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ER 2196669 PG 1 OF 3  
DOUG CROFTS, WEBER COUNTY RECORDER  
28-JUL-06 1232 PM FEE \$27.00 DEP VD  
REC FOR: MICHAEL F DUMSTEAD

**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
SHADY GROVE PHASE 2 P.R.U.D. SUBDIVISION**

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of SHADY GROVE PHASE 2 P.R.U.D. SUBDIVISION was duly recorded in the Office of the Weber County Recorder, beginning in Book 1824, at Page 2253, on September 9, 1996; and

WHEREAS, SHADY GROVE PHASE 2 P.R.U.D. SUBDIVISION is contained within the following described real property, situated in Weber County, Utah, to-wit:

All that land in the City of Riverdale, Weber County, Utah, being a part of the North half of Section 7, Township 5 North, Range 1 West, Salt Lake Base & Meridian, U.S. Survey, described as follows:

BEGINNING at a point on the Northerly line of the Hawstead Subdivision Phase 6, said point being North 00°54'42" East 1839.86 feet along the section line, and South 89°05'18" East 1825.35 feet from the West 1/4 corner of said Section 7, and running thence North 22°16'38" East 115.01 feet; thence North 11°58'15" East 40.66 feet; thence North 22°16'38" East 73.23 feet; thence North 41°26'41" East 232.00 feet; thence North 07°00'13" East 78.12 feet; thence North 07°16'19" West 97.00 feet; thence North 82°43'41" East 42.03 feet; thence North 07°16'19" West 103.00 feet; thence North 82°43'41" East 65.05 feet to a point on a curve with a radius of 455.19 feet and a central angle of 06°46'59"; thence along said curve to the right 53.89 feet (chord bears North 02°46'36" West 53.86 feet); thence North 00°36'54" East 26.61 feet to a point on a curve with a radius of 642.39 feet and a central angle of 03°34'06"; thence along said curve to the left 40.01 feet (chord bears South 89°23'06" East 40.00 feet); thence South 00°36'54" West 26.61 feet to a tangent curve with a radius of 415.19 feet and a central angle of 07°53'13"; thence along said curve to the left 57.15 feet (chord bears South 03°19'42" East 57.11 feet; thence North 82°43'41" East 110.00 feet to the Westerly boundary line of Sherwood Meadows Subdivision; thence South 07°16'19" East 438.31 feet along said Westerly line to the thence Northwesterly line of Shady Grove Subdivision Phase 1; thence along said line and the Westerly line of Rasmussen Subdivision Phase 2 through the next three (3) courses; (1) South 40°34'19" West 161.25 feet, (2) South 44°02'09" West 221.36 feet, and (3) South 24°54'11" West 176.05 feet to the Northerly line of the Hawstead Subdivision Phase 6; thence along said line through the next (8) eight courses; (1) North 67°43'22" West 68.00 feet, (2) North 22°16'38" East 70.79 feet, (3) North 37°30'50" East 40.65 feet (4) North 67°43'22" West 100.69 feet, (5) South 22°16'38" West

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06-247-0001 THRU 0012  
06-248-0001 THRU 0013

Certificate of Amendment to the Declaration of Covenants, Conditions and Restrictions  
Shady Grove Phase 2 P.R.U.D. Subdivision

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110.01 feet, (6) North 67°43'22" West 40.00 feet, (7) North 22°16'38" East 100.01 feet and  
(8) North 67°43'23" West 55.00 feet to the point of beginning.

and;

WHEREAS, DWAYNE CONLIN, is the duly elected President of the Board of Directors and Management Committee of SHADY GROVE PHASE 2 and TONI WHITTIER is the Secretary of such Board and Committee.

NOW, THEREFORE, DWAYNE CONLIN and TONI WHITTIER, as President and Secretary, hereby certify that by the affirmative vote of more than ninety percent (90%) of the owners voting in a special vote of SHADY GROVE PHASE 2 held on, or about, July 20, 2006, said Covenants, Conditions and Restrictions were duly amended to now read as follows:

"ARTICLE II  
PROPERTY RIGHTS

Section 1. Owner Occupancy. All homes within SHADY GROVE PHASE 2 shall be occupied by and held as the primary residence of its owner.

Section 2. Owner's Easements of Enjoyment. Every owner shall have a right and easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

(a) The right of the Association to suspend the voting rights of an owner for any period during which any assessment against his Lot remains unpaid.

(b) The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument agreeing to such dedication or transfer signed by two-thirds (2/3rds) of each class of members has been accepted by, and the recording thereof is authorized by, the City of Riverdale, and actually recorded.

Section 3. Delegation of Use. Any owner may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Areas and facilities to the members of his family, his invitees or contract purchasers who reside on the property."

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**ARTICLE III  
MEMBERSHIP AND VOTING RIGHTS**

**Section 2.** The Association shall have two classes of voting membership.

**Class A.** Class A member(s) shall be all owners, with the exception of the Declarant, and shall be entitled to one vote. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised, as they determine, but, in no event, shall more than one vote be cast with respect to any Lot."

In all other respects, said Covenants, Conditions and Restrictions shall remain the same.

DATED and signed this 27<sup>th</sup> day of July, 2006.

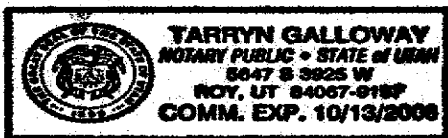
SHADY GROVE PHASE 2

By: Dwayne Conlin  
DWAYNE CONLIN, President of Board of  
Directors and Management Committee

By: Toni Whittier  
TONI WHITTIER, Secretary of Board of  
Directors and Management Committee

STATE OF UTAH                                 )  
  ) ss.  
COUNTY OF WEBER                         )

On the 27 day of July, 2006, personally appeared before me DWAYNE CONLIN and TONI WHITTIER, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Tarryn Galloway  
NOTARY PUBLIC