

AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF
PARADISE CANYON

THIS AMENDMENT TO THE DECLARATION of Covenants Conditions and Restrictions of Paradise Canyon is made pursuant to Article 11, Section 11.4, and executed this 11 day of Sept, 2001, AND AMENDS (1) THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF PARADISE CANYON, recorded 2000 APR 27, as Entry No. 00683469 in Book 1367, at Pages 0295 et seq., (2) THE DECLARATION OF ANNEXATION [Phase 2], recorded 2001 Jan 17, as Entry No. 707578, in Book 1391, at Pages 2670-2688 et seq., and (3) THE DECLARATION OF ANNEXATION [Phase 3], recorded 2001 Feb 7, as Entry No. 709782, in Book 1394, at Pages 147-148 et seq., and any amendments thereto, all of which are part of the records of Washington County, and affects the following described property:

SEE EXHIBIT "A" THAT IS ATTCHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

TOGETHER WITH ALL IMPROVEMENTS & APPURTENANCES THEREUNTO BELONGING.

Article 2 is hereby amended to add Section 2.8 as follows:

Section 2.8. Combination of Lots In the event two or more adjacent Lots are held in identical Ownership, the Lots may be combined for use and construction purposes. The Common or Limited Common Areas which are between the private Ownership areas in each of the adjacent Lots may be occupied for construction of a single Townhome, the Owner having an easement for this purpose under, across and over such Common and Limited Common Areas. For example, if Lots 32 and 33 of the original Plat were owned by the same Owner, and the Owner desired to construct a single Townhome, the Townhome could occupy the area between Lots 32 and 33 (east of Lot 33 and west of Lot 32) which is designated on the plat as Limited Common Area. The Owner would be required to respect the Common and Limited Common Areas in the other, non-adjacent, boundaries of the Lots. The Limited Common Area so occupied by the Townhome would, upon request of the Owner, and the Owner's payment of survey costs for the area conveyed, be deeded to the Owner.

In the event of such Townhome construction across Common or Limited Common Areas between adjacent Lots, all easement and rights of the Association, its members and third parties, such as utilities, in such area which had been exercised prior to construction of the Townhome would remain in place, in perpetuity. However, all easement and other rights which had not been used prior to construction of the Townhome could not thereafter be exercised in the area on which the Townhome is constructed.

Article 4, Section 4.7 is hereby amended to read as follows:

Section 4.7. Uniform Rate of Assessment; Periodic Assessment Both annual and special assessments must be fixed at a uniform rate for all lots; except when a single owner owns two or more lots upon which only one Townhome is constructed, as provided in Section 2.8, the owner shall be assessed the full annual or special assessment for one lot and one-half the annual or special assessment for each additional lot; and provided further however, that no assessments shall accrue against the Declarant on any Lots so long as the Declarant has Class B membership.

Annual, special and additional assessments may be collected on a monthly or quarterly basis, as the Trustees determine.

EXHIBIT "A" - LEGAL DESCRIPTION

BOUNDARY DESCRIPTION FOR PARADISE CANYON PHASE 1

Beginning at a point which lies North 1°09'20" East 843.22 feet along the Section Line from the East Quarter Corner of Section 14, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running thence South 61°16'19" West 38.13 feet; thence South 46°12'58" West 134.94 feet; thence South 37°22'35" West 44.15 feet; thence South 23°35'58" West 95.58 feet; thence South 20°36'56" West 63.00 feet to a point on the Northerly right of way of Tuacahn Parkway, according to the Road Dedication Plat thereof, records of Washington County, said point being also on a curve to the right, the radius point of which bears North 8°29'57" West 2460.00 feet distant; thence Westerly along said right of way and the arc of said curve through a central angle of 12°00'35", a distance of 515.64 feet to the point of tangency; thence North 86°29'22" West 230.41 feet along said right of way; thence North 3°30'38" East 50.63 feet; thence North 45°40'56" East 50.31 feet; thence North 23°52'43" East 81.76 feet; thence North 66°07'17" West 43.12 feet; thence North 25°08'01" East 87.02 feet; thence North 42°58'15" East 37.04 feet; thence North 23°06'15" East 92.06 feet; thence North 13°28'47" East 68.58 feet; thence North 3°50'28" East 68.58 feet; thence North 5°47'00" West 68.58 feet; thence North 15°25'19" West 68.58 feet; thence North 25°02'59" West 68.58 feet; thence North 34°58'51" West 68.88 feet; thence North 51°45'59" East 92.00 feet; thence North 77°18'13" East 55.20 feet; thence North 51°45'59" East 91.19 feet; thence North 38°14'01" West 1.56 feet; thence North 51°45'59" East 86.00 feet; thence North 38°14'01" West 28.42 feet; thence North 51°45'59" East 150.28 feet; thence South 38°14'01" East 95.18 feet; thence North 83°44'19" East 35.04 feet; thence North 77°46'22" East 99.68 feet; thence South 17°00'22" East 210.80 feet; thence South 89°07'31" East 296.69 feet to a point on the East line of said Section 14; thence South 1°09'20" West 494.28 feet to the point of beginning.

BOUNDARY DESCRIPTION FOR PARADISE CANYON PHASE 2

BEGINNING AT A POINT WHICH LIES N 1°09'20" E 1298.16 FEET ALONG THE SECTION LINE, AND WEST 913.46 FEET FROM THE EAST 1/4 CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ALSO ON THE WESTERLY BOUNDARY OF PARADISE CANYON PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF WASHINGTON COUNTY AND RUNNING THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING THIRTEEN COURSES: S 34°58'51" E 68.88 FEET; THENCE S 25°02'59" E 68.58 FEET; THENCE S 15°25'19" E 68.58 FEET; THENCE S 5°47'00" E 68.58 FEET; THENCE S 3°50'28" W 68.58 FEET; THENCE S 13°28'47" W 68.58 FEET; THENCE S 23°06'15" W 92.06 FEET; THENCE S 42°58'15" W 37.04 FEET; THENCE S 25°08'01" W 87.02 FEET; THENCE S 66°07'17" E 43.12 FEET; THENCE S 23°52'43" W 81.76 FEET; THENCE S 45°40'56" W 50.31 FEET; THENCE S 3°30'38" W 28.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF TUACAHN PARKWAY, ACCORDING TO THE ROAD DEDICATION PLAT THEREOF, RECORDS OF WASHINGTON COUNTY; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING FIVE COURSES: N 86°24'59" W 236.90 FEET TO THE POINT OF A 1491.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°44'36", A DISTANCE OF 19.34 FEET TO THE POINT OF TANGENCY; THENCE N 85°40'23" W 150.21 FEET TO THE POINT OF A 309.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°05'25", A DISTANCE OF 43.63 FEET TO THE POINT OF TANGENCY; THENCE S 86°14'11" W 72.86 FEET; THENCE N 3°30'38" E 55.77 FEET TO THE POINT OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°11'17", A DISTANCE OF 16.74 FEET TO THE POINT OF A 40.00 FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°11'17", A DISTANCE OF 13.40 FEET TO THE POINT OF TANGENCY; THENCE N 3°30'38" E 182.44 FEET TO THE POINT OF A 190.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°10'10", A DISTANCE OF 70.20 FEET TO THE POINT OF A 245.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°24'42", A DISTANCE OF 224.12 FEET TO THE POINT OF TANGENCY; THENCE N 34°45'10" E 21.59 FEET; THENCE N 55°14'50" W 20.50 FEET; THENCE N 34°45'10" E 75.38 FEET TO A POINT ON A CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS N 38°16'02" E, 210.00 FEET DISTANT; THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 67°43'50", A DISTANCE OF 248.25 FEET TO THE POINT OF A 255.00 FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°15'56", A DISTANCE OF 139.15 FEET TO THE POINT OF TANGENCY; THENCE N 15°16'04" W 76.70 FEET; THENCE N 74°43'56" E 80.92 FEET; THENCE N 87°27'39" E 69.82 FEET; THENCE N 2°34'45" E 11.89 FEET; THENCE S 78°35'29" E 51.93 FEET; THENCE S 62°29'52" E 135.29 FEET; THENCE S 44°02'48" E 68.31 FEET; THENCE S 38°14'01" E 354.62 FEET TO THE POINT OF BEGINNING.

CONTAINS 13.48 ACRES.

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BOUNDARY DESCRIPTION FOR PARADISE CANYON PHASE 3

BEGINNING AT A POINT WHICH LIES N 1°09'20" E 1543.65 FEET ALONG THE SECTION LINE AND WEST 362.47 FEET FROM THE EAST 1/4 CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ALSO ON THE NORTHWESTERLY BOUNDARY OF PARADISE CANYON PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF WASHINGTON COUNTY AND RUNNING THENCE ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING TEN COURSES: S 77°46'22" W 99.68 FEET; THENCE S 83°44'19" W 35.04 FEET; THENCE N 38°14'01" W 95.18 FEET; THENCE S 51°45'59" W 150.28 FEET; THENCE S 38°14'01" E 28.42 FEET; THENCE S 51°45'59" W 86.00 FEET; THENCE S 38°14'01" E 1.56 FEET; THENCE S 51°45'59" W 91.19 FEET; THENCE S 77°18'13" W 55.20 FEET; THENCE S 51°45'59" W 92.00 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF PARADISE CANYON PHASE 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF WASHINGTON COUNTY AND RUNNING THENCE ALONG SAID NORTHEASTERLY BOUNDARY THE FOLLOWING SEVEN COURSES: N 38°14'01" W 354.62 FEET; THENCE N 44°02'48" W 68.31 FEET; THENCE N 62°29'52" W 135.29 FEET; THENCE N 78°35'29" W 51.93 FEET; THENCE S 2°34'45" W 11.89 FEET; THENCE S 87°27'39" W 69.82 FEET; THENCE S 74°43'56" W 80.93 FEET; THENCE N 15°16'04" W 297.56 FEET TO THE POINT OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76°57'28", A DISTANCE OF 26.88 FEET TO THE POINT OF A 55.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°01'24", A DISTANCE OF 51.36 FEET; THENCE S 48°55'18" W 18.03 FEET; THENCE N 41°04'42" W 64.88 FEET; THENCE N 12°04'42" W 61.00 FEET; THENCE N 6°20'18" E 121.33 FEET; THENCE N 21°10'18" E 175.40 FEET; THENCE S 70°26'10" E 1045.68 FEET; THENCE S 89°52'53" E 375.99 FEET; THENCE S 2°18'50" W 412.65 FEET; THENCE S 48°44'57" W 88.64 FEET TO THE POINT OF BEGINNING. CONTAINS 18.46 ACRES.

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