

05/30/97 10:11 AM 6656458 14-00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
BARRY BANK
1379 E SOLITAIRE DR
SLC UT 84190
REC BY:L NISH DEPUTY - WI

WHEN RECORDED RETURN TO:
Barry R. Bank
1379 E Solitaire Drive
Salt Lake City, Utah 84190
(801) 272-3873

6656458

**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR
ESPRIT HOMES OF MILLCREEK
a Utah Planned Unit Development**

This Amendment is made and executed this 30th of June, 1994 by the ESPRIT HOMES OWNERS' ASSOCIATION (hereinafter referred to as the "Association").

RECITALS

- A. Declaration. The original Declaration of covenants, Conditions and Restrictions and Reservations of Easements of ESPRIT HOMES OF MILLCREEK was recorded August 19, 1992, as Entry No. 5314412, in Book 6504, at Page 149 of the official records of Salt Lake County, Utah (hereinafter referred to as the "Declaration").
- B. Property Description. This Amendment affects the certain real property located in Salt Lake County, Utah described with particularity on Exhibit "A" attached hereto and incorporated herein by this reference.
- C. Control. The control, operation and management of ESPRIT HOMES OF MILLCREEK has been transferred by the original Developer to the Association.
- D. Intent. The association desires by this amendment to modify Section 10.10 of the Declaration and Covenants, Conditions and Restrictions of Easements for Esprit Homes of Millcreek a Utah Planned Unit Development.
- E. The voting requirements of Section 16.05 of the Declaration have been satisfied and the proposed amendment has been approved by at least 67% of the Total Votes of the Lots.

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NOW, THEREFORE, for the reasons set forth above, the Association hereby amends the Declaration as follows:

1. The language of Section 10.10 of the Declaration is deleted in its entirety and the following language is substituted in lieu thereof:

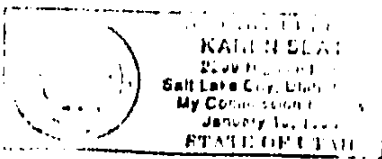
Section 10.10 Temporary Buildings. No outbuilding, basement, shack or other temporary building of improvement so any kind shall be placed upon any portion of the Properties either temporarily or permanently unless approved by the Board. Outbuilding may not be erected in the Properties; provided, however, with the prior written consent of the Architectural Committee a outbuilding may be installed by a Lot Owner on his or her lot provided the final plans and specifications are approved by the Architectural Committee in writing. the outbuilding is installed in accordance with the final plans and specifications. No garage, trailer, camper, motor home or recreation vehicle shall be used as a residence in the Properties, either temporarily or permanently.

2. The effective date of this Amendment to the Declaration shall be the date on which the document is filed for record in the office of the County Recorder of Salt Lake County, Utah.

IN WITNESS WHEREOF, the ESPRIT HOMES OWNERS' ASSOCIATION has executed this instrument on the day and year first above written.

ESPRIT HOMES OWNERS' ASSOCIATION
By: [Signature]
Title: President
By: [Signature]
Title: Secretary

Subscribed and sworn to before me this 30th
day of May, 1997
Karen Seal
Notary Public
SEAL
Residing at _____



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DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AND RESERVATION OF EASEMENTS FOR
ESPRIT HOMES AT MILLCREEK
A UTAH PLANNED UNIT DEVELOPMENT

THIS DECLARATION is made on this 12 day of August, 1992, by BUSSEX GROUP L.C.

RECITALS:

A. Declarant is the owner of that certain real property in Salt Lake County, Utah, which is more particularly described as follows:

BEGINNING at a point that is South 2334.94 feet and West 1665.86 feet from the North quarter corner of Section 32, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence North 30°00'00" East 254.380 feet; thence North 60°00'00" West 75.00 feet to a point of a 15.00 foot radius curve to the right (bearing to the center of curve bears South 30°00'00" West), thence southwesterly 23 562 feet along the arc of said curve; thence North 71°43'56" West 30.64 feet; thence West 81.95 feet; thence South 71°14'33" West 40.427 feet; thence West 89.32 feet; thence North 8.955 feet; thence West 51.738 feet; thence North 00°28'04" West 112.57 feet; thence North 89°58'58" East 70.69 feet; thence North 141.78 feet; thence North 89°50'00" West 17.688 feet; thence North 62.04 feet; thence North 89°50'00" West 264.073 feet; thence South 84°57'00" West 110.875 feet; thence South 72°28'00" West 400.800 feet; thence South 35°46'00" East 79.903 feet to the North line of the Millcreek Condominiums, Phase 2, a recorded condominium project, Entry No. 4638446, Book 88-6, Page 56, as found in the office of the Salt Lake County Recorder's Office; thence along the North and East line of said Millcreek Condominiums, Phase 2, the following three courses and distances; thence North 72°28'00" East 132.24 feet; thence South 17°32'00" East 22.00 feet; thence North 75°18'33" East 2.00 feet; thence South 17°00'00" East 54.76 feet; thence South 85°00'00" East 117.357 feet; thence South 118.243 feet along said Millcreek Condominiums, Phase 2; thence along said line the following 6 courses and distances: thence North 85°00'00" West 101.40 feet; thence South 30°00'00" West 66.745 feet; thence South 60°00'00" East 60.57 feet; thence South 30°00'00" West 41.635 feet; thence South 89°02'01" East 34.61 feet; thence South 36°46'00" East 132.68 feet; thence East 153.625 feet; thence North 00°18'10" East 5.26 feet; thence East 485.85 feet along the North line of the Highland Cove Condominiums, a recorded condominium project; Entry No. 3651595, Book 82-3, Page 25, as found in the Salt Lake County Recorder's Office, to the point of beginning.

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FOR RECORDED
FILED

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