

WHEN RECORDED, RETURN TO:

Lee Van Dam, President  
VAN DAM & ASSOCIATES  
8560 Sugarloaf Lane  
Sandy, Utah 84092

5700

4848117  
14 NOVEMBER 89 03:32 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
VAN DAM ASSOCIATES  
REC BY: REBECCA GRAY , DEPUTY

4848117

SECOND AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR WESTCOVE

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND BY RESTRICTIONS IS MADE THIS 6<sup>th</sup> day of November, 1989, by the persons signing below being owners of not less than seventy-five percent (75%) of the lots.

A. Original Declaration. On September 10, 1974, a Declaration of Covenants, Conditions and Restrictions was duly executed and acknowledged by the Breitling alliance, as developer, and Richards-Woodbury Mortgage Corp., a Utah corporation, as declarant, and on September 11, 1974, said declaration was recorded in the office of the County Recorder of Salt Lake County, State of Utah, as Entry No. 2659345 in Book 3977 at pages 288 et. Seq. (hereinafter referred to as the "Declaration").

B. Original Map. On April 8, 1974, a Subdivision Plat of Westcove entitled "Westcove Phase I, A Planned Unit Development" was recorded in the official records of Salt Lake County, State of Utah as Entry No. 2611711, in Book 74-4 at Page 60 (hereinafter referred to as the "Plat").

C. Amended Map. On January 28, 1975, a Subdivision Plat of Westcove entitled "Westcove Amended Phase I" was recorded in the official records of Salt Lake County, State of Utah, as Entry No. 26810.0, in Book 75-1, at Page 15 (hereinafter referred to as the "First Amended Plat").

D. Second Amended Map. On October 26, 1984, a Subdivision Plat of Westcove entitled "Westcove Amended and Extended Phase I" was recorded in the official records of Salt Lake County, State of Utah as Entry No. 4008105, in Book 8410, at Page 164 (hereinafter referred to as the "Second Amended Plat").

E. First Amended Declaration. On March 24, 1988, a First Amendment to Declaration of Covenants, Conditions and Restrictions for Westcove was recorded in the official records of Salt Lake County as Entry No. 4601411, in Book \_\_\_\_\_, at Page \_\_\_\_\_.

F. Original Description. The Declaration, the Platt, the First Amended Plat, the Second Amended Plat, and the First Amendment to Declaration of Covenants, Conditions and Restrictions for Westcove affect the following described real property situate in Salt Lake County, State of Utah.

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BEGINNING at a Point which is North 00°08'10" West 1275.26 feet along the Section line and North 89°51'30" East 33.00 feet from the Southwest Corner of Section 4, Township 2 South, Range 1 West, Salt Lake Base and Meridian and running thence North 00°08'10" West 101.93 feet; thence North 89°5'38" East 107.00 feet; thence North 00°08'10" West 111.82 feet; thence North 89°51'44" East 93.91 feet; thence North 89°51'51" East 162.17 feet; thence North 00°08'10" West 85.97 feet; thence North 89°51'51" East 131.92 feet; thence North 00°08'10" West 217.00 feet; thence East 120.00 feet; thence South 35.00 feet; thence East 640.79 feet; thence South 484.75 feet; thence North 89°51'30" East 30.08 feet; thence South 00°03'43" East 262.10 feet; thence South 89°51'30" West 968.14 feet; thence North 00°08'10" West 267.05 feet; thence South 89°51'30" West 316.15 feet to the Point of Beginning.

G. Section 5 of Article VII of the Declaration provides that the Declaration may be amended by an instrument signed by the owners of not less than seventy-five percent (75%) of the lots during the first twenty years following the date of the recordation of the Declaration.

H. The undersigned hereby certify that the undersigned constitute owners of no less than seventy-five percent (75%) of the lots.

I. The undersigned hereby amend the Declaration as follows:

- (1) Section I of Article IV of the Declaration shall be and hereby is amended to include the present text plus the following language:

Section 1. Upon default of 30-days by a member in paying annual or special assessments, the Association may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court (Member hereby consenting to the appointment of The Association as such receiver), in the Association's own name sue for or otherwise collect said rents, issues and profits, including those past due and unpaid of member's real property and apply the same, less costs and expenses of operation and collections, including reasonable attorney's fees, upon any indebtedness for special or annual assessments.

J. Except as herein modified, all other terms of the Declaration shall remain in full force and effect.

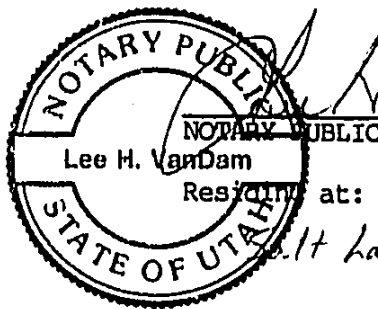
DATED this 6 day of November, 1989.

By Ronald A. Winters  
Its President

REG-6176 REC-76

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE)

On the 16<sup>th</sup> day of November, 1989, personally appeared  
before me, Westcove lot owners, the signers of the foregoing instrument,  
who duly acknowledged to me that They executed the same.



My Commission Expires:

October 9, 1991

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Ronald Administrator <sup>2998</sup> 3449 New PK	Manly <sup>2999</sup> Shadow
Gail Quinn 1547 Woodcrest	Robert D. Ball 2966 Westcott
Gail Comonal 3008 Shadow PK	Christine 4534 Stonewood
Chris Keys 3110 Wickmore	Carol Ann Anderson 4524 Stonewood
Eric Abbott 3103 Westcott	Arvin B. Newman 3158 Westcott
Jim D. 3160 Westcott	Tony West 2958 Westcott Dr.
Nigel Alton 4544 Stonewood Dr.	
Donald Bunting 4494 Stonewood Dr.	
Doyle Henderson 4524 Stonewood Dr.	
Toby H. Boych 4517 Stonewood Dr.	
Kevin H. Johnson 3222 Shadow Park	
Vernon Jones 4553 Stonewood	
Harmon City Inc. by Lama Harbour property manager (39 lots)	
Paulyn J. Fiall 3009 Shadow Park	

58 lots total (75.3%)