

**AFTER RECORDING PLEASE MAIL ORIGINAL COPIES TO:**  
CHERRY MEADOWS HOMEOWNERS ASSOCIATION  
C/O Robert C. Miller of Symphony Development Corp.  
526 North 400 West  
North Salt Lake, UT 84054

E 1890132 B 3335 P 2524  
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER  
2003 JUL 18 4:52 PM FEE 62.00 DES JC  
REC'D FOR BONNEVILLE TITLE COMPANY, INC

5M-257

**FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS, AGREEMENTS & RESTRICTIONS  
OF  
CHERRY MEADOWS SUBDIVISION**

This First Amendment to Declaration of Covenants, Conditions, Agreements and Restrictions of Cherry Meadows Subdivision is made and executed effective as of the 24th day of March, 2003 by the Board of Directors of the Cherry Meadows Homeowners Association, a Utah Nonprofit Corporation.

I. PROPERTY DESCRIPTION: All lots subdivided within Cherry Meadows Subdivision which include, but are not limited to: Lots 101 through 151, inclusive, and Open Space, of Cherry Meadows Subdivision, situated in the City of Layton, in the County of Davis, in the State of Utah, according to the official plat thereof.

09-297-0101 thru -0151 & -0152

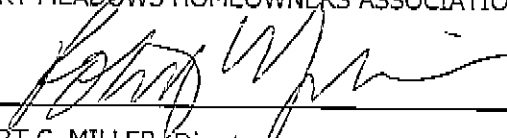
WHEREAS: The Declaration of Covenants, Conditions, Agreements and Restrictions of Cherry Meadows Subdivision ("Declaration") was recorded with Davis County February 10, 2000, as Entry No. 1574580, in Book 2614, Pages 193 through 205; and


WHEREAS: The Board of Directors and the required quorum of more than 75% of the owners met on March 24, 2003, and a proposal was made and a vote was taken by the members of the Association to exclude lots 101 & 102 from application of the Declaration and from membership in the Cherry Meadows Homeowners Association in perpetuity, effective immediately, and to amend the Declaration to reflect the vote of the Association.

THEREFORE, the Declaration is hereby Amended as follows:

- A. Lots 101 & <sup>102</sup>~~192~~ shall be released from application of the Declaration and have neither rights to nor responsibility under the Declaration or membership in the Homeowners Association.
- B. Except as expressly modified herein, the Declaration shall remain in full force and effect.

CHERRY MEADOWS HOMEOWNERS ASSOCIATION

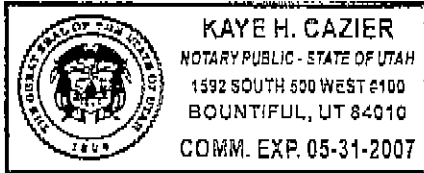
By:   
ROBERT C. MILLER, Director

By:   
ELLIOTT B. SMITH, Director

For Accommodation Only  
NOT EXAMINED

For Accommodation Only  
NOT EXAMINED

On the 17 day of July, 2003, personally appeared before me ROBERT C. MILLER, who being by me duly sworn did represent to me that he is a Director of the Cherry Meadows Homeowners Association, and that he signed the foregoing instrument by proper authority, in his capacity as director of said Non-profit Corporation, and the said ROBERT C. MILLER, duly acknowledged to me that said corporation executed the same.

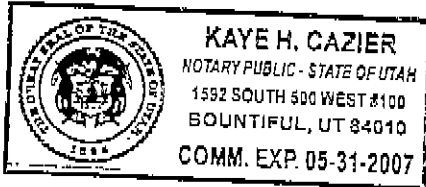


Signed: Kaye H Cazier NOTARY PUBLIC

Residing at Kaysville, UT

My commission expires 5-31-07

On the 17 day of July, 2003, personally appeared before me ELLIOTT B. SMITH, who being by me duly sworn did represent to me that he is a Director of the Cherry Meadows Homeowners Association, and that he signed the foregoing instrument by proper authority, in his capacity as director of said Non-profit Corporation, and the said ROBERT C. MILLER, duly acknowledged to me that said corporation executed the same.



Signed: Kaye H Cazier NOTARY PUBLIC

Residing at Kaysville, UT

My commission expires 5-31-07