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WHEN RECORDED RETURN TO:
1743 West Alexander Street
Salt Lake City, Utah 84117

ATCHOL-155146-54

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AND MAINTENANCE AGREEMENT
FOR KOEGLER SUBDIVISION AMENDED

5892402

THIS AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS AND MAINTENANCE AGREEMENT FOR KOEGLER SUBDIVISION AMENDED is made and executed this 1st day of August 1994, by STEVEN R. PETERSON, JAMES R. JOHNSON, C. ELDON LAIRD AND SHERYLENE LAIRD (hereinafter collectively referred to as "Declarant").

RECITALS

A. Declarant is the record owner of a certain parcel of real property located in Salt Lake County, Utah, more particularly described below as (the "Property").

All of Lots 2 through 7 Koegler Subdivision Amended, according to the official plat thereof on file in the office of the Salt Lake County Recorder.

B. Declarant has established restrictive covenants and easements affecting the property and would like to amend certain easements established between Lot 5 and Lot 6 of the property. This easement is described in paragraph 6.3 of the recorded restrictive covenants. The specific wording for the easement is as follows:

6.3 The Owners of Lots 5 and 7 shall each receive a perpetual non-exclusive easement, for their ingress and egress and general use and enjoyment over the approximately 20' foot wide "tail" portion of Lot 6, which extends generally southwesterly from the main body of Lot 6, between Lots 5 and 7, to the southerly boundary of the Project, which easement shall be more particularly described as follows:

Beginning at a point on the North boundary line of 4430 South Street, said point being North 0°11'50" East 185.97 feet and South 86°57'53" East 138.043 feet from the West quarter corner of Section 2, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 0°11'50" East 117.57 feet, thence North 71°10'00" East 414.07 feet, thence South 0°11'00" West 125.20 feet, thence South 61°16'31" West 96.6 feet to the TRUE POINT OF BEGINNING; thence South 38°00'50" West 72.83 feet; thence S 03°02'07" West 36.1 feet; thence South 86°57'53" East 20 feet; thence North 03°02'07" East 42.4 feet; thence North 38°00'50" East 59.36 feet; thence Northeasterly in a straight line to the TRUE POINT OF BEGINNING.

Lot 6 shall be conveyed subject to the easements for Lots 5 and 7 which are described immediately above, and no structures of any kind shall be constructed over such easements.

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NOW THEREFORE, it is hereby agreed and declared that the easement described in paragraph 6.3 and referred to above shall be amended to exclude the owners of Lot 5 from receiving a perpetual easement over any portion of the easement described over the approximately 20-foot-wide "tail" portion in Lot 6, which extends generally southwesterly from the main body of Lot 6, between Lots 5 and 7, to the common right-of-way road and easement that crosses the southerly portion of all of the lots in Koegler Subdivision Amended. The easement described in paragraph 6.3 of the Restrictive Covenants is intended to affect only Lots 6 and 7 and it is not intended to provide any type of easement to Lot 5. Lot 6 will be conveyed subject to an easement for Lot 7 only which was described in paragraph 6.3 of the Restrictive Covenants.

This Amendment does not affect any other provision or declaration that was provided for in the original Restrictive Covenants except for the changes described above.

This Declaration Amendment shall take effect when recorded.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 1st day of August 1994.

C. Elden Laird
C. ELDEN LAIRD DATE

Steven R. Peterson 8-1-94
STEVEN R. PETERSON DATE

Sherylene Laird
SHERYLENE LAIRD DATE

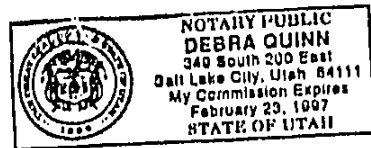
James R. Johnson 8/1/94
JAMES R. JOHNSON DATE

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

On the 1 day of August 1994, personally appeared before me STEVEN R. PETERSON, JAMES R. JOHNSON, C. ELDEN LAIRD AND SHERYLENE LAIRD, who being by me duly sworn, did say that they are the signers of the foregoing instrument, and they executed the same.

My Commission Expires:

Debra Quinn
NOTARY PUBLIC
Residing At: Salt Lake City, Ut.



5892402
08/05/94 2:29 PM 18.00
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: Z JOHANSON , DEPUTY - WI

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