

AMENDMENT TO THE CONTINENTAL TOWNHOUSE CONDOMINIUMS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND BY LAWS, DATED OCTOBER 6, 1980, RECORDED OCTOBER 7, 1980, AS ENTRY NO. 576373, IN BOOK 842, PAGE 963 OF OFFICIAL RECORDS.

627682

The undersigned, being all of the owners of the following described property situated in the City of Bountiful, County of Davis, State of Utah, to-wit:

Recorded at REQUEST OF SECURITY TITLE COMPANY Order No. 78142 Fee Paid 38.50
Date DEC 1 1982 at 107 M. CAROL DEAN PAGE Recorder Davis County
By *Alanna M. ...* Deputy Book 972 Page 291
13-104-122

All of Units 1 to 50, inclusive, including the appurtenant Parking Units, and the appurtenant Common Area and Limited Common Areas, as the same is defined and established and identified on the "RECORD OF SURVEY CONTINENTAL TOWNHOUSE CONDOMINIUM", duly dated August 1, 1980, and duly recorded in the Office of the County Recorder of Davis County, Utah, on October 7, 1980, as Entry No. 576372, in Book 842, Page 962 of Official Records, and in the CONTINENTAL TOWNHOUSE CONDOMINIUMS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND BYLAWS, dated October 6, 1980, recorded October 7, 1980, as Entry No. 576373, in Book 842, Page 963 of Official Records of Davis County, Utah, as the said "Survey Map" and "Declaration" were amended by Amendment, dated August 23, 1982, recorded August 24, 1982, as Entry No. 621459, in Book 912, Page 580 of Official Records, which said Amendment changes and amends the Survey Map and Declaration as the same pertains to Building 12, making part of the same Common Area, and designating part of said Building 12 as Private Ownership Areas for Units 45 and 47 as therein set forth, and by Changing the Designation of Carports numbered 45, 46, and 47 as shown on said "Survey Map" designating Carport number 45 as Private Ownership Area for Unit No. 49 and designating Carport number 46 as Private Ownership Area for Unit No. 50, and designating Carport number 47 as Private Ownership Area for Unit No. 46, EXCEPTING the South 4.88 feet, more or less, of the West 294.58 feet of the Common Area, and the South 8.22 feet, more or less, of Garage No. 50 in Building 12, and the Common Area lying South of and contiguous to Buildings 11 and 12 as the same is shown on said Record of Survey, and as amended, recorded October 14, 1982, as Entry No. 624653, in Book 917, Page 511 of Official Records;

TOGETHER WITH an undivided interest in and to the Common Areas and the Limited Common Areas as the same are established and identified in the Maps and Declarations referred in hereinabove;

TOGETHER WITH AND SUBJECT TO easements through said Units, appurtenant to the Common Area and the Limited Common Areas, and all other units, for the support and repair of said Units of the Common Areas, the Limited Common Areas, and all other units;

SUBJECT TO the provisions of the Utah Condominium Ownership Act, the aforesaid "Declaration", and the aforesaid "Survey Map", and all rules, regulations, and agreements lawfully made and/or entered into pursuant to the provisions of the aforesaid Act and Declaration, and all easements, conditions, and restrictions, and agreements of record.

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

being hereinafter known as the Condominium Project, recognizing that the said Condominium Project is more desirable and better utilized as an "Adult Condominium Project", do hereby desire to amend the aforesaid "Declaration" to establish control of said Project to the extent that the said Condominium Project shall be and will be maintained as an "Adult Condominium Project" under the terms and conditions set forth in the amendment set forth in detail in this instrument, and

NOW, THEREFORE, for and in consideration of the premises, and of the mutual benefit of the parties, and of said Condominium Project as the desire of the undersigned, it is hereby agreed and declared as follows:

Pursuant to Section 26 of the above referred to "DECLARATION", and as the same may have been amended, Section 4 of said "DECLARATION" is hereby altered and amended by the addition thereto of the following paragraph:

(k) No Unit, or Units, within said project shall be rented, leased, or occupied by any persons or parties who may have children between the ages of 2 years and 14 years, nor shall the same be occupied by any Owner who may have children older than 2 years or younger than 14 years. This covenant is adopted only to maintain the peace and tranquility of the Condominium Project, to prevent any possible noise, and to maintain and insure the peace and quiet of the residents within said Condominium Project, and as a result of the lack of play areas within said Project which are deemed by the undersigned as being desirable for children between the ages of 2 years and 14 years. Nothing contained in this paragraph shall be construed as eliminating "visitors" or guests between said ages, temporarily. EXCEPT as specifically modified hereby, and by previous amendments, the said "DECLARATION" shall remain in full force and effect, unaltered and unchanged.

WITNESS the heads of said Owners this 26 day of November, A.D. 1982.

CONTINENTAL ENTERPRISES, a Partnership

HILLSIDE INVESTMENT COMPANY, a corporation

BY: [Signature]
PARTNER

BY: [Signature]
PRESIDENT

BY: [Signature]
PARTNER

BY: [Signature]
VICE PRESIDENT

[Signature]
WAYNE S. HINTZE

[Signature] 295-4143
KAY J. COLLINGS

[Signature]
DOROTHY A. HINTZE

[Signature]
WANDA D. COLLINGS

[Signature] 295-5987
MELVIN J. ERICKSEN

[Signature]
RUTH ANN COLLINGS

[Signature]
FAY A. ERICKSEN

[Signature] 350-7139
LAVON G. CARTER

242-5444 [Signature]
KEITH L. COTTLE

[Signature] 295-4344
ELDA STOCKS

295-4562 [Signature]
ROBERT D. HATCH

(Out of State - Not included in 75% required under Section 26)
JOSEPH L. DALY

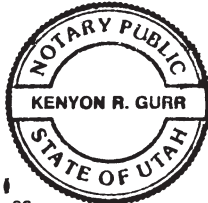
[Signature]
GLOY L. HATCH

[Signature] 295-0120
HENRY RICHARDS

STATE OF UTAH |
SS.
COUNTY OF DAVIS |

[Signature]
LA DENE W. RICHARDS

On the 26 day of November, A.D. 1982, personally appeared before me DOROTHY A. HINTZE and WAYNE S. HINTZE, who being by me duly sworn, did say, that she, the said DOROTHY A. HINTZE is the President, and he, the said WAYNE S. HINTZE is the Vice-President of HILLSIDE INVESTMENT COMPANY, the within named corporation, that they signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said DOROTHY A. HINTZE and WAYNE S. HINTZE each duly acknowledged to me that said corporation executed the same.



[Signature]
NOTARY PUBLIC

Residing at: Bountiful, Utah
My Com. Expires: April 4, 1986

STATE OF UTAH |
SS.
COUNTY OF DAVIS |

On the 26 day of November, A.D. 1982, personally appeared before me WAYNE S. HINTZE and DOROTHY A. HINTZE, his wife, two of the signers of the within instrument, who duly acknowledged to me that they executed the same.



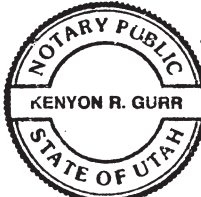
[Signature]
NOTARY PUBLIC

Residing at: Bountiful, Utah
My Com. Expires: April 4, 1986

STATE OF UTAH |
SS.
COUNTY OF DAVIS |

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On the 26 day of November, A.D. 1982, personally appeared before me F. H. KIMBALL and C. P. LODDER, as Partners of CONTINENTAL ENTERPRISES, the within named Partnership, who duly acknowledged to me that they signed the within instrument as such Partners for and on behalf of said Partnership, and that said Partnership executed the same.

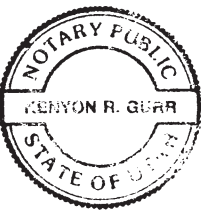


Kenyon R. Gurr
NOTARY PUBLIC
Residing at: Bountiful, Utah
My Com. Expires: April 4, 1986

STATE OF UTAH |
SS.
COUNTY OF DAVIS |

TO

On the 26 day of November, A.D. 1982, personally appeared before me MELVIN J. ERICKSEN & FAY A. ERICKSEN, and KEITH L. COFFEE, and ROBERT D. HATCH & GLOY L. HATCH, and KAY J. COLLINGS, WANDA D. COLLINGS, and RUTH ANN COLLINGS, and LAVON G. CARTER, and ELDA STOCKS, and HENRY RICHARDS, and LA DENE W. RICHARDS, some of the signers of the within instrument, who duly acknowledged to me that they executed the same.



Kenyon R. Gurr
NOTARY PUBLIC
Residing at: Bountiful, Utah
My Com. Expires: April 4, 1986

STATE OF UTAH |
SS.
COUNTY OF DAVIS |

On the ___ day of November, A.D. 1982, personally appeared before me _____, two of the signers of the within instrument who duly acknowledged to me that they executed the same.

NOTARY PUBLIC
Residing at:
My Com. Expires: