

**AMENDMENT TO DECLARATION  
OF  
COVENANTS CONDITIONS & RESTRICTIONS  
OF  
BLACKHAWK TOWNHOUSES**

This amendment is made and executed on the 9<sup>TH</sup> day of January, 2003, by the Blackhawk Townhouses Management Committee.

**RECITALS**

WHEREAS, Blackhawk Townhouses is a Utah Condominium created by the Declaration of Covenants, Conditions & Restrictions of Blackhawk Townhouses ("Declaration") recorded December 2, 1997, in book 1849, beginning at page 2403, in the records of Weber County, Utah, and the real property subject to this Amendment is described in Exhibit "A", attached; and

WHEREAS, it has been determined that a portion of the common property (described in Exhibit "B", attached) which is on the north side of 2300 North Street could be sold without impacting the value of the remaining common area; and

WHEREAS, Blackhawk Townhouses desires to amend the original Declaration Establishing a Condominium Project in order to provide for the sale of a portion of the common property described in Exhibit B; and

WHEREAS, pursuant to paragraph 11(a)(4) of the Declaration, the Owner's Association has the "power and authority to convey or transfer any interest in real property, so long as a majority vote of the members of the Association" has been obtained.

THEREFORE, the Association and the unit owners therein hereby amend the Declaration as follows:

**AMENDMENT**

1. The property described in Exhibit B, attached hereto, which is part of the Blackhawk common area, is approved for sale by the Management Committee at the price and on the terms determined by the Management Committee.
2. Upon the completion of the sale of the property described in Exhibit B, Blackhawk shall have no further interest in this property, having vacated and sold the same, thereby removing from its common area.

E# 1903879 BK2306 PG2127  
DOUG CROFTS, WEBER COUNTY RECORDER  
13-JAN-03 1045 AM FEE \$86.00 DEP SGC  
REC FOR: ASPEN.TITLE

3. The management committee is authorized to take whatever action is needed and to sign all documents necessary to complete the sale of this portion of the common area.

This amendment shall become effective upon recording.

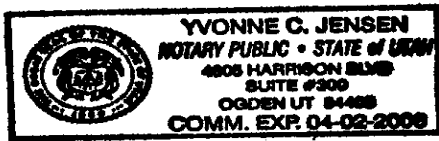
### CERTIFICATION

It is hereby certified that condominium unit owners holding more than 67% of the undivided ownership interest in the common areas and facilities have voted to approve this amendment.

By *Lindsay Miller*  
Lindsay Miller, President

STATE OF UTAH                    )  
  :SS.  
COUNTY OF WEBER            )

On this 9<sup>th</sup> day of January, 2003, personally appeared before me Lindsay Miller who, being by me duly sworn, did say that he is President of the Blackhawk Townhouses Condominium Management Committee and that the within and foregoing instrument was signed in behalf of said Management Committee and he duly acknowledged to me he executed the same.



*Yvonne Jensen*  
Notary Public

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## Exhibit "A"

**UNITS 1 THROUGH 48, BLACKHAWK TOWNHOUSE PHASE 1,  
UNITS 49 THROUGH 72, BLACKHAWK TOWNHOUSE PHASE 2,  
NORTH OGDEN CITY, WEBER COUNTY, UTAH**

(Land Serial Numbers: ~~18-082-0001 through 0048~~; and  
~~18-091-0049 through 0072~~ )

*18-082-0001-0048  
18-091-0001-0024*

## Exhibit "B"

A PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, ALSO A PART OF LOTS 49, 54, 55, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH, COMPLETED IN AUGUST 1910 AND RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER; BEGINNING AT THE SOUTHEAST CORNER OF LOT 55; THENCE SOUTH  $0^{\circ}28'04''$  WEST, 18.84 FEET; THENCE NORTH  $83^{\circ}12'06''$  WEST, 80.26 FEET; THENCE NORTHWESTERLY 82.154 FEET ALONG THE ARC OF A 718.67 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH  $86^{\circ}29'28''$  WEST, 82.10 FEET); THENCE NORTHWESTERLY 48.33 FEET ALONG THE ARC OF A 160.73 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH  $81^{\circ}09'05''$  WEST, 48.15 FEET); THENCE NORTHWESTERLY 30.45 FEET ALONG THE ARC OF A 363.07 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH  $74^{\circ}55'30''$  WEST, 30.44 FEET); THENCE SOUTH  $89^{\circ}45'00''$  EAST, 78.83 FEET; THENCE SOUTH  $0^{\circ}15'00''$  WEST, 10.00 FEET; THENCE SOUTH  $89^{\circ}45'00''$  EAST, 160.00 FEET TO THE POINT OF BEGINNING.

**E# 1903879 BK2306 P62129**

**SURVEY DESCRIPTION:**

A PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, ALSO A PART OF LOTS 49, 54 AND 55, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH, COMPLETED IN AUGUST 1910 AND RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER: BEGINNING AT THE SOUTHEAST CORNER OF LOT 55; THENCE SOUTH 0°28'04" WEST, 18.80 FEET; THENCE NORTH 83°12'06" WEST, 80.24 FEET; THENCE NORTHWESTERLY 82.15 FEET ALONG THE ARC OF A 718.67 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 86°29'28" WEST, 82.10 FEET); THENCE NORTHWESTERLY 48.33 FEET ALONG THE ARC OF A 160.73 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 81°09'05" WEST, 48.15 FEET); THENCE NORTHWESTERLY 30.45 FEET ALONG THE ARC OF A 363.07 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 74°55'30" WEST, 30.44 FEET); THENCE SOUTH 89°45'00" EAST, 78.81 FEET; THENCE SOUTH 0°15'00" WEST, 10.00 FEET; THENCE SOUTH 89°45'00" EAST, 160.00 FEET TO THE POINT OF BEGINNING.

**ALSO DESCRIBED AS:**

**RECORD DESCRIPTION:**

A PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, ALSO A PART OF LOTS 49, 54 AND 55, PLAT B, NORTH OGDEN SURVEY, WEBER COUNTY, UTAH, COMPLETED IN AUGUST 1910 AND RECORDED IN THE OFFICE OF THE WEBER COUNTY RECORDER: BEGINNING AT THE SOUTHEAST CORNER OF LOT 55; THENCE SOUTH 00°45'27" WEST 18.84 FEET; THENCE NORTH 82°54'43" WEST 80.26 FEET; THENCE NORTHWESTERLY 82.14 FEET ALONG THE ARC OF A 718.67 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 86°11'10" WEST 82.09 FEET); THENCE NORTHWESTERLY 48.33 FEET ALONG THE ARC OF A 160.73 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 80°50'47" WEST 48.15 FEET); THENCE NORTHWESTERLY 30.45 FEET ALONG THE ARC OF A 363.07 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 74°38'07" WEST, 30.44 FEET); THENCE SOUTH 89°45'00" EAST 78.83 FEET; THENCE SOUTH 0°45'27" WEST 10.00 FEET; THENCE SOUTH 89°27'37" EAST 160.00 FEET TO THE POINT OF BEGINNING.