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KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SALT LAKE TITLE
REC BY: D DANGERFIELD , DEPUTY

AMENDMENT TO CERTIFICATE OF
USE RESTRICTIONS

4940095

THIS AMENDMENT TO CERTIFICATE OF USE RESTRICTIONS dated as of the 1st day of June, 1990 is made by those parties whose signatures are affixed hereto.

R E C I T A L S :

WHEREAS, by Certificate of Use Restrictions (the "Certificate") dated July 23, 1954 and recorded July 23, 1954, as Entry No. 1382411 at Book 11008, Page 438, in the records of Salt Lake County Recorder's Office, Salt Lake County, State of Utah, certain restrictive covenants were imposed on owners of subdivided lots in Charleston Place Subdivision located in Salt Lake County, State of Utah, and more particularly described as follows:

Beginning at a point which is 389.43 feet South and 241.63 feet West from the Northeast corner of the Southeast 1/4 of Section 16, Township 2 South, Range 1 East, Salt Lake Base & Meridian, and running thence South 0°23'30" West 164.90 feet; thence North 85°03'48" West 311.23 feet; thence South 149.27 feet; thence North 86°22'25" West 1285.35 feet.; thence North 1°30'20" East 338.50 feet.; thence South 85°13'45" East 1590.60 feet, to the point of beginning (the "Subdivision");

and

WHEREAS, the Certificate provides that the covenants and restrictions set forth therein are to run with the land and be binding upon the parties and all parties claiming under them until August 1, 1979, after which time the covenants and

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restrictions set forth in the Certificate can be changed by a written instrument signed by a majority of the owners of lots within the Subdivision and duly recorded; and

WHEREAS, a majority of the owners of the lots within the Subdivision desire to change and amend certain of the covenants and restrictions of the Certificate as set forth hereinafter to allow Kenneth Dowden to resubdivide Lot 9 of the Subdivision; and

WHEREAS, a majority of the owners of the lots of the Charleston Place Subdivision have heretofore allowed Ronald N. Bagley to resubdivide certain property belonging to him;

NOW, THEREFORE, the undersigned owners of lots within the Subdivision do hereby certify that they are the owners of a majority of the lots within the subdivision and that they desire to amend and modify the Certificate of Use Restrictions identified above as follows:

1. Notwithstanding anything to the contrary in this Certificate including but not limited to the provisions of paragraphs (3) and (10), the real property known as Charleston Place, according to the official plat thereof as recorded in the office of the County Recorder of Salt Lake County, Utah, can be subdivided into two lots, provided that neither lot shall have a width of less than 112 feet at the minimum set back line and each of the lots shall have an area of not less than 14000 square feet including in the calculation of such area, the street upon which the lot abuts to the center line thereof.

2. To the extent necessary to allow the lot split referred to in paragraph 1 above, the Certificate, and in particular, paragraphs (3) and (10) thereof, shall be and are amended and modified by this document.

3. Except as modified and amended by this document, the Certificate shall remain in full force and effect. In the event of a conflict between the terms of this Amendment and the terms of the Certificate, the terms of this Amendment shall control.

4. This document affects the property known as Lot 9, Charleston Place Subdivision, according to the official plat thereof.

5. This Amendment may be executed in any number of counterparts. Each such counterpart hereof shall be deemed to be an original instrument, but all counterparts together shall constitute but one Amendment to the Certificate of Use Restrictions. Once counterparts have been executed by a majority of the lot owners within the Subdivision, those counterparts may be recorded in the office of the Salt Lake County Recorder and shall be effective from and after the date of such recordation even though additional counterparts may be recorded thereafter.

6. The individuals signing their names below represent and hereby warrant that they are, at the time of execution, owners of lots within Charleston Place.

Loni F. DeLand

Krista L. Pickens

Tamara A. Smith

Miles A. Williams

Miles A. Williams

Elaine B. Williams

Elaine B. Williams

Ronald N. Bagley

Ronald N. Bagley

Joseph H. Cornwall

Beverly J. Cornwall

Herbert Dewitz, Jr.

Shari C. Dewitz

Ellsworth M. Hansen

Ellsworth M. Hansen


Geneal K. Hansen

Geneal K. Hansen

DATED this 1st day of June, 1990.

OWNERS:

Joseph A. Roberts
Joseph A. Roberts

Shanna Roberts
~~Shanna J. Roberts~~
Shanna 

Kenneth Dowden
Kenneth Dowden

~~Kenneth Dowden~~
~~Kenneth Dowden~~ NOT AN OWNER

A. Lloyd Peterson
A. Lloyd Peterson

Marjorie J. Peterson
Marjorie J. Peterson

Scott E. Peterson

Linda Peterson

Renee M. Blue
Renee M. Blue

Robert Morris

Michael Morris

DATED this 17 day of June, 1990.

OWNERS:

Joseph A. Roberts

Theresa J. Roberts

Kenneth Dowden

~~Lynda Dowden~~

A. Lloyd Peterson

Marjorie J. Peterson

Scott E. Peterson

Linda Peterson

Renee M. Blue


Robert Morris


Michael Morris

witness:

Sara Sta

B. E. Banks
BEN E. BANKS
Tamara Banks
TAMARA BANKS

Loni F. DeLand

Krista L. Pickens

Tamara A. Smith

Hiles A. Williams

Elaine B. Williams

Ronald N. Bagley

Joseph H. Cornwall

Beverly J. Cornwall

Herbert Dewitz, Jr.

Shari C. Dewitz

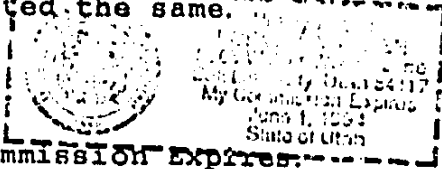
Ellsworth M. Hansen

Geneal K. Hansen

BK6236PG0214

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by Joseph A. Roberts, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

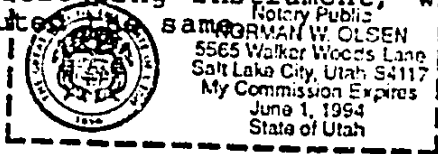


My Commission Expires:
June 1, 1994

Norman W. Olsen
Notary Public
Address: 5579 Walker Woods Lane, SLCC 84117

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by ~~Joseph A.~~ ^{Shalinda} Roberts, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

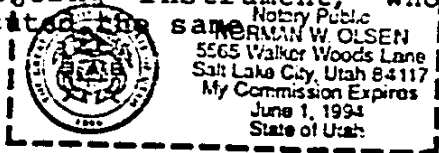


My Commission Expires:
June 1, 1994

Norman W. Olsen
Notary Public
Address: 5579 Walker Woods Lane, Salt Lake City, 84117

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by Kenneth Dowder, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.



My Commission Expires:
June 1 1994

Norman W. Olsen
Notary Public
Address: 5579 Walker Woods Lane, Salt Lake City, UT 84117

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

~~SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Lynda Bowden, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.~~

NOT AN OWNER

Notary Public

My Commission Expires: _____

Address: _____

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

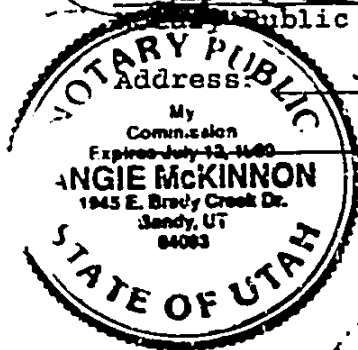
SUBSCRIBED AND SWORN TO before me, a notary public, on the 11th day of ~~June~~, 1990, by A. Lloyd Peterson, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

[Signature]

Notary Public

My Commission Expires: _____

7-12-90



[Signature]

Address: Sandy, Utah

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 1st day of ~~June~~, 1990, by Marjorie J. Peterson, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

[Signature]

Notary Public

My Commission Expires: _____

7-12-90



Address: Sandy, Utah

BK6236PG0216

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Scott E. Peterson, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public

My Commission Expires:

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Linda, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires:

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by Renee M. Blue, the signer of the ~~foregoing instrument~~, who duly acknowledged to me that he executed the same.



NORMAN W. OLSEN
3565 Walker Woods Lane
Salt Lake City, Utah 84117
My Commission Expires
June 1, 1994
State of Utah

My Commission Expires:
June 1 1994

Norman W. Olsen
Notary Public

Address: 5579 Walker Woods Ln
Salt Lake City, UT 84117

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Krista L. Pickens, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires: _____

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Tamara A. Smith, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires: _____

Address: _____

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

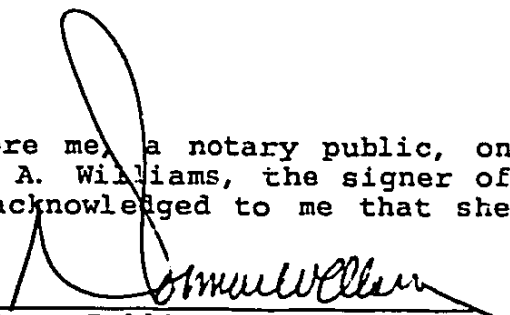
SUBSCRIBED AND SWORN TO before me, a notary public, on the 6 day of June, 1990, by Miles A. Williams, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.



W. OLSEN
5565 Walker Woods Lane
Salt Lake City, Utah 84117
My Commission Expires
June 1, 1994
State of Utah

My Commission Expires: _____

June 1 1994



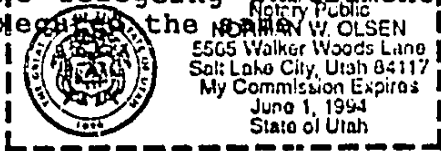
Notary Public

Address: 5579 Walker Woods

In, S.L.C. UT 84117

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 6 day of June, 1990, by Elaine B. Williams, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.



Norman W. Olsen
Notary Public

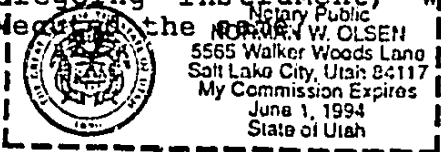
Address: 5579 Walker Woods Ln
SLC UT 84117

My Commission Expires:

1 June 1994

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 6 day of June, 1990, by Ronald N. Bagley, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.



Norman W. Olsen
Notary Public

Address: 5579 Walker Woods Ln
Salt Lake City, UT 84117

My Commission Expires:

1 June 1994

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Joseph H. Cornwall, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires:

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Beverly J. Cornwall, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires:

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Herbert Dewitz, Jr., the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Notary Public

My Commission Expires:

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by Shari C. Dewitz, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

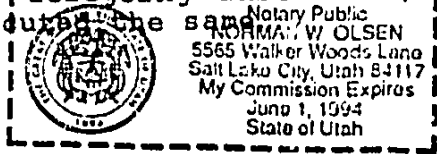
Notary Public

My Commission Expires:

Address: _____

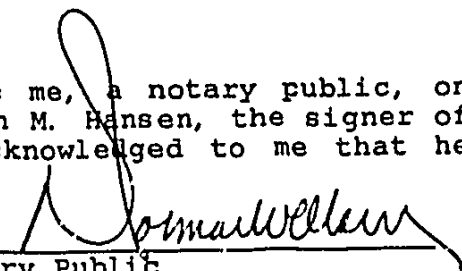
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by Ellsworth M. Hansen, the signer of the ~~foregoing instrument~~, who duly acknowledged to me that he executed the same.



My Commission Expires:

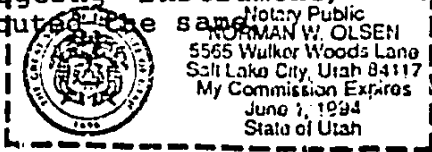
1 June 1994


Notary Public

Address: 5579 Walker Woods Ln
Salt Lake City, Utah 84117

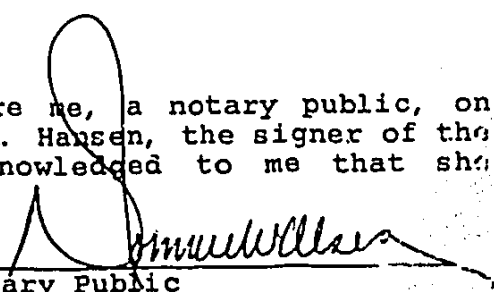
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me, a notary public, on the 5 day of June, 1990, by Geneal K. Hansen, the signer of the ~~foregoing instrument~~, who duly acknowledged to me that she executed the same.



My Commission Expires:

1 June 1994


Notary Public

Address: 5579 Walker Woods Ln
Salt Lake City, Utah 84117

(lj/Olsen. Amd)

STATE OF UTAH)
:
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me, a notary public, on the 1st day of June, 1990, by Robert Morris, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

My Commission Expires:

6/24/91

STATE OF UTAH)
:
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me, a notary public, on the 1st day of June, 1990, by Michael Morris, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

My Commission Expires:

6/24/91

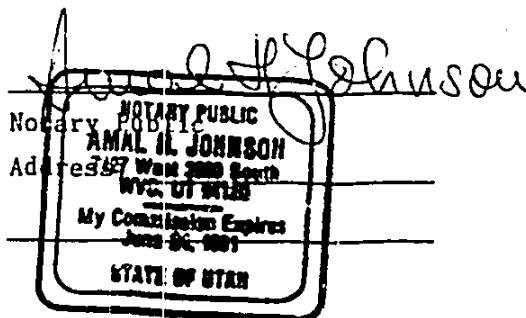
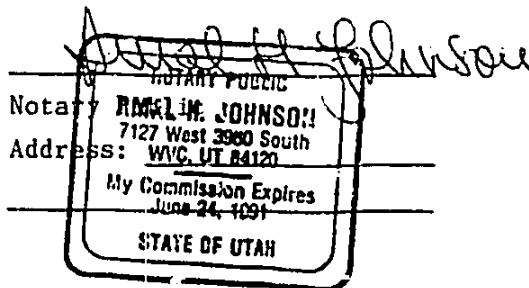
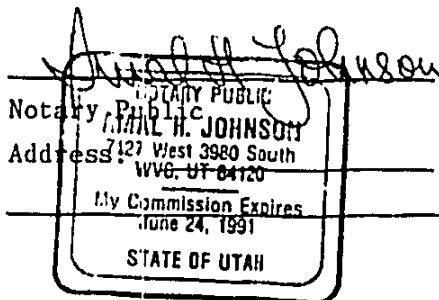
STATE OF UTAH)
:
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me, a notary public, on the 1st day of July, 1990, by Tamera Banks, the signer of the foregoing instrument, who dully acknowledged to me that he executed the same.

My Commission Expires:

6/24/91

Witness
Dana Shaw



DK 6236160222

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of June, 1990, by _____ the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public

My Commission Expires: _____

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the ___ day of _____ 1990, by _____ the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public

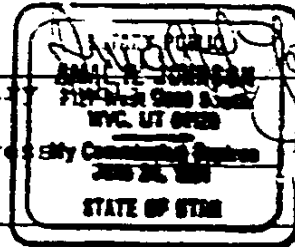
My Commission Expires: _____

Address: _____

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

SUBSCRIBED AND SWORN TO before me, a notary public, on the 1st day of July 1990, by Ben E. Banks the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary _____
Address _____



My Commission Expires: 6/24/91

witness
Debra Sta

DK 6236160223