

BALMORAL HOA  
470 EAST 3900 SOUTH, #200  
SALT LAKE CITY, UTAH 84107

6796336  
11/21/97 12:36 PM 37.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
REC BY: D KILPACK DEPUTY - WI

BALMORAL HOMEOWNERS ASSOCIATION

SEVENTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS

THIS SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Seventh Amendment"), is made this 13TH day of NOVEMBER 1997, by BALMORAL, L.L.C., a Utah limited liability company ("Declarant").

W I T N E S S E T H:

WHEREAS, Declarant made, executed and caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions dated March 6, 1996, which was recorded among the Salt Lake County Recorder's Office in Book 7350, page 2318 et seq., on March 13, 1996 (the "Original Declaration"), First Amendment to Declaration of Covenants, Conditions and Restrictions dated April 2, 1996, recorded among the Salt Lake County Recorder's Office in Book 7368, page 1601 et seq., Second Amendment to Declaration of Covenants, Conditions and Restrictions dated April 30, 1996, recorded among the Salt Lake County Recorder's Office in Book 7398, page 2649 et seq., and Third Amendment to Declaration of Covenants, Conditions and Restrictions dated November 18, 1996, recorded among the Salt Lake County Recorder's Office in Book 7536, page 2338 et seq., and Fourth Amendment to Declaration of Covenants, Conditions and Restrictions dated February 25, 1997, recorded among the Salt Lake County Recorder's Office in Book 7606, page 2415 et seq., and Fifth Amendment to Declaration of Covenants, Conditions and Restrictions dated April 1, 1997, recorded among the Salt Lake County Recorder's Office in Book 7636, page 2996 et seq., and Sixth Amendment to Declaration of Covenants, Conditions and Restrictions dated June 17, 1997, recorded among the Salt Lake County Recorder's Office in Book 7773, page 0517 et seq. (collectively, the "Declaration"), pursuant to which Declarant subjected all that property described in the Declaration (the "Property") and Declarant formed an association known as, "Balmoral Homeowners Association" ("Association"); and

WHEREAS, pursuant to Article 3.2 of the Original Declaration, Declarant reserved the right to add to the Property additional land within that area described in Exhibit "B" attached to the Original Declaration; and

WHEREAS, Declarant is the owner of that certain property described in Exhibit "A" attached hereto and incorporated herein, and that property is within the area described in Exhibit "B" attached to the Original Declaration, and Declarant wishes to add that property described in Exhibit "A" attached hereto to the Property subjected to the Declaration.

NOW, THEREFORE, the Declarant hereby declares that the Declaration shall be amended as follows:

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FIRST AMERICAN TITLE CO.  
ACCOMMODATION RECORDING ONLY

BK 7812 PG 0782

1. All that property described in Exhibit "A" attached hereto is annexed to the Property subject to the Declaration, and shall be held, sold and conveyed subject to the easements, declarations, covenants and conditions set forth in the Declaration, which are for the purpose of protecting the value and desirability, and enhancing the attractiveness of the Property, and which shall run with the Property and shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner of the Property or any part thereof and their respective heirs, personal representatives, successors and assigns, and the Association.

2. The Common Area to be owned by the Association at the time of the conveyance of the first lot contained within the Property described in Exhibit "A" attached hereto, is more particularly described in Exhibit "B" attached hereto and made a part hereof. References to streets and other Common Areas described in Exhibit "B" are for reference only, and the streets and Common Areas are intended for use by the Owners for access, ingress, egress, recreation and other related activities. The designated areas are not dedicated hereby for use by the general public, but are dedicated for the common use and enjoyment of the Owners as more fully set forth in the Declaration herein.

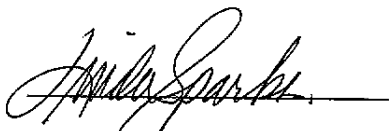
3. In all other respects, the Declaration, remains unchanged.

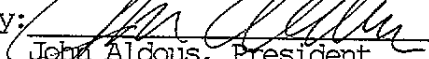
WITNESS the hand and seal of Balmoral, L.L.C., on the day herein above first written.

WITNESS/ATTEST:

BALMORAL, L.L.C.

By: HAMLET HOMES CORPORATION,  
Member

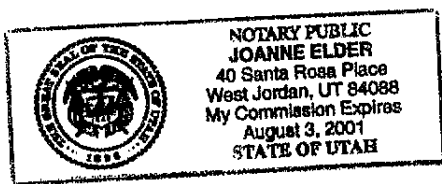


By:  (SEAL)  
John Aldous, President

STATE OF UTAH, CITY/COUNTY OF Salt Lake TO WIT:

I HEREBY CERTIFY that on this 13 day of November, 1997 before, me, the subscriber, a Notary Public of the State of Utah, personally appeared John Aldous, known to me or suitably proven, who acknowledged himself to be President of Hamlet Homes Corporation, Member of Balmoral, L.L.C., the entity named in the foregoing instrument, and who, being authorized to do so, in my presence, signed and sealed the same and acknowledged the same to be the act and deed of such entity.

AS WITNESS my hand and seal.



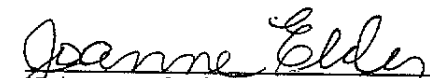
  
Notary Public  
My Commission Expires: 8/3/01

EXHIBIT A

DESCRIPTION OF LOTS  
TO BE SUBMITTED TO THE HOMEOWNERS ASSOCIATION

The following 22 Lots are subjected to this Seventh Amended Declaration:

BEING KNOWN AND DESIGNATED as Lots 601 through and including 622, all as shown on the Plat entitled, "Balmoral Townhomes, Phase 6", which Plat is recorded among the Recorder's Office of Salt Lake County, as Number 6758238, in Book 97-10P, page 309.

BK 7812 PG 0784

**EXHIBIT B**

**DESCRIPTION OF COMMON AREA  
TO BE SUBMITTED TO THE HOMEOWNERS ASSOCIATION**

All that area shown as "Common Area - Open Space" or similar designation, on the Plat entitled, "Balmoral Townhomes, Phase 6", which Plat is recorded among the Recorder's Office of Salt Lake County, as Number 6758238, in Book 97-10P, page 309, and as described on the attached Description from Eckkhoff, Watson & Preator.

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