

**RETURNED**

E 2205913

B. 4127

2/96<sup>00</sup>

**SEP 2 8 2006**

09/28/2006 03:34 PM

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DEP RTT REC'D FOR SHADY GROVE HOA

P1430-1431

**AMENDMENT TO SHADY GROVE SUBDIVISION, PHASES 1, 2, & 3**

Shady Grove P.R.U.D. Subdivision Phase 1, 2, & 3 has been vacated and is now Shady Grove Subdivision Phase 1, 2, & 3. All of lot 31 & (previously called common area) has been deeded or transferred to Clinton City pursuant to Article II, Section 1 (b) of the Declaration of Covenants, Conditions and restrictions, of the Shady Grove PRUD Subdivision Phase 1, recorded as entry Number 1494483, Book 2462, Page 422 in the office of the Davis County Recorder on March 10, 1999; that the management committee for the Association is authorized to convey the property to the City with a two-thirds (2/3) vote of all lot owners.

The following amendment cancels all reference to a PRUD and or common area included in the Declaration of Covenants, Conditions and Restrictions. Including but not limited to

Article 1, Section 1. Delete "P.R.U.D." only.

Article 1, Section 4. delete entirely.

Article II, Property rights Section 1& 2 delete entirely.

Article IV, Section 2. Delete "and for the improvement and maintenance of the common area."

Article IV, Section 4. delete entirely.

Article IV, Section 4. delete Section 4.

Article IV, Section 7. Delete "following the conveyance of the common area to the association."

Article IV, Section 8. Delete "non-use of the common area."

Article V, Section 3. Was amended and recorded with Davis County on 02/09/05 Number 2051162, Book 3723, Page 747-748. Delete "if the property borders the common area, the association will be your partner if any repairs are needed."

Article VI, Section 2. Delete entirely.

Article VI, Section 3. Amended to read. "Nothing shall be done or kept in any unit or in any part thereof which would be in violation of any statute, rule, ordinance, regulation, permit, or other validly imposed requirement of any government body. No noxious, destructive, or offensive activity shall be carried on in any unit, nor shall anything be done therein which may be or may become an annoyance or nuisance to any other Owner or to any person at any time lawfully residing in the project."

Article VI, Section 7. Delete "or the common area." and "which have used any portion of the common area."

Article VI, Section 8. Delete "or the common area" Twice

Article VII, Section 4. Amended to read. "Additional residential property or common area may be annexed to the project with the consent of two-thirds (2/3) of members of Shady Grove Subdivision, Phases 1, 2, & 3."

Article VII, Section 7. Amended to read. "There shall be, and Declarant hereby reserves the covenants for itself and all future Owner, within Shady Grove Subdivision Phases 1, 2, & 3, easements for city, county, and federal public services, including but not limited to, the right of police to enter for the purpose of enforcing the laws."

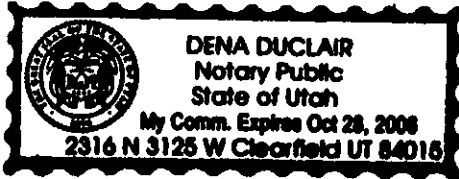
E 2205913 B 4127 P 1430-1431  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER

13-269-0001 thru 0031  
13-270-0032 thru 0060  
13-271-0061 thru 0085

*Paul W. Nutt*  
PAUL W. NUTT, PRESIDENT

*Jolinda Taylor*  
JOLINDA TAYLOR, SECRETARY

On this 7<sup>th</sup> day of AUGUST, 2006, personally appeared before me PAUL W. NUTT who being duly sworn, did say that he is President of Shady Grove Home Owners Association and JOLINDA TAYLOR who being duly sworn, did say that she is the Secretary of Shady Grove Home Owners Association, and that the forgoing instrument was signed in behalf of said Association by a resolution of its Board of Directors.



*[Signature]*  
NOTARY PUBLIC