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NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
JAMES R BLAKESLEY
REC BY: B GRAY DEPUTY - WI

FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS
FOR SANDY POINT NO. 2 P.U.D.,
a Planned Residential Development

This First Amendment to the Declaration of Covenants, Conditions and Restrictions is made and executed this 9th day of September, 1995, by D.R. HORTON, INC., a Delaware corporation, of 125 West 10600 South, #202, Sandy, Utah 84070 (hereinafter referred to as the "Declarant") and the SANDY POINT P.U.D. NO. 2 LOT OWNERS, L.C., of 125 West 10600 South, #202, Sandy, Utah 84070 (the "Association").

RECITALS:

- A. This First Amendment to the Declaration of Covenants, Conditions and Restrictions affects that certain real property located in Salt Lake County, Utah described with particularity in Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter referred to as the "Tract").
- B. Declarant is the owner of all of the Lots in the Tract.
- C. The Association is the owner of all of the Common Area and Facilities in the Tract.
- D. Declarant has constructed, is in the process of constructing or will construct upon the Tract a residential planned unit development which shall include certain Lots, Limited Common Area, Common Area, and other improvements. All of such construction has been, or is to be, performed in accordance with the plans contained in the Record of Survey Map to be recorded concurrently herewith.
- E. Declarant intends to sell to various purchasers the fee title to the individual Lots contained in the Tract, and a corresponding membership interest in the Association of Lot Owners (which shall own the Common Area), subject to the Record of Survey Map, and the covenants, conditions and restrictions set forth herein.
- F. Declarant executed the Declaration of Covenants, Conditions and Restrictions which was recorded in the office of the County Recorder of Salt Lake County, Utah on or about the 1st day of February, 1996, as Entry No. 6270598 of the Official Records (the "Declaration").

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G. Declarant intends hereto to delete and remove any and all references to a swimming pool and recreational vehicle ("RV") lot.

DECLARATION

NOW, THEREFORE, for the reasons recited above and subject to the covenants, conditions and restrictions set forth below, Declarant hereby makes the following First Amendment to the Declaration:

1. The Declaration is hereby amended to delete and remove any and all references to a swimming pool or RV lot, including but not limited to the following Articles and Sections: Article I, Sections 6, 9(e); Article III, Sections 1, 5(d)(2), 5(e), 19(a), 20, 31(c), and 33(b).

2. This amendment shall be effective the date it is recorded in the Office of the County Recorder of Salt Lake County, Utah.

DATED the day and year first above written.

DECLARANT:
D.R. HORTON, INC., a Delaware corporation

By: Todd H. Temanson
Its: Todd Temanson, V.P.

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

On the 18 day of November, 1996, personally appeared before my Todd Temanson, who by me being duly sworn, did say that he is the Vice President of D.R. HORTON, INC., a Delaware corporation, 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 Todd Temanson, duly acknowledged to me that said corporation executed the same.

Michelle Marie Winter
Notary Public
Residing at: 1075 West Temple
My Commission Expires: November

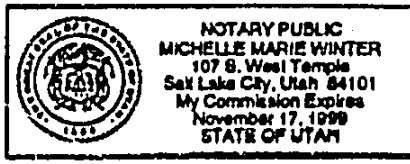
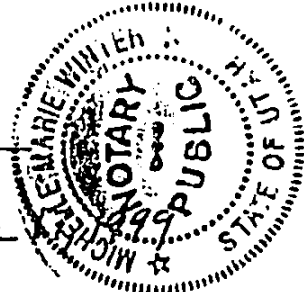


EXHIBIT "A"
LEGAL DESCRIPTION

The Land described in the foregoing Declaration is located in Salt Lake County, Utah and is described more particularly as follows:

BEGINNING at a point which is South 0 degrees 23'32" West, 1575.48 feet and East 50.00 feet from the North west corner of Section 17, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence East 458.73 feet to the Draper Irrigation Canal; thence South 9 degrees 07'35" West, 25.18 feet; thence South 11 degrees 27'00" West, 408.25 feet; thence West 376.61 feet; thence North 0 degrees 23'32" East, 425 feet to the point of beginning.

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BALLOT & CONSENT

Comes Now D.R. HORTON, INC., a Delaware corporation, of 125 West 10600 South, #202, Sandy, Utah 84070, as the Owner of Lots 1-41, inclusive, at SANDY POINT NO. 2 P.U.D. and consents to the First Amendment to the Declaration of Covenants, Conditions and Restrictions for SANDY POINT NO. 2 P.U.D. dated September 9, 1996.

Dated this 9th day of September, 1996.

D.R. HORTON, INC.

By: *Tom H. Tennison*
Its: VICE PRESIDENT, DIVISION MANAGER

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SUBSTITUTION OF REGISTERED AGENT

Comes now the Developer, D.R. HORTON, INC., a Delaware Corporation, of 125 West 10600 South, Suite 202, Sandy, Utah 84070, and pursuant to Article III, Section 43 of the Declaration and Article I, Section 3 of the By-Laws substitutes TODD TEMANSON of 125 West 10600 South, Suite 202, Sandy, Utah 84070 as the registered agent of Sandy Point No. 2, P.U.D., a Planned Residential Development.

This affects the real property located in Salt Lake County, Utah, and described with particularly on Exhibit "A" attached hereto and incorporated herein by this reference.

DATED this 18 day of November, 1996.

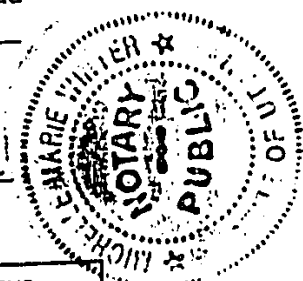
D.R. HORTON, INC.

Todd H. Temanson
Title: VICE PRESIDENT, DIVISION MANAGER

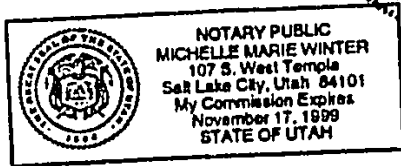
STATE OF UTAH)
)ss:
COUNTY OF SALT LAKE)

On this 18 day of November, 1996, personally appeared before me Todd H. Temanson the VICE PRESIDENT of D. R. HORTON, INC., a Delaware Corporation, and that within and foregoing instrument was signed by him in behalf of said Corporation by authority of a Resolution of its Board of Directors, and TODD H. TEMANSON duly acknowledged to me that executed the same.

Michelle Marie Winter
NOTARY PUBLIC
Residing at:



My Commission Expires:
November 17, 1999



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