

12-72-1 Huru 15

E 128522 B 0560 P 0476  
Date 25-MAR-1999 16:19pm  
Fee: 28.00 Cash  
CALLEEN B. PESHELL, Recorder  
Filed By DAP  
For G & S INVESTMENTS LC  
TOOELE COUNTY CORPORATION

## **FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS OF COUNTRY HAVEN CONDOMINIUMS**

**THIS FIRST AMENDMENT** to the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of Country Haven Condominiums is executed this 17 day of February, 1999, by **G & S Investments, LC**, a Utah limited liability company (the "Declarant").

### **R E C I T A L S**

A. On January 26th, 1998, the Declarant executed the Declaration of Covenants and Reservation of Easements, Conditions and Restrictions of Country Haven Condominiums (the "Declaration").

B. On May 5, 1998, the Declaration was recorded in Book 504, at Page 726, and as Entry No. 111073, in office of the Recorder in and for Tooele County, Utah.

C. No Unit has been sold by Declarant, who remains the owner of the Project to the extent shown in the Plat.

D. Declarant is desirous of making certain changes in the Declaration for the purpose of resolving matters which have come to its attention, and to more accurately set forth the rights and obligations of the Owners, Association, Mortgagees, and other parties involved in the Project.

### **A M E N D M E N T**

**NOW, THEREFORE**, based upon the foregoing Recitals, the Declarant hereby amends the Declaration, effective to the extent possible, retroactively to the date upon which the Declaration was recorded in the office of the Recorder in and for Tooele County, Utah, in the following respects:

1. Capitalized terms in this First Amendment shall have the same meaning as defined in Article I of the Declaration. Notwithstanding the foregoing, each of such terms is hereby amended to the extent necessary in order to incorporate the modifications to the Declaration set forth in this First Amendment.

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2. The legal description of the Property, as set forth in Article II of the Declaration, which is located in Tooele County, Utah, is hereby amended and restated to read as follows:

Beginning at a point on the East right-of-way line of Quirk Street, said point being North 99.64 feet from the Northwest corner of the William Burton Claim, which point is described as being North 21.45 chains from the Southwest corner of Block 38, Grantsville City Survey, Grantsville City, Utah. Said point of beginning can be more particularly described as lying South 89°47'07" West 2490.89 feet along the East-West Center of Section line from the East Quarter corner of Section 31, and South 1325.65 feet from the East Quarter of Section 31, Township 2 South, Range 5 West, Salt Lake Base and Meridian; and traversing thence North 66.00 feet along said Quirk Street to the Southwest corner of the Estrada property, thence leaving said Quirk Street East 100.00 feet along said Estrada property to the Southeast corner of said property, thence North 100.00 feet along said property to the Northeast corner of said property, said point also being a point on the South property line of the Jack Riding property, thence leaving the Estrada property East 150.00 feet along the Jack Riding property to the Southeast corner of said property, thence North 100.00 feet along said property to the Northeast corner of said property, said point also being the Southwest corner of the Lawrence Brothers, Inc. property, thence leaving the Jack Riding property East 243.68 feet along said property to the Southeast corner of said property, thence leaving said property, South 34°43'42" West 156.91 feet; thence South 09°57'26" East 70.00 feet; thence South 80°02'34" West 94.51 feet; thence South 03°32'19" East 151.68 feet to a point on the North line of Castagno property, thence West 232.67 feet along said Castagno property and also along the Cowan property and the Hulet property to the Southeast corner of the Thomas property, thence leaving said properties North 99.64 feet along said Thomas property to the Northeast corner of said property, thence West 100.00 feet along said Thomas property to the Northwest corner of said property, said point also being a point on the East line of Quirk Street and the point of beginning. Contains 96.928 acre feet or 2.23 acres, more or less.

3. Article VI of the Declaration is amended by the addition of paragraph (5) thereto, to read as follows:

5. Maintenance of Roadways. The Declarant reserves the right to dedicate the roadways located within the Property to the City of Grantsville, at such time as the Declarant may determine. Until the roadways are dedicated to the City, the roadways shall be maintained by the Declarant, who shall be responsible, at its sole expense, for snow removal and repairs. Notwithstanding the foregoing, at any time prior to the dedication of the roadways to the City, the Declarant may assign the right and obligations contained in this paragraph to its grantee(s) of property now owned by Declarant and lying east of and adjacent to the Property.

4. The Declarant hereby ratifies all provisions contained in the Declaration which are not amended by the provisions of this First Amendment.

SIGNED the day and year first above written.

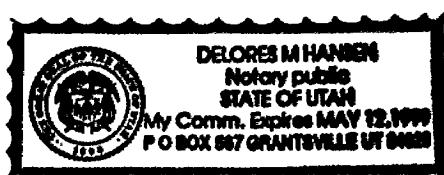
**G & S INVESTMENTS, LC**, a Utah limited liability company

By: Garry L. Bolinder  
Co-Manager

STATE OF UTAH

County of Tooele

On this 17 <sup>th</sup> day of February, 1999, personally appeared before me Garry L. Bolinder, who being first duly sworn, did say that he is the person who signed the foregoing instrument, and that he signed the same in his capacity as co-Manager of G & S Investments, LC, pursuant to authority granted him.



Deores M. Hansen  
Notary Public  
Residing at:

My Commission expires: May 12, 1999

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