

REQUEST Clark Spallert

BOOK 474 PAGE 794-795

FEE 22.00 ABS

1998 JAN 13 PM 3:36

DOCUMENT 326384

HERBERT S BENTLEY
WASHINGTON COUNTY RECORDER

BY [Signature]

**AMENDMENT TO
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS OF
THE HILLS**

This Amendment to the Declaration of Covenants Conditions and Restrictions of The Hills is executed on the date hereafter written and amends that Declaration of Covenants Conditions and Restrictions of The Hills which was recorded on the 24 day of Jan, 1986, as Entry No 287996 at Book 400 Pages 680-700 of the records of the Washington County Recorder, hereafter referred to as "the Declaration " Except as specifically amended and modified herein the Declaration is affirmed in all respects

This Amendment pertains to the following described property

A PARCEL OF LAND IN THE NE 1/4 OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE NORTH LINE OF FORT PIERCE DRIVE, SAID POINT BEING N89 55'43" E ALONG THE CENTER SECTION LINE (BASIS OF BEARING PER WASHINGTON COUNTY AREA REFERENCE PLAT DATED 1974) 1005 94 FEET AND N0'01'20"W 79 96 FEET FROM THE CENTER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 15 W, SALT LAKE BASE AND MERIDIAN AS REFERENCE ON EARLIER BLOOMINGTON HILLS SUBDIVISION PLATS AND RUNNING THENCE N0'01'20"W 259 04 FEET TO A POINT OF A 151 65 FOOT RADIUS CURVE TO THE LEFT, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 49 66 FEET TO A POINT OF A 105 03 FOOT RADIUS REVERSE CURVE TO THE RIGHT, THE RADIUS OF WHICH BEARS N71'12'56"E FROM SAID POINT, THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 39 45 FEET TO A POINT OF A 25 00 FOOT RADIUS REVERSE CURVE TO THE LEFT, THE RADIUS OF WHICH BEARS N87'15'42"W FROM SAID POINT, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 31 96 FEET, THENCE N19'30'E 25 00 FEET, THENCE S70'30'E 229 26 FEET, THENCE S7'00'W 15 21 FEET, THENCE S24 00'E 166 53 FEET TO A POINT ON A 280 00 FOOT RADIUS CURVE TO THE LEFT ON THE NORTHERLY LINE OF FORT PIERCE DRIVE ACCORDING TO THE 1982 AMENDED PLAT THEREOF, THE RADIUS OF SAID CURVE BEARS S46'36"E FROM SAID POINT, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND NORTHERLY LINE 54 08 FEET, THENCE S32'20"W 7 40 FEET TO A POINT OF A 220 00 FOOT RADIUS CURVE TO THE RIGHT, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND NORTHERLY LINE OF SAID FORT PIERCE DRIVE 221 17 FEET, THENCE S89 56'W ALONG SAID NORTHERLY LINE 33 27 FEET TO THE POINT OF A 270 00 FOOT RADIUS CURVE TO THE RIGHT, THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND NORTHERLY LINE 4 05 FEET TO THE POINT OF BEGINNING CONTAINS 1 711 ACRES, MORE OR LESS

AND

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT WHICH IS N 89 55'43" E ALONG THE CENTER SECTION LINE 927 94 FEET AND N 0 01'20" W 92 70 FEET FROM THE CENTER SECTION CORNER OF SAID SECTION 5, SAID POINT BEING ON THE NORTH LINE OF FORT PIERCE DRIVE, THENCE N 0 01'20" W 253 93 FEET, THENCE N 18'47'04" W 87 81 FEET, THENCE N 45 37'30" E 51 08 FEET, THENCE S 70 30' E 29 46 FEET, THENCE N 19'30' E 100 19 FEET, THENCE S 70'30' E ALONG AN ESTABLISHED FENCE LINE 225 12 FEET, THENCE S 7'00' W 77 01 FEET TO THE

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NORTHEAST CORNER OF "THE HILLS NO 1", THENCE FOLLOWING SAID "THE HILLS NO 1" BOUNDARY LINE FOR SIX COURSES AS FOLLOWS N 70 30' W 229 26 FEET, S 19 30' W 25 00 FEET TO A POINT OF A 25 00 FOOT RADIUS CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS S 19'30' W, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 31 96 FEET TO A POINT OF A 105 03 FOOT RADIUS REVERSE CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS S 87 15'42" E, SOUTHERLY ALONG THE ARC OF SAID CURVE 39 45 FEET TO A POINT OF A 151 65 FOOT RADIUS REVERSE CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS S 71 12'56" W, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 49 66 FEET TO THE POINT OF TANGENCY, AND S 0 01'20" E 259 04 FEET TO A POINT ON A 270 00 FOOT RADIUS CURVE TO THE RIGHT ON THE NORTH LINE OF FORT PIERCE DRIVE, THE RADIUS OF SAID CURVE BEARS N 0 47'32" E, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 79 31 FEET TO THE POINT OF BEGINNING CONTAINING 1 087 ACRES

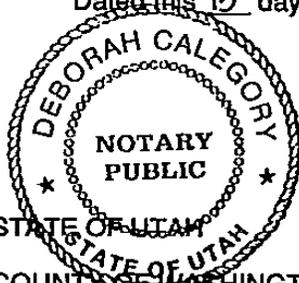
Section 7, Article V of the Declaration is hereby amended to read

Section 7 Uniform Rate of Assessment. Periodic Rate of Assessment. Both annual and special assessments must be fixed at a uniform rate for all lots. Notwithstanding the foregoing, no assessment shall be levied upon a lot upon which no townhome has been constructed. Further, the rate of assessment upon a lot upon which a townhome has been constructed but not certified for occupancy shall be one-half the assessment of other lots. This method of determining the assessments, dues and charges may not be changed without the prior written approval of all first mortgagees

Both annual and special assessments may be collected on a monthly basis

This Amendment is executed by the Declarant under authority of the Declaration

Dated this 13 day of January, 1988



CLARK H SPILKER

Clark H Spilker
Declarant

STATE OF UTAH
COUNTY OF WASHINGTON } ss

On the 13 day of January, 1988, personally appeared before me Clark H Spilker, the signer of the above instrument, who duly acknowledged to me that he executed the same

Deborah Caleyory
NOTARY PUBLIC
Residing at St George

My Commission Expires
11-16-90