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WHEN RECORDED, PLEASE RETURN TO:

Mr Dee Whiting, Secretary Whispering Pines Homeowners Association 2270 Bast 4800 South #10 Salt Lake City, Utah 84117 00072323 Bk00442 Pg02686-02770

REED D HATCH-SAMPETE COUNTY RECORDER 1999 AUB 18 11:22 AM FEE \$412.00 BY KEH REDUEST: WHISPERING PINES HOMEDINERS ASS

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AMENDED DECLARATION OF

RESERVATIONS, RESTRICTIONS AND COVENANTS FOR THE WHISPERING PINES SUBDIVISION, PHASE 3, SHEET 2

We, the undersigned owners of a majority of the lots within the Whispering Pines Subdivision, Phase 3, Sheet 2, according to the official plat thereof on file with the Sanpete County (Utah) Recorder [said plat being recorded on 11 August 1986 as Recorded Document #285607], hereby adopt the following "Amended Declaration" as an amendment to those certain covenants and restrictions recorded as Recorded Document #248579 on 6 November 1979, at Book 210 Pages 831 thru 852, inclusively, in the official records of the Sanpete County (Utah) Recorder, said restrictions to encumber the said Subdivision [as described herein, including but not limited to our individual lots owned by us and all other lots within the subdivision].

The foregoing amendment and the adoption of these covenants shall not be deemed to be an amendment of the foregoing previously-recorded covenants, insofar as such covenants are applicable to and binding upon other areas of the 460-acre Whispering Pines (Phase 3) subdivision, as such other areas are described in the legal description attached to said previously-recorded covenants and restrictions.

Those other areas contained within the Whispering Pines subdivision not described within "Phase 3, Sheet 2" shall be and remain unaffected by the amendment of the "covenants" effected herein.

The lots contained within the real estate encumbered by these covenants (and the owners of said lots), in addition to the lots (and the owners of said lots) contained within areas of the Whispering Pines development not affected by the "amendment" herein effected, shall be entitled to utilize those "common areas" within the Whispering Pines subdivision development, regardless of where said "common areas" are located (either within or without the area described in Paragraph 1 of this Amended Declaration), according to the same terms and conditions (including the payment of annual assessment fees for such maintenance and/or use), notwithstanding the amendments herein effected.

RECITALS

Whereas, certain covenants and restrictions applicable to the