

Articles of Amendment
to the
Declaration of Covenants, Conditions and Restrictions and Reservation of Easements
for the
Mountain Air Estates Subdivision

THIS DECLARATION is made this second day of December, 1996, by UPPER PHILLIPS DEVELOPMENT CO., LC, a Utah Limited Liability Company ("Declarant").

RECITALS

A. Declarant is the owner of that certain property located in Hobble Creek Canyon, County of Utah, State of Utah and more particularly described on that Subdivision Map recorded previously on September 12, 1995 at the office of the recorder of Utah County, State of Utah.

B. Pursuant to that general plan set forth in that Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for the Mountain Air Estates Subdivision recorded previously on _____, 1995 at the office of the recorder of Utah County, State of Utah, Declarant hereby causes the following amendments to be effected:

In the Preamble section on page three, the second paragraph shall be amended to read: NOW THEREFORE, Declarant shall consummate the incorporation of the Association within thirty (30) days after the closing of the eleventh (11th) Lot.

Article X. Use Restrictions

Section 2: The second paragraph which states that "Log home construction shall not be permitted" shall be changed to read: "Log home construction shall be permitted with the condition that the home owner agrees to either treat (spray) the exterior log surface a minimum of at least every four years to protect the logs against deterioration of appearance due to weather or the homeowner shall finish said log home with a semi-transparent stain.

Section 8: Shall be amended to include the following: "Propane tanks shall be buried by the homeowner at the time of construction of their residence or covered from view by a landscape or fencing system approved by the Committee."

Section 16: Shall be amended to delete: "the size of which may not exceed an area covering more than one-fourth (1/4) acres."

Executed at Provo, Utah on this 2nd day of December, 1996.

Tracy MacDonald
Tracy MacDonald, Declarant

STATE OF UTAH)
: ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 2nd day of December, 1996,
by Tracy MacDonald.

Lonny T. Brown
Notary Public

