

668373

Lots 577-585  
Oak Forest #10 A

FIRST AMENDMENT TO THE  
 DECLARATION OF  
 PROTECTIVE COVENANTS OF OAK FOREST NO. 10 PLAT A  
 SUBDIVISION (LOTS 577 THROUGH 585 INCLUSIVE)  
 ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED  
 AS ENTRY 649188 IN BOOK 955, PAGE 889 IN THE OFFICE  
 OF THE COUNTY RECORDER

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and executed this 26th day of March, 1984, by Ivory and Company, a limited partnership hereinafter referred to as "Developer";

I.

RECITALS

02-106-0571-0526

1.1 Developer is the record owner of the following described real property located in Davis County, State of Utah:

Lots 577 through 585 inclusive, of Oak Forest No. 10 Plat A Subdivision, a subdivision of part of Section 11 and 14, Township 3 North, Range 1 West, Salt Lake Base and Meridian in the City of Layton according to the official plat thereof.

ALL OF THE FOREGOING IS SUBJECT to all liens for current and future taxes, assessments and changes imposed or levied by governmental or quasi-governmental authorities. All patent reservations and restrictions and all instruments of record which affect the above described lots or any portion thereof including without limitation, any mortgage deed, all visible easements, right-of-ways of record.

1.2 On August 19, 1983, Ivory and Company, a Limited Partnership who was at that time the record owner of the above described real estate adopted and recorded a Declaration of Covenants, Conditions and Restrictions as part of a plan for the perservation of the values and amenities of the residential development to be created on the above described real property, and for the benefit of the real property and the owners thereof.

1.3 The Declaration of Covenants, Conditions and Restrictions of Oak Forest No. 10 Plat A Subdivision was filed with and recorded by the County Recorder of Davis County, State of Utah, on August 22, 1983 as filing #649362, Book 955, Page 1165, Records of Davis County, State of Utah.

II.

COVENANTS AND CONDITIONS

The Declaration of Protective Covenants, Conditions, and Restrictions of Oak Forest No. 10 Plat A Subdivision is hereby amended as follows under the authority of Paragraph 16 in the original recorded Declaration of Protective Covenants which reads:

16. TERM OF RESTRICTIONS. These restrictions are to run with the land permanently except that may be changed, cancelled or added to in whole or in part by a duly recorded instrument signed by the then owners of record of a majority of the lots.

Paragraph 3 entitled DWELLING QUALITY AND SIZE shall be amended to read as follows:

The ground square area of the main structure exclusive of garage and any one story open porches shall not be less than 1,000 square feet for a one story dwelling. In a split level dwelling the combined area of a single level and each of the two levels in the adjoining two story protion of the dwelling exclusive of garage and any one story porches shall total not less than 1,000

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square feet. In a two story home which is two stories above the curb level, the combined area of the ground story level and the story above the ground story level, exclusive of garage and any one story open porches shall total not less than 1,450 square feet. In a split entry dwelling the combined area of the above ground level and the below ground level shall be 1,600 square feet with the above ground level being not less than 1,000 square feet, exclusive of garage and any on story open porches. If four feet or more of foundation is above finished grade, then the basement becomes a story. For the purposes of these covenants, the basement area shall in no event be considered a story. It is the purpose of this covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same as or better than that which can be produced at the date that these covenants are recorded.

Except as herein specifically provided, all provisions of the Declaration of Protective Covenants of Oak Forest No. 10 Plat A shall remain unaffected and shall continue in full force and effect.

In witness hereof, the undersigned has executed this first amendment to the Declaration of Protective Covenants, Oak Forest No. 10 Plat A Subdivision the date and year as above written.

IVORY AND COMPANY, developer and record owner of all the lots contained within Oak Forest No. 10 Plat A.

IVORY AND COMPANY

By McKinley M. Oswald  
General Partner

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

On this 27 day of March, 1984, personally appeared before me McKinley M. Oswald, who being by me duly sworn did say that he is the General Partner of Ivory and Company, and that said instrument was signed in behalf of Company and said McKinley M. Oswald acknowledged to me that said partnership executed the same.

My commission expires:

1-18-85

Phyllis Trumble  
NOTARY PUBLIC  
Residing in:  
SLC, Ut