory Ridge CT
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: 12891 Ellerbeck Lane
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: 12868 ELLERBECK
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: 12830 Ellerbeck Lane
Signature of Owner [Signature] Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

Address: _____
Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any) _____

INDIVIDUAL LOT OWNER SIGNATURES

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 12982 Hickory Knolls CTR LOT 22421

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

Address: 12968 Hickory Knolls CTR LOT 20

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

Address: 12982 Hickory Knolls CTR LOT 22

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

Address: 1909 E Hickory Ridge CT LOT 1

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

Address: 12849 Ellenbeck Ln

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

Address: 1864 Hickory Ridge Ct Lot 9

[Signature] Signature of Owner _____ Signature of Co-Owner (if any) _____ Signature of Co-Owner (if any)

INDIVIDUAL LOT OWNER SIGNATURES

By signing this document, I hereby certify that my name is as follows, that I am the/an owner of a Lot at the address designated below and a member of the Hickory Ridge Homeowners Association, and that I approve of the proposed amendments as set forth above.

Address: 1855 E. HICKORY RIDGE CT. LOT #7

[Signature] _____
Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Address: 1868 Hickory Ridge Ct. Lot #10

[Signature] _____
Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Address: _____

Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Address: _____

Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Address: _____

Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Address: _____

Signature of Owner Signature of Co-Owner (if any) Signature of Co-Owner (if any)

Lot/Quar	Parcel Number	Lot/Quar	Parcel Number
A	28-33-276-014-0000	20	28-33-276-007-0000
B	28-33-276-017-0000	21	28-33-276-008-0000
C	28-33-276-015-0000	22	28-33-276-009-0000
C	28-33-276-016-0000	23	28-33-277-014-0000
D	28-33-255-015-0000	24	28-33-277-013-0000
1	28-33-255-008-0000	25	28-33-277-012-0000
2	28-33-255-009-0000	26	28-33-276-013-0000
3	28-33-255-010-0000	27	28-33-276-012-0000
4	28-33-255-011-0000	28	28-33-276-011-0000
5	28-33-255-012-0000	29	28-33-276-010-0000
6	28-33-255-013-0000	30	28-33-228-004-0000
7	28-33-255-014-0000	31	28-33-228-003-0000
8	28-33-255-016-0000	32	28-33-228-002-0000
9	28-33-255-020-0000	33	28-33-277-007-0000
10	28-33-255-019-0000	34	28-33-277-008-0000
11	28-33-255-018-0000	35	28-33-277-009-0000
12	28-33-255-017-0000	36	28-33-277-010-0000
13	28-33-255-021-0000	37	28-33-277-011-0000
14	28-33-255-022-0000	38	28-33-277-001-0000
15	28-33-255-023-0000	39	28-33-277-002-0000
16	28-33-255-024-0000	40	28-33-277-003-0000
17	28-33-255-025-0000	41	28-33-277-004-0000
18	28-33-276-005-0000	42	28-33-277-005-0000
19	28-33-276-006-0000	43	28-33-277-006-0000