



## SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIMPANOGOS HEIGHTS CONDOMINIUM A RESIDENTIAL CONDOMINIUM PROJECT IN UTAH COUNTY, UTAH

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Timpanogos Heights Condominium A Residential Condominium Project in Utah County, Utah (the "Second Amendment") is made this 10 day of June, 2013 by the Timpanogos Heights Condominiums Homeowners Association (the "Association").

### RECITALS

A. The Association is governed by the Declaration of Covenants, Conditions and Restrictions for Timpanogos Heights Condominium A Residential Condominium Project in Utah County, Utah (the "Declaration") recorded, on or about March 18, 2013, in the Office of the Utah County Recorder, State of Utah, (the "Declaration");

B. This Second Amendment shall amend the Declaration, recorded on May 15, 2002 as Entry No. 55573:2002 and shall apply to and be binding against all of the property more fully described in Exhibit A, attached hereto, and any additional Property, annexation, expansion or supplement thereto (the "Property");

C. This Second Amendment is subject to the Definitions of the Declaration at Section I, unless otherwise defined herein.

D. This Second Amendment is intended to: remove the language authorizing the Management Committee to require credit checks and background checks.

E. Pursuant to the Declaration at Section 29, the necessary approvals to amend the Declaration were duly conducted and received to adopt and record this Second Amendment.

**NOW THEREFORE**, the Association hereby amends Section 6(a) of the Declaration by replacing it with the following language:

**Notice of Lease or Intent to Lease:** The Management Committee may require any Owner who has leased his or her Unit or who intends to lease his or her Unit to give notice in writing to the Management Committee of such intention, stating: (i) the name and address of the current Lessee or the intended Lessee, (ii) the terms of the proposed transaction, (iii) Lessor agrees to use the lease agreement approved by the Committee and provide the Board with a copy of the signed or proposed lease.

ENT 56638:2013 PG 1 of 3  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Jun 11 3:27 pm FEE 58.00 BY SW  
RECORDED FOR TIMPANOGAS HEIGHTS HOA

IN WITNESS WHEREOF, THE ASSOCIATION has executed this Second Amendment to the Declaration as of the 10 day of June 2013 in accordance with the Declaration.

**Timpanogos Heights Condominiums  
Homeowners Association**

[Handwritten Signature]

Signature

Steven Whiteside

Printed Name

Board President

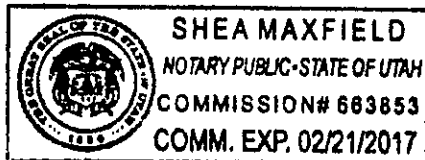
Position

STATE OF UTAH )

:SS

County of Utah )

On this 10 day of June 2013, personally appeared before me Steven Whiteside who is known to me or who presented satisfactory identification, and has, while in my presence and while under oath or affirmation, voluntarily signed this document.



[Handwritten Signature]  
Notary Public

EXHIBIT A  
Property Description

LEGAL DESCRIPTION

Lots 1-45 (Serial Numbers 43:249:0001 through 53:249:0046)

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AMERICAN FORK, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MONUMENT MARKING THE EAST 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 0 DEGREES 24'13" WEST ALONG THE SECTION LINE A DISTANCE OF 1410.42 FEET; THENCE WEST 1081.98 FEET TO THE REAL POINT OF BEGINNING; THENCE NORTH 70 DEGREES 10'48" WEST A DISTANCE OF 435.43 FEET; THENCE ALONG A BLOCK WALL AND THE EXTENSION OF THE WALL THE FOLLOWING 3 COURSES: 1) NORTH 01 DEGREES 07'07" EAST A DISTANCE OF 275.12 FEET; 2) THENCE SOUTH 89 DEGREES 28'38" EAST, A DISTANCE OF 154.79 FEET; 3) THENCE NORTH 00 DEGREES 31'56" EAST, A DISTANCE OF 274.44 FEET; THENCE NORTH 89 DEGREES 52'23" EAST, A DISTANCE OF 252.85 FEET TO A FENCE LINE; THENCE SOUTH 00 DEGREES 29'09" WEST, ALONG SAID FENCE LINE A DISTANCE OF 696.31 FEET TO THE REAL POINT OF BEGINNING.