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Paul Properties  
P.O. Box 910298  
St. George, Utah  
84791

DOC # 20060005331  
Amended Restrictive Covenants Page 1 of 2  
Russell Shirts Washington County Recorder  
2/28/06 8:56 AM Fee \$ 12.00 By PAUL PROPERTIES



## AMENDMENT TO THE AMENDED AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS BLOOMINGTON TOWNHOUSE ASSOCIATION

### (Attorney Fees Responsibility)

SG-BCC-3-1

*All of Bloomington Country Club phase 3 Blk 1*

This Amendment to the Declaration of Covenants, Conditions, and Restrictions for Bloomington Townhouse Association (Attorney Fees Responsibility) (this "Amendment"), amends the following: (I) Declaration of Covenants, Conditions, and Restrictions of Bloomington Townhouse Association, dated October 17, 1970, and recorded February 25, 1971; as Entry No. 143657, in Book 102, beginning at Page 167 (the "Declaration"); (ii) any and all supplements or amendments to the Declaration prior to the date of this Amendment, whether or not such were recorded in the records of the Washington County Recorder. In the event of a conflict between the Declaration, the Bylaws or the Rules & Regulations for the Bloomington Townhouse Association, this Amendment shall control.

This Amendment is undertaken pursuant to Article X, Section 14, and was adopted by not less than sixty percent (60%) of the entire membership at a meeting of the members held on the 27 day of Feb., 2006 and the written consents of not less than sixty percent (60%) have been obtained. Holders of first mortgage liens were sent a copy of the Amendment and advised of the date and time of said meeting.

This Amendment shall take effect upon the date it is recorded in the records of the Washington County Recorder (the "Amendment Date").

As used herein, "Board" shall mean and refer to the Board of Directors of Bloomington Townhouse Association.

The Declaration shall be amended as follows:

**Compliance.** Each owner, tenant, or occupant of a Living Unit shall comply with the provisions of the Declaration, the Bylaws and the rules and regulations adopted pursuant thereto and any applicable statute. Failure to comply therewith shall be grounds for an action or suit maintainable by the Association or an aggrieved Owner. In the event of any legal proceedings or any other action to enforce the terms, conditions, restrictions, rules and regulations of this Declaration or the Bylaws, the prevailing party shall be entitled to their reasonable attorney fees and cost incurred.

IN WITNESS WHEREOF, on the 27 day of Feb., 2006, the President of the Association hereby represents that attached to this Amendment are the signed consents of not less than sixty percent (60%) of all Owners.

20060005331 02/28/2006 08:52:50 AM  
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Bloomington Townhouse Association, a  
Utah nonprofit corporation

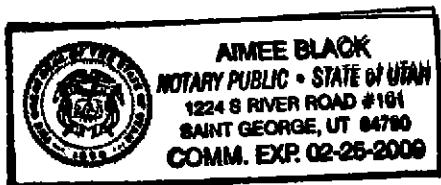
*Shirley J. Johnson*  
By:  
Its: President

Witnessed:

*Janell M. Neale*  
Secretary, Bloomington Townhouse Association

STATE OF UTAH, )  
: ss.  
County of Washington.)

On the 27<sup>th</sup> day of Feb. 2006, personally appeared before me Shirl Johnson, who being by me duly sworn, did say that he/she is the President of the Bloomington Townhouse Association and the authorized individual empowered to sign this Amendment, that the Amendment was signed on behalf of the Association and that Johnson acknowledged to me that the Bloomington Townhouse Association authorized execution of the same.



*Aimee Black*  
Notary Public