

After recording mail to:

RICHARDS LAW, PC  
4141 S. Highland Drive, Ste. 225  
Salt Lake City, UT 84124

**AMENDMENT TO THE  
SECOND AMENDED AND RESTATED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF CAPRI PARK HOME OWNERS ASSOCIATION**

- A. Certain real property in Salt Lake County, State of Utah, known as Capri Park Homes, was subjected to certain covenants, conditions, and restrictions pursuant to the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions of Capri Park Home Owners Association (“Declaration”) recorded on April 30, 2020, as Entry Number 13258243, in the Recorder’s Office for Salt Lake County, Utah.
- B. This amendment shall be binding against the property described in the Declaration and further described herein as **Exhibit A**.
- C. Capri Park Home Owners Association, Inc., (the “Association”) deems it in the best interest of the owners comply with the new Freddie Mac financing and lending guidelines dated June 2021 as it relates to the mortgaging and financing of Units within the project.
- D. Pursuant to Article XI, Section 11.3 of the Declaration, this amendment is necessary to comply with regulatory or lending guidelines or restriction in order to facilitate the ability to secure financing for the sale of Units, and approval of owners is not required to adopt this Amendment.
- E. Pursuant to Article XI, Section 11.3 of the Declaration, the undersigned agent of the Association hereby certifies that the requirements to amend the Declaration have been satisfied to adopt this Amendment.

**NOW THEREFORE**, the Association hereby amends Article XII of the Declaration is hereby added as follows:

***12.3 Amendments Affecting First-Lien Mortgages***

Amendments of this Declaration or any other governing document of the Association which are materially averse to first-lien mortgagees must be agreed to by mortgagees that represent at least 51% of the unit votes (one vote for each first-lien mortgage owned) subject to the first-lien mortgages.

**12.4 Termination of the Project or Use of Insurance Proceeds**

Any action to terminate the legal status of the project or the Association, or to use insurance proceeds for any purpose other than to rebuild must be agreed to by first-lien mortgagees that represent at least 51% of the unit votes (one vote for each first-lien mortgage owned) that are subject to first-lien mortgages.

IN WITNESS WHEREOF, the CAPRI PARK HOME OWNERS ASSOCIATION, INC. has executed this Amendment to the Declaration as of the 20th day of July, 2021.

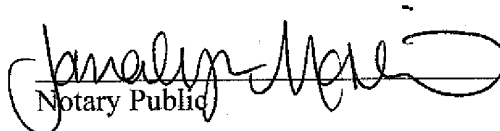
**CAPRI PARK HOME OWNERS ASSOCIATION, INC.**

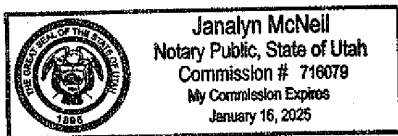
Sign: \_\_\_\_\_

John D. Richards, Esq.  
Attorney/Agent of the Association

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

On the 20th day of July 2021, personally appeared before me John D. Richards who being by me duly sworn did that say that they are the President of the Association and that said instrument was signed in behalf of said Association by authority of its Board of Trustees, and acknowledged said instrument to be their voluntary act and deed.

  
Notary Public



**EXHIBIT A**

Legal Description

BEGINNING AT THE NORTHEAST CORNER OF LOT 14, BLOCK 20, TEN ACRE PLAT A, BIG FIELD SURVEY AND A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 900 EAST STREET RUNNING THENCE SOUTH 00°11'03" WEST 57.57 FEET ALONG SAID RIGHT OF WAY LINE OF 900 EAST STREET; THENCE SOUTH 89°58'47" WEST 300.00 FEET; THENCE SOUTH 00°11'03" WEST 805.86 FEET TO THE NORTH LINE OF 3685 SOUTH STREET; THENCE NORTH 89°59'45" WEST 464.90 FEET ALONG THE NORTH LINE OF SAID 3685 SOUTH STREET; THENCE NORTH 00°11'21" EAST 575.48 FEET; THENCE SOUTH 89°59'13" WEST 305.94 FEET; THENCE NORTH 00°11'29" EAST 287.69 FEET; THENCE NORTH 89°58'42" EAST 305.93 FEET; THENCE NORTH 00°11'21" EAST 282.75 FEET; THENCE NORTH 89°58'10" EAST 562.92 FEET; THENCE SOUTH 00°11'12" WEST 167.79 FEET; THENCE NORTH 89°58'30" EAST 19.52 FEET; THENCE SOUTH 00°11'07" WEST 47.11 FEET; THENCE NORTH 89°58'36" EAST 5.31 FEET; THENCE SOUTH 00°11'12" WEST 65.53 FEET; THENCE NORTH 89°58'50" EAST 177.06 (177.00 REC) FEET; THENCE SOUTH 00°11'03" WEST 2.40 (2.43 REC) FEET TO THE POINT OF BEGINNING.

CONTAINING 668,838 SQ FT OR 15.354 ACRES MORE OR LESS.