

When recorded, Return to:  
Longview Development  
1760 South State Street  
Salt Lake City, Utah 84115-1992

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19 DECEMBER 91 04:32 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
REC BY: KARMA BLANCHARD, DEPUTY

**FIRST AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**PEPPERWOOD CANYON #4**

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions and Restrictions (the Declaration) for Pepperwood Canyon #4 subdivision, which Declaration is recorded August 9, 1991 in Book 6344 beginning at page 2770 through and including page 2777 as entry No. 5109801 on the Official Records of Salt Lake County, State of Utah is executed effective this 11th day of November, 1991 by Longview Development, a Utah corporation:

WHEREAS Article V, Section 5.02 of the Declaration provides the method of amendment requiring, for amendment, approval in writing by not less than seventy-five percent (75%) of the record owners of all lots in the Project at the time of such amendment(s) and;

WHEREAS Longview Development is the Declarant and owns, at the time of recording this amendment, 100% of the Lots subject to the Declaration and;

NOW THEREFORE, the Declaration above referred is amended as follows:

Article II - General Restrictions and Requirements, shall include the following addition as Section 2.17 Driveway and Right-of-Way Maintenance. The owners of lots 410, 411 and 412 shall cooperate among themselves in maintaining the private access driveway between the cul-de-sac known as Trailwood Cove and the property line of lot 412. All appurtenant costs, including snow removal, driveway repairs and resurfacing shall be shared equally among said three property owners.

Article V - Duration and Amendment, Section 5.02 Amendment shall be modified to delete the following statement, "No amendment to Article VIII shall be effective unless approved in writing by all of the record holders of all encumbrances on all lots in the Project at the time of such amendment and by not less than seventy-five percent (75%) of the record owners of all lots at the time of such amendment, excluding lots owned by Declarant." Because the Declaration contains no Article VIII, said statement does not apply. The remaining provisions of Section 5.02 shall stand to read as follows: "All amendments shall be effective only upon written approval by not less than seventy-five percent (75%) of the record owners of all lots in the Project at the time of such amendments. Nevertheless, Declarant may at any time amend the Declaration to qualify the Project with lending institutions and until the close of the escrow established for the Sale by Declarant of its last lot in the Project (including lots in any annexations thereto), Declarant shall have the sole right to terminate or modify this Declaration by recordation of a supplement hereto setting forth such termination or modification. "The close of escrow" shall be deemed to be the date upon which a deed conveying the lot is recorded."

As specifically amended, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and date hereinabove written.

LONGVIEW DEVELOPMENT

By: Charles H. Horman  
Charles H. Horman, President

ACCOMMODATION RECORDING ONLY.  
FIRST AMERICAN TITLE MAKES NO  
REPRESENTATION AS TO CONDITION  
OF TITLE, NOR DOES IT ASSUME  
ANY RESPONSIBILITY FOR VALIDITY,  
EFFICIENCY OR AFFECT OF DOCUMENT.

STATE OF UTAH }  
County of Salt Lake } M.

On the 11th day of November, 1991, personally appeared before me Charles H. Horman, who being by me duly sworn did say for himself that he, the said Charles H. Horman, is the President of LONGVIEW DEVELOPMENT and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Charles H. Horman duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

LAURIE R. EARL  
Notary Public  
STATE OF UTAH  
My Commission Expires  
May 5, 1995  
1760 S State St, SLC, UT 84115

Laurie R. Earl  
Notary Public

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