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E# 2368260 PG 1 OF 3
ERNEST D ROWLEY, WEBER COUNTY RECORDER
02-OCT-08 310 PM FEE \$61.00 DEP SPY
REC FOR: BAILEY ACRES OWNERS ASSOCIATIO

**AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR BAILEY ACRES
A CLUSTER SUBDIVISION PHASE I AND II**

22-144001 - 0030
22-145001 - 0009
22-146-0001-0010

d.s.

The following is an amendment to the Declaration of Covenants, Conditions and Restrictions for Bailey Acres a Cluster Subdivision, phase I & II that was originally recorded on September 1, 1998, in the records of Weber County, Utah, as Entry No. 1570954.

10.2 Business Uses. Except as established by the Declarant and as shown on the plat or any Amendments or additions thereto, no portion of the Subdivision may be used for any commercial business use; provided however, that nothing in this provision is intended to prevent (a) the Declarant from using one or more Lots or Units for purposes of a construction office or sales office, or (b) the use by any Owner of his Lot for a home occupation. No home occupation will be permitted, however, which requires or encourages the Owner's clients, customers, patients or others to come to the Lot to conduct business, or which requires any employees outside of the Owner's immediate family or household. No retail sales of any kind may be made in the Subdivision. No materials, machinery, equipment, or inventory associated with any home occupation may be stored outside on any Lot. No signs associated with any home occupation are permitted. All use must be in conformance with Weber County ordinances.

Paragraph **10.2 Business Uses** is hereby replaced in its entirety with the following:

10.2 Business Uses. Except as established by the Declarant and as shown on the plat or any Amendments or additions thereto, no portion of the Subdivision may be used for any commercial business use except as approved by the Board and voted upon by a representative majority of the HOA; provided however, that nothing in this provision is intended to prevent (a) the Declarant from using one or more Lots or Units for purposes of a construction office or sales office, or (b) the use by any Owner of his lot for a home occupation. Any home occupation approved and voted upon shall remain under regulation by the Board and if deemed a nuisance, shall cease immediately upon written notification. No home occupation will be permitted which requires any employees outside of the Owner's immediate family or household. No retail sales of any kind may be made in the Subdivision. No materials, machinery, equipment, or inventory associated with any home occupation may be stored outside on any Lot. No signs associated with any home occupation are permitted. All use must be in conformance with Weber County ordinances.

a. A business plan must be submitted to the Board for review, upon approval a ballot will be sent to all lot owners.

b. Review Fee

The applicant will pay a review fee of \$50.00. The primary purpose of the fee is document date of submission and use the proceeds to pay expenses of sending out ballot to all lot owners.

All other covenants, conditions and restrictions shall remain the same. This amendment was made in accordance with the By-Laws of the Bailey Acres Owners Association and approved on 7-9-08 by ballot vote of quorum of owners.

Declarant:
Bailey Acres Owners Association

By: Susan K. Woolley
Susan K. Woolley, Secretary/Treasurer

State of Utah

County of Weber

On this 1st day of October, 2008, personally appeared before me Susan K. Woolley, whose identity is personally known to me, or proved to me on the basis of satisfactory evidence, and who by me duly sworn, did say that she is Secretary/Treasurer of Bailey Acres Owners Association, a Utah non-profit corporation, and the herein document was signed by her in behalf of said corporation by authority of its by-laws and said Susan K. Woolley acknowledged to me that said corporation executed the same.

Patty Banks
Notary Public

My commission expires: May 19, 2012
Residing at: Eden, Utah

