



ENT 6796:2016 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Jan 26 2:54 pm FEE 103.00 BY EO
RECORDED FOR EAGLE MOUNTAIN CITY

After Recording Return To:

Ball Janik, LLP
2040 Murray Holladay Rd., Suite 106
Salt Lake City, UT 84117
801-274-6800

**AMENDMENT AND TERMINATION OF THE
HEATHERWOOD ON THE GREEN
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AS TO CERTAIN PROPERTY ONLY**

A. Certain real property in Utah County, Utah, was subjected to certain covenants, conditions and restrictions pursuant to the Heatherwood on the Green Phase 1 Amended and Restated Declaration of Covenants, Conditions and Restrictions recorded July, 2009, as Entry No. 80942:2009 in the Recorder's Office for Utah County, Utah (the "Declaration").

B. This amendment and termination shall be binding against the property described in paragraphs numbered 1 and 2 below.

C. In order to provide for the removal of certain property (as described herein) from the provisions of the Declaration, the Association and the successor Declarant "A" under the Declaration adopts the following amendment and termination.

D. Pursuant to Section 11.9 of the Declaration, the written consent of (i) at least two-thirds of the Class A members of the Association, and (ii) Declarant "A" has been obtained to adopt this amendment and termination.

1. **NOW, THEREFORE**, as to the following real property only, the Association hereby terminates, withdraws and cancels the Declaration so that the Declaration shall no longer be valid or effective as to the following:

LOT 8, HEATHERWOOD ON THE GREEN PUD PHASE 1 2ND AMENDED,
according to the official plat thereof recorded in the records of the Utah County
Recorder, Utah.

2. **NOW, THEREFORE**, the Association hereby amends Exhibit A to the Declaration titled "Exhibit A Heatherwood on the Green Phase 1 Planned Unit Development Property Description" to read as follows:

All Lots and Common Area, HEATHERWOOD ON THE GREEN PUD PHASE
1 2ND AMENDED, according to the official plat thereof on record with the Utah
County Recorder's Office, state of Utah.

IN WITNESS WHEREOF, Heatherwood on the Green Homeowner's Association and Eagle 11, LLC, as successor Declarant "A" have executed this Amendment to the Declaration as of the 9 day of October, 2015.

HEATHERWOOD ON THE GREEN HOMEOWNER'S ASSOCIATION
a Utah nonprofit corporation

Ali Rafati
Print Name:
President

Jim Tyler
Print Name:
Secretary Jim Tyler

DECLARANT "A"
EAGLE 11, LLC
[Signature]
Print Name:
Its: Manager

State of Utah)
County of Salt Lake) :ss

Subscribed and sworn to before me on the 9 day of October, 2015, by Ali Rafati as manager of Eagle 11, LLC.

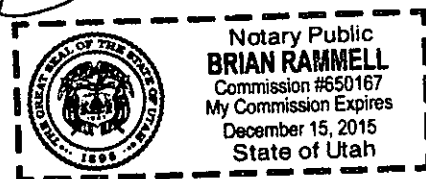


[Signature]
Notary Public

State of Utah)
County of Salt Lake) :ss

Subscribed and sworn to before me on the 9 day of October, 2015, by Jim Tyler as Secretary of Heatherwood on The Green Homeowner's Association.

[Signature]
Notary Public



State of Utah

County of Salt Lake)
) ss

Subscribed and sworn to before me on the 9 day of October, 2015, by
Ali Lakin as President of Heatherwood on The Green Homeowners
Association

[Signature]
Notary Public

