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AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ESTABLISHING A PLAN OF TOWNHOME OWNERSHIP  
FOR  
THE WHITE PINES TOWNHOMES P.U.D.  
PHASE V

This amendment to the Declaration of Covenants, Conditions, and Restrictions (hereinafter "Declaration") is made this 25<sup>th</sup> day of April, 2001 by Sunstone Corporation ("Declarant").

RECITALS

WHEREAS, a Declaration of Covenants, Conditions, and Restrictions (the "Declaration") was recorded on September 8, 2000 as Entry No. 715492 in Book 8386 at page 6855 et seq. of the records of the Salt Lake County Recorder; and

WHEREAS, the Declarant is the owner of the tract to which the Declaration applies.

AMENDMENT

NOW, THEREFORE, WITNESSETH:

1. Exhibits. When the Declaration was recorded, Exhibit "A" contained an error. Amended Exhibit "A" is attached hereto.
2. Expansion of the Development. In order to facilitate the possible expansion of the Project, the following provisions are added to the Declaration.

RECITALS

F. Declarant may expand the Project to include additional property as more particularly set forth in Section 47 hereof. In this Declaration, the term "Property" will refer only to the initial phase as described on Exhibit "A". The Property shall, however, also refer to any phases subsequently annexed as provided in Article 47. Declarant makes no representations, expressed or implied, regarding whether Declarant will undertake or complete any phase other than the initial phase and; further, Declarant makes no representations, expressed or implied, regarding the impact of any such future phases on open space and view corridors for any Unit in the initial phase, or any subsequent phases, or that any subsequent phases will be constructed hereinafter.

SECTION 47. Expansion. Some additional parcels may be annexed to the Project only by the Declarant and/or its successors and assigns and shall thereafter automatically become subject to this Declaration, subject to the jurisdiction of the Association, without the assent of the Association or its Members, on condition that a supplemental Declaration shall be recorded in the office of the Salt Lake County Recorder. The supplemental Declaration shall incorporate the

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Declaration and any amendments thereto by reference and may contain such complimentary additions and modifications of the Covenants and Restrictions contained in this Declaration as may be necessary to reflect the different character, if any, of the added property, and as are not inconsistent with the scheme of this Declaration. Notwithstanding any other provision of this Declaration, Declarant may upon such terms and conditions as are appropriate, grant an easement over the roadways of the Project or the right to use the Common Area's order to facilitate the expansion of the Project or the development by Declarant of property proximate to the Project.

3. Declarant's Sales Program. In order to facilitate the Declarant's Sales Program, Section 33 is amended as follows:

SECTION 33. Declarant's Sales Program. Notwithstanding anything to the contrary, until Declarant has sold all the Lots and Units owned by it in the Project, including any possible expansion thereof, or the expiration of three (3) years after the date on which the last Unit is completed, whichever occurs last, neither the Owners, Association, Committee, nor any member thereof shall interfere with the completion of improvements on Declarant's sales program, and Declarant shall have the following rights in furtherance of any sales, promotions or other activities conducted on the Project.

a) Sales Office and Model Lots. Declarant shall have the right to maintain one (1) or more sales offices and one (1) or more model Lots or Units at any one time. Such office and/or models may be one or more of the Lots or Units owned by it, or one or more of any separate structures or facilities placed on the Property for the purpose of aiding Declarant's sales effort, or any combination of the foregoing;

b) Promotional. Declarant shall have the right to maintain a reasonable number of promotional, advertising and/or directional signs, banners, flags or similar devices at any place or places on the Property.

c) Common Areas Use. Declarant shall have the right to use the Common Areas of the Project to facilitate sales.

d) Relocation and Removal. Declarant shall have the right from time to time to locate or relocate any of its sales offices, models, or signs, banners or similar devices, but in connection with each such location or relocation shall observe the limitations imposed herein. Within a reasonable period of time after the conclusion of Declarant's sales program, Declarant shall have the right to remove from the Project any signs, banners, flags or similar devices and any separate structure or facility which was placed on the Property for the purpose of aiding Declarant's sales effort.

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF WHITE PINES TOWNHOMES P.U.D. PHASE V**

The land described in the foregoing Declaration is located in Salt Lake County, Utah and is described more particularly as follows:

BEGINNING at a point on the North line of 3 Rod Road, said point being North 00°08'42" West 1325.35 feet (North 1296.90 feet deed) and South 89°51'38" West 369.51 feet (West 362.51 deed feet) from the center of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being the Southwest corner of the Jenson property as described in Book 8272 at Page 5821, thence North 00°08'22" West 8.25 feet to the true point of beginning; and running thence North 00°08'22" West along the West line of said Jenson property 318.45 feet, more or less, to the center of an existing ditch; thence South 89°51'38" West along said centerline of the existing ditch 217.66 feet; thence South 00°08'22" East along the East line of the Timothy property; recorded in Book 7141 at Page 2669, Salt Lake County Recorders Official Records, 318.45 feet; thence North 89°51'38" East 217.66 feet to the point of beginning.

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04/26/2001 11:57 AM 30.00  
Book - 8449 Pg - 7724-7727  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
MERRILL TITLE  
BY: ZJM, DEPUTY - WI 4 P.