

AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS, AND  
RESTRICTIONS OF  
PROSPECTOR SQUARE SUBDIVISION  
A PLANNED COMMERCIAL DEVELOPMENT  
PARK CITY, SUMMIT COUNTY, UTAH

FIRST: Article I, sections 2 and 4 of the Declaration of Covenants, Conditions and Restrictions of Prospector Square Subdivision, filed with the office of the Recorder of Summit County, Utah, is hereby amended by deleting said sections and substituting therefore the following sections 2 and 4, which shall provide:

2. Plat shall mean and refer to the Amended Plat of Prospector Square Subdivision, executed and acknowledged by developer on the 5th day of December, 1974, prepared and certified to by M. Carl Larsen (a duly registered Utah Land Surveyor holding Certificate No. 2970) and filed with the office of the Recorder of Summit County, Utah, on December 26, 1974, Entry No. 125443.
  
4. Lot shall mean and refer to any of the 83 separately numbered parcels of land shown on the plat.

SECOND: Article V of the Declaration of Covenants, Conditions and Restrictions of Prospector Square Subdivision, filed with the office of the Recorder of Summit County, Utah, is amended by adding thereto a section 4, which shall provide as follows:

4. Exemption. Owners of lots 41 through 44 of the Prospector Square Subdivision, as set forth on the plat, shall have no right or easement of use and enjoyment in or to the parking areas of the Subdivision as designated on the Plat, and the owners of said lots 41 through 44 shall not cast votes, or be counted for the purpose of determining the presence of a quorum, with respect to the dedication or transfer of any common areas, as provided in Section 3 (b) of this Article.

THIRD: Article VI of the Declaration of Covenants, Conditions and Restrictions of Prospector Square Subdivision, filed with the office of the Recorder of Summit County, Utah, is amended by adding thereto a section 9, which shall provide as follows:

9. Exemption. Owners of lots 41 through 44 of the Prospector Square Subdivision, as set forth on the plat, shall be exempt from any and all assessments, including, but not limited to, special assessments and monthly assessment dues, promulgated and/or levied by the Association under the terms of this Article VI; and the owners of said lots 41 through 44 shall have no obligation or duty to pay such assessment, and said lots shall not be subject to a lien as and for such assessments. The owners of

See Second Amendment # 168756 Bk M156 p. 74-81

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INDEXED: \_\_\_\_\_  
 GRANTOR: \_\_\_\_\_  
 GRANTEE: \_\_\_\_\_  
 RELEASED: \_\_\_\_\_  
 ABSTRACTED: \_\_\_\_\_  
 STAMPED: \_\_\_\_\_

EXHIBIT "A"

Entry No.	138572		Book	M.95
RECORDED	6-22-77	4:30 P.M.	Page	763
REQUEST of	Summit Co. Title			
BY	WANDA Y. SPRIGGS, SUMMIT CO. RECORDER			
\$	5.00	By	Wanda Y. Spriggs	
INDEXED	_____	ABSTRACT	_____	

said lots 41 through 44 shall not cast votes, or be counted for the purpose of determining the presence of a quorum, with respect to the levy of any special assessment provided in section 3 above, or with respect to the promulgation or levying of any other assessment from which said lots and lot owners are exempt as provided in this section 9.

FOURTH: Article VIII of said Declaration of Covenants, Conditions and Restrictions of Prospector Square Subdivision, filed with the office of the Recorder of Summit County, Utah, is hereby amended by adding thereto a section 12, which shall provide as follows:

- 12. Additional Parking. Owners of lots 41 through 44 of the Subdivision shall have no right or easement of use or enjoyment of the parking areas, as designated on the plat; and owners of said lots shall provide such additional parking areas and facilities for said lots as may be required by any zoning statute or ordinance adopted by any governmental body or agency having jurisdiction over the Subdivision. Common areas shall not be included in determining if said lot owners have complied with such requirements.

Effective Date. This Declaration and any amendment hereof shall take effect upon its being filed for record in the office of the County Recorder of Summit County, Utah.

EXECUTED the day and year first above written.

"Developer":

MURRAY FIRST THRIFT and LOAN CO.  
A Utah Corporation

BY: *Edward Vetter*  
Its President

ATTEST:

*Dean G. Christensen*  
Dean G. Christensen  
Secretary

STATE OF UTAH )  
 )ss  
COUNTY OF SALT LAKE )

On this 10<sup>th</sup> day of Mar, 1977, personally appeared before me *Edward Vetter* and *Dean G. Christensen*, who being by me duly sworn, did say that they are the President and Secretary, respectively, of Murray First Thrift & Loan Co., a Utah Corporation, and that the foregoing Declaration of Covenants, Conditions, and Restrictions of the Prospector Square Subdivision, a Planned Commercial Development, was signed on behalf of said corporation by authority of its By-Laws or a resolution of its Board of Directors, and said *Edward Vetter* and *Dean G. Christensen* acknowledged to me that said Corporation executed the same.

*James M. [Signature]*  
Notary Public

My Commission Expires: 7/11/77 Residing at: Summit County

EXHIBIT "A"

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