

AMENDMENT TO
DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS

CHIPMAN VILLAGE

A Planned Unit Development (Expandable)

American Fork, Utah County, Utah

THIS AMENDMENT is made this 18 day of February, 1998 by G.A.R. Medical Management, Inc. (the "Declarant"), in its capacity as the owner and developer of Chipman Village, an expandable Planned Unit Development, American Fork, Utah (the "Development").

This Amendment is made pursuant to authority granted in Article IV, Paragraph 4.15 of the Declaration. Declarant hereby certifies that fewer than 90 percent of the Percentage Interest of the project have been sold.

This Amendment does and shall consist of the below written paragraphs which shall fully replace the paragraphs identified by the same Article and Paragraph numbers in the Declaration and the effective date hereof shall relate back to the original date of filing of the Declaration hereby amended.

ARTICLE I

PURPOSE AND EFFECTUATION

1.02 Effectiveness. From and after the effective date hereof: (a) Each part of the Development and each Lot and improvement constructed thereon lying within the boundaries of the Development shall constitute but constituent parts of a single Planned Unit Development; (b) The Development shall consist of the Lots and of any Common Areas which are described and depicted on the Plat or Plats, together with such additional Lots and Common Areas as may come into existence pursuant to the provisions relating to annexation or expansion of the Development; (c) The Declaration for the Development shall consist of this document as the same may be modified, amended, supplemented, or expanded in accordance with the provisions hereof; and (d) The Plat of the Development shall consist of the instruments which are identified as Plat "A", Plat "B" and Plat "C" Chipman Village, A Planned Unit Development, American Fork, Utah, and filed for record concurrently herewith, in the instance of Plat "A" and subsequent hereto in the instance of Plat "B" and in the instance of Plat "C" in the office of the Utah County Recorder, Provo, Utah, as the same may be amended, and any subsequent plats which may be filed for record pursuant to the provisions hereof relating to annexation or expansion of the

Development. In the event of any variation between Plat "A", Plat "B" and Plat "C" in describing lots, common areas, roads, improvements, or anything else, including lot number designations, Plat "C" shall prevail.

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ARTICLE II

DEFINITIONS

2.11 Plat shall mean and refer to the subdivision plat covering the Property entitled Plat "A", Plat "B" and Plat "C" Chipman Village Planned Unit Development, American Fork City, Utah County, Utah, prepared and certified to by Arthur F. Jueschke (a duly registered Utah Land Surveyor holding Certificate No. 145812), executed and acknowledged by Declarant, accepted by American Fork City, and filed for record in the office of the County Recorder of Utah County, Utah concurrently with this Declaration, together with Plat "B" and Plat "C", Chipman Village, A Planned Unit Development, American Fork, Utah, subsequently so filed. Such term shall also include any subdivision plat or plats pertaining to any portion of the Additional Land as and when the same is annexed and added to the Development pursuant to the annexation provisions of Article III of this Declaration.

ARTICLE III

SUBMISSION

Declarant hereby submits to the provisions of the Utah Condominium Ownership Act (hereinafter "the Act") the real property situated in the city of American Fork, Utah County, State of Utah described in Exhibit A to this Declaration, together with the land described in Plat "B", together with the land described in Plat "C", Chipman Village, A Planned Unit Development, as recorded in the office of the Utah County Recorder and incorporated herein as if here set forth in full.

ARTICLE IV

COVENANTS, CONDITIONS AND RESTRICTIONS

4.01 Description of Improvements. The improvements included in the Project are now or will be located on the tract of real property described in Article II hereof, and all such improvements are described in the Map. The Development shall consist of 28 Lots. All lots shall consist of one unit each.

Improvements on each Lot shall be as follows:

(a) Lot 1. A single story bungalow style single family residence that has been restored and placed on the National Historic Register. This Unit has approximately 1700 square feet finished on the main floor and approximately 1000 square feet on unfinished area in the basement. It has an attached trellis type single car carport. The home is an adobe, frame, brick, stucco

exterior structure.

(b) Lots 2 thru 7. Single story bungalow style zero lot line twin home. Each Unit to be approximately 1190 square feet. Each unit to have an attached single car garage and attached enclosed storage area. There shall be three of this type building with two units per building for a total of six units. Construction shall be frame and stucco exterior construction slab on grade floors with no basements.

(c) Lots 8 and 9 and 11 through 28. Single story or two story bungalow style zero lot line twin home. Each Unit to be approximately 1190 square feet. Each unit to have an attached single car garage and attached enclosed storage area. There shall be nine of this type building with two units per building for a total of eighteen units. Construction shall be frame and stucco exterior construction slab on grade floors with no basements.

(d) Lot 10. A single family home with approximately 1400 square feet finished on the main floor and 1000 square feet finished in the basement. It has no attached or out buildings. Its structure is frame and brick.

(e) Common area. Additional parking for recreational vehicles and additional automobiles. Restricted to use by owners of Units within this Development. Restricted to parking of residence extra car or recreational vehicle only and not for prolonged parking of deserted or non-used vehicles nor for the maintenance of vehicles. Each of the Units comprising a part of this Development shall have an undivided interest in this common area equal to its Percentage Interest in the total area of the Units of this Development.

4.12 Use of Units and Common Areas.

(a) Each of the Units in the Project numbered 2 through 9 and 11 through 28 is intended to be used for single family residential housing and is restricted to such use. To this end, residents of these Units must be Adults without children residing with them. Temporary residence by additional family members of unrestricted age not lasting for more than six months during any calendar year shall not be deemed to violate this restriction.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has caused this instrument to be executed and its seal to be affixed hereto on the 18 day of February, 1998.

G.A.R. Medical Management, Inc.

By: 
Daniel L. Richards, President

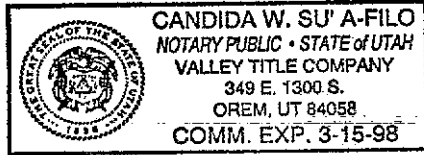
Attest:

 Secretary

STATE OF UTAH)

COUNTY OF UTAH) :SS.

On this 18th day of February, 1998, personally appeared before me Daniel L. Richards and Charice Richards who being by me duly sworn, did say that they are the President and Secretary, respectively, of G.A.R. Medical Management, Inc., a Utah Corporation, and that the foregoing instrument was signed by them in behalf of said corporation by authority of a resolution of its Board of Directors and they each duly acknowledged to me that the said Corporation executed the same.



Candida W. Su' A-Filo
Notary

36954-93
36953-93

RAYMOND E. DUNNIE
40664-79
1785/340

MARILYN
37167-8
LORIE
WILLIAM M.
27-...

EXHIBIT "A"

S.P.L.A. & S.L. RAILROAD

JANICE HALLES LAY
KLEO P. HALLES, JR.
31965-88 2551/452

DAV
36253-96
176.95

EMT 16528 BK 4534 PG 422

CHIPMAN VILLAGE PLAT "C"

CHIPMAN VILLAGE "B"

CHIPMAN VILLAGE "A"

330 EAST STREET

30 NORTH

62037-97
36-721-PCL
7193 ARM 84

79087-95
36-618-PCL
6350 ARM 76

part
CHIPMAN
VILLAGE "C"
3
62037-97
36-721-PCL
7193 ARM 84

LESLIE RAY
ROBINSON
ETUX JT
54782-95
3749/41

LESLIE RAY
ROBINSON ETUX JT.
9730-84 2126/283