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EH 2278228 PG 1 OF 3  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
17-JUL-07 906 AM FEE \$14.00 DEP JKC  
REC FOR: MICHAEL OLMSTEAD

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

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of SHADY GROVE P.R.U.D. SUBDIVISION was duly recorded in the Office of the Weber County Recorder, beginning in Book 1804, at Page 8, on April 30, 1996; and

WHEREAS, SHADY GROVE 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 part of the North half of Section 7, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, described as follows:

BEGINNING at the Northwest Corner of RASMUSSEN SUBDIVISION PHASE 2, said point being North 00°54'42" East 1751.70 feet, and South 89°05'18" East 2067.76 feet from the West Quarter Corner of said Section 7 (Basis of Bearings being line running South 89°29'37" East between the West Quarter Corner and the center of said Section 7); and running thence along the East boundary line of Greg Haws property; thence along said East line through the next three (3) courses. (1) North 24°54'11" East 69.70 feet, (2) North 44°02'09" East 221.36 feet, and (3) North 40°34'19" East 161.25 feet to the South line of SHERWOOD SUBDIVISION; thence North 82°43'41" East 260.00 feet along said South line; thence South 07°16'19" East 215.00 feet; thence North 82°43'41" East 100.00 feet to the West line of 700 West Street; thence South 07°16'19" East 248.83 feet along the said West line to the North line of RASMUSSEN PHASE 2 SUBDIVISION; thence along the said North line through the next four (4) courses: (1) South 82°43'41" West 373.35 feet, (2) North 04°23'07" West 34.75 feet, (3) North 82°35'18" West 192.13 feet, and (4) North 67°43'22" West 151.71 feet to the point of beginning. Contains 5.14 acres, more or less.

and;

WHEREAS, JOEY IVERSON is the duly elected President of the Board of Directors of SHADY GROVE HOMEOWNER'S ASSOCIATION PHASE 1, and SHANNA MINERT is the Secretary of said Board of Directors and Association.

06-742-0001-0027 ✓

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

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NOW, THEREFORE, JOEY IVERSON and SHANNA MINERT, as President and Secretary, hereby certify that, by the affirmative vote of more than ninety percent (90%) of the owners voting in a special election of SHADY GROVE PHASE 1, held on, or about, July 9, 2007, 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 P.R.U.D. SUBDIVISION (commonly known as "SHADY GROVE PHASE 1") 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.

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

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Shady Grove P.R.U.D. Subdivision

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 13 day of July, 2007.

SHADY GROVE P.R.U.D. SUBDIVISION  
[PHASE 1]

By: Joey G. Iverson  
JOEY IVERSON, President of Board of  
Directors and Homeowner’s Association

By: Shanna S. Minert  
SHANNA MINERT, Secretary of Board of  
Directors and Homeowner’s Association

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF WEBER            )

On the 13 day of July, 2007, personally appeared before me JOEY IVERSON and SHANNA MINERT, the signers of the within instrument, who duly acknowledged to me that they executed the same.

George S. Handy  
NOTARY PUBLIC

