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**508414** FIRST AMENDMENT TO THE  
DECLARATION OF  
PROTECTIVE COVENANTS OF CREEK VIEW ESTATES  
SUBDIVISION (LOTS 2-37 INCLUSIVE)  
ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED  
AS ENTRY #465962 IN BOOK 656, PAGE 527 IN THE OFFICE  
OF THE COUNTY RECORDER

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and executed this 12th day of September, 1978, by Ivory and Company, a limited partnership hereinafter referred to as "Developer";

I.

RECITALS

1.1 Developer is the record owner of the following described real property located in Davis County, State of Utah:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 inclusive, of Creek View Estates Subdivision, a subdivision of part of S.E. 1/4 Section 2, Township 3 North, Creekview Estates, Range 1 West, Salt Lake Base and Meridian in the City of Fruit Heights according to the official plat thereof.

ALL OF THE FOREGOING IS SUBJECT to all liens for current and future taxes, assessments and changes imposed or levied by governmental or quasi-governmental authorities. All patent reservations and restrictions and all instruments of record which affect the above described lots or any portion thereof including without limitation any mortgage deed, all visable easements, right-of-ways of record.

1.2 On May 1, 1978, Ivory and Company, a Limited Partnership who was at that time the record owner of the above described real estate adopted and recorded a Declaration of Covenants, Conditions and Restrictions as part of a plan for the preservation of the values and amenities of the residential development to be created on the above described real property, and for the benefit of the real property and the owners thereof.

1.3 The Declaration of Covenants, Conditions and Restrictions of CREEK VIEW ESTATE Subdivision was filed with and recorded by the County Recorder of Davis County, State of Utah, on May 1, 1978 as filing #493974, Book 704, Page 377, Records of the Davis County, State of Utah.

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## II.

COVENANTS AND CONDITIONS

The Declaration of Protective Covenants, Conditions and Restrictions of Creek View Estates Subdivision is hereby amended as follows under the authority of Paragraph 15 in the original recorded Declaration of Protective Covenants which reads:

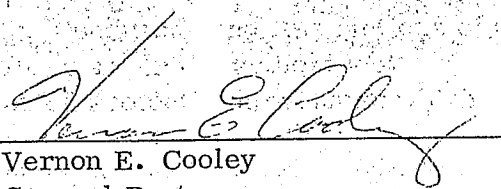
Terms of Restrictions: These restrictions are to run with the land permanently except that they may be changed, cancelled, or added to in whole or in part by a duly recorded instrument signed by the then owners of record of a majority of the lots.

Amendment: These Declaration of Protective Covenants, Conditions and Restrictions shall be excluded from Lot 24 of Creek View Estates Subdivision. From the date of this amendment, these restrictions shall have no effect on Lot 24.

2.1 Except as herein specifically provided, all provisions of the Declaration of Protective Covenants of Creek View Estates shall remain unaffected and shall continue in full force and effect.

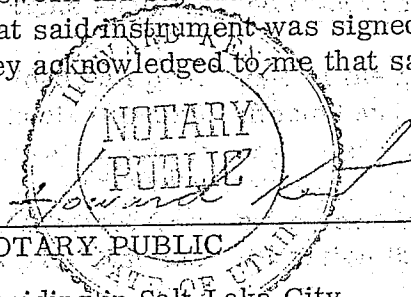
In witness hereof, the undersigned has executed this first amendment to the Declaration of Protective Covenants, Creek View Estates Subdivision the date and year as above written.

IVORY AND COMPANY, developer and majority record owner of the lots contained within Creek View Estates Subdivision.

By   
Vernon E. Cooley  
General Partner

STATE OF UTAH )  
: ss  
COUNTY OF SALT LAKE )

On this 13th day of September, 1978, personally appeared before me, Vernon E. Cooley, who being by me duly sworn did say that he is the General Partner of Ivory and Company, and that said instrument was signed in behalf of Company and said Vernon E. Cooley acknowledged to me that said partnership executed the same.

  
NOTARY PUBLIC  
Residing in Salt Lake City

My Commission Expires:

Nov 17, 1979