

WHEN RECORDED RETURN TO:

Douglas M. Durbano, Esq.  
United Savings Plaza #320  
4185 Harrison Boulevard  
Ogden, Utah 84403

BOOK

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PAGE

599

ENCL. PL. AB

RECORDED AT REQUEST OF  
BONNEVILLE TITLE

1983 FEB 26 PM 3:44

CALL FOR FILE  
DAVID J. JONES

48.00

AMENDMENT

TO

DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS,

RESTRICTIONS AND CONDITIONS AFFECTING THE REAL PROPERTY

KNOWN AS SNOW CREEK SUBDIVISION, LOTS #1 THROUGH #47 INCLUSIVE,

LAYTON CITY, DAVIS COUNTY, STATE OF UTAH

TO WHOM IT MAY CONCERN:

WHEREAS, McCullough-Jones Land Company, as the original developer, filed certain declarations of protective covenants, agreements, restrictions and conditions affecting the following described real property located in Layton City, Davis County, State of Utah:

Lots #1 through #47 inclusive of Snow Creek,  
a subdivision, according to the official plat  
thereof, recorded as Entry #52296 in  
Book #753, Page #396, in the office of the  
County Recorder.

11-009-0001 16-0047

WHEREAS, it is now the desire and intention of two thirds (2/3) of the fee simple title owners of the above described lots, to amend the covenants, as evidenced by their signatures below:

NOW THEREFORE, pursuant to paragraph #16, of the Restrictive Covenants, the above mentioned Restrictive Covenants of the Snow Creek Subdivision, shall be and hereby are amended and modified to read as follows:

1. BUILDING ORDINANCES: All structures must comply with the current building code, zoning and setback requirements of Layton City.

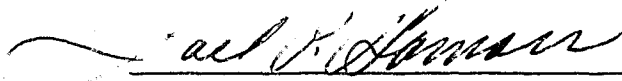
2. DWELLING QUALITY AND SIZE: The ground level square foot area of the main structure, exclusive of garage and any one (1) story open porches, shall not be less than One Thousand One

Hundred (1,100) square feet for a one (1) story dwelling. In a split level dwelling, the combined area of the single level and each of the two (2) levels in the adjoining two (2) story portion of the dwelling, exclusive of garage and any one (1) story porches, shall total not less than One Thousand Five Hundred (1,500) square feet. In a two (2) story home which is two (2) stories above the curb level the combined area of the ground story level and the story above the ground story level, exclusive of garage and any one (1) story open porches, shall total not less than One Thousand Eight Hundred (1,800) square feet. In a split entry dwelling, the combined area of the above ground level and the below ground level shall be One Thousand Eight Hundred (1,800) square feet with the above ground level being not less than One Thousand One Hundred and Fifty (1,150) square feet, exclusive of garage and any one (1) story open porches. It is the purpose of this Covenant to insure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced the date that these Covenants are recorded.

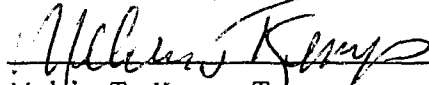
Pursuant to paragraph #15 of the above referenced Protective Covenants of the Snow Creek Subdivision, and by a majority vote of the forty seven (47) lot owners, as evidenced by their signatures below, the below named individuals are hereby nominated, appointed, elected and installed as the three (3) members of the Architectural Control Committee; Lael P. Boman (P.O. Box #9725, Ogden, Utah 84409); Melvin T. Kemp (P.O. Box #9725, Ogden, Utah 84409); and Garret Bangerter, (5400 South 2000 West, Salt Lake City, Utah 84111). These individuals shall serve as the Architectural Control Committee, pursuant to the Declaration of Protective Covenants, Agreements and Restrictions and conditions affecting the real property known as Snow Creek Subdivision and subject to any amendment thereof, until their successors in interest have been elected.

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architectural Control Committee is hereby agreed to and signed by me  
this 23rd day of February, 19 88.

Boman & Kemp Steel Money Purchase  
Pension Trust, Owner of Lots #1, #3,  
#5, #8, #16, #17, #18, #19, #20, #21,  
#22, #23, #24, #25, #26, #29, #32, #33,  
#34, #35, and #36, (totaling 21 lots).



Lael P. Boman, Trustee




Melvin T. Kemp, Trustee

STATE OF Utah )

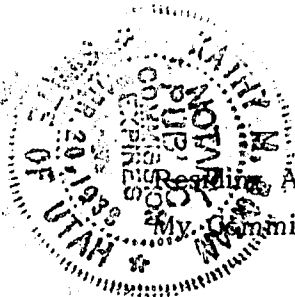
:ss.

COUNTY OF Weber )

On the 23rd day of February, 19 88, personally appeared  
before me, Lael P. Boman and Melvin T. Kemp, the signers  
of the above foregoing instrument, who duly acknowledged to me that they executed  
the same.

  
Notary Public

At: Ogden  
My Commission Expires: 4-20-88



William P. Stittler

Owner of Lot(s)  
(totaling 3 lot(s)) 4-6-7

Kent S. Lanta

Owner of Lot(s) 13  
(totaling 1 lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

STATE OF UTAH           )  
                              : ss.  
COUNTY OF WEBER       )

Personally appeared before me Lael P. Boman,  
who being by me duly sworn did say that he is the authorized  
agent and/or Trustee for and in behalf of the Boman & Kemp Steel  
Money Purchase Pension Trust, the signer of the above foregoing

instrument, and who duly acknowledged to me that he executed the same in behalf of the Boman & Kemp Steel Money Purchase Pension Trust.

Kathryn Boman  
NOTARY PUBLIC

Residing At: Weber City  
My Commission Expires: 4/20/88

STATE OF Utah )  
COUNTY OF Weber ) ss.

On the 19 day of Nov, 1987,  
personally appeared before me, \_\_\_\_\_,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

Residing At:  
My Commission Expires:

STATE OF Utah )  
COUNTY OF Weber ) ss.

On the 8th day of December, 1987,  
personally appeared before me, William D. Stetter,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

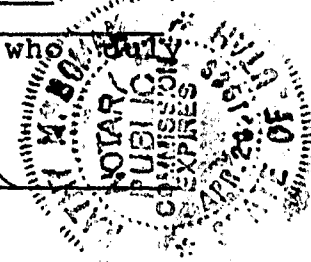
Sandy Collins  
NOTARY PUBLIC

Residing At: Ogden, Utah  
My Commission Expires: 11-18-89

STATE OF UTAH \_\_\_\_\_ )  
COUNTY OF Welder ) :ss.

On the 28 day of Dec, 1987,  
personally appeared before me, Kent Lasater  
the signer of the above foregoing instrument, who  
acknowledged to me that he/she executed the same.

Kathy Roman  
NOTARY PUBLIC



Residing At:  
My Commission Expires:

STATE OF UTAH \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) :ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, 1987,  
personally appeared before me, \_\_\_\_\_,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

Residing At:  
My Commission Expires:

STATE OF UTAH \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) :ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, 1987,  
personally appeared before me, \_\_\_\_\_,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

Residing At:  
My Commission Expires:

THIS DECLARATION OF AMENDMENT AND ELECTION of the Architectural Control Committee is made this \_\_\_\_\_ day of November, 1987, by two thirds (2/3) of the fee simple title owners of the Snow Creek Subdivision.

BOMAN & KEMP STEEL MONEY PURCHASE  
PENSION TRUST, OWNER OF LOTS #1,  
#3, #5, #8, #16, #17, #18, #19, #20  
#21, #22, #23, #24, #25, #26, #27,  
#29, #32, #33, #34, #35, and #36,  
(totaling 22 lots)

By: *Paul P. Boman*

Its: *Trustee*

LAREE NIELSEN  
Owner of Lots #28, #37 and #38  
(totaling 3 lots)

MICHAEL W. NIELSON  
Owner of Lot #42  
(totaling 1 lot)

*Ronald B. Gowers*  
RONALD B. GOWERS  
Owner of Lot #46  
(totaling 1 lot)

WILLARD MAUGHN  
Owner of Lot #47  
(totaling 1 lot)

HOWARD R. GREEN  
Owner of Lot #40  
(totaling 1 lot)

William P. Stittler

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Ken A. Senger

Owner of Lot(s) 27  
(totaling 1 lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

Owner of Lot(s)  
(totaling \_\_\_\_\_ lot(s))

STATE OF UTAH           )  
                              : ss.  
COUNTY OF WEBER       )

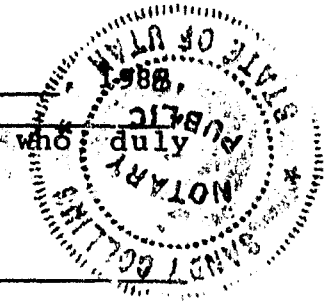
Personally appeared before me Lael P. Boman,  
who being by me duly sworn did say that he is the authorized  
agent and/or Trustee for and in behalf of the Boman & Kemp Steel  
Money Purchase Pension Trust, the signer of the above foregoing



STATE OF Utah )  
COUNTY OF Weber ) ss.

On the 4th day of January,  
personally appeared before me, Ronald B. Gowers,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

Sandy Collins  
NOTARY PUBLIC



Residing At:  
My Commission Expires:

STATE OF Utah )  
COUNTY OF Weber ) ss.

On the 4th day of January, 1987,  
personally appeared before me, Garret Bangert,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

Sandy Collins  
NOTARY PUBLIC



Residing At:  
My Commission Expires:

STATE OF UTAH \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, 1987,  
personally appeared before me, \_\_\_\_\_,  
the signer of the above foregoing instrument, who duly  
acknowledged to me that he/she executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

Residing At:  
My Commission Expires:

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architecural Control Committee is hereby agreed to and signed by me  
this 23 day of Feb, 1988.

William Kent Stettler

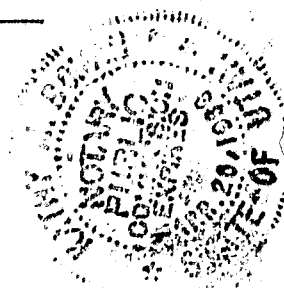
William Kent Stettler  
Owner of Lot #4, Snow Creek Sub Division  
Layton, Utah

STATE OF Ut)  
COUNTY OF Weber) : ss.

On the 23 day of Feb, 1988, personally appeared  
before me, William K Stettler, the signer of the above foregoing  
instrument, who duly acknowledged to me theat he executed the same.

Kathym Roman  
Notary Public

Residing At: Weber Cty  
My Commission Expires: 4/20/88



THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architecural Control Committee is hereby agreed to and signed by me  
this January day of January, 1988.

20<sup>th</sup> KE

January KE

Kathleen Erickson

Kathleen Erickson  
Owner of Lot #6

STATE OF UTAH)  
COUNTY OF UTAH) : ss.

On the 20th day of January, 1988, personally appeared  
before me, KATHLEEN ERICKSON, the signer of the above foregoing  
instrument, who duly acknowledged to me theat he executed the same.

Elayne Butcher  
Notary Public

Residing At: Crown, Utah  
My Commission Expires: 9.22-88

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architectural Control Committee is hereby agreed to and signed by me  
this 6<sup>th</sup> day of Jan, 1988.

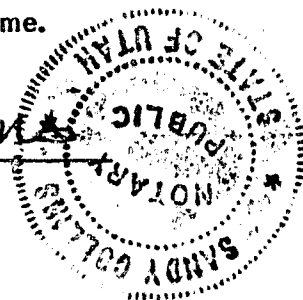
Robert B. Clay  
Robert B. Clay  
Owner of Lot #41, Snow Creek Sub Division  
Layton, Utah

STATE OF Utah )  
COUNTY OF Weber )  
:SS.

On the 6<sup>th</sup> day of January, 1988 personally appeared  
before me, Robert B. Clay, the signer of the above foregoing  
instrument, who duly acknowledged to me that he executed the same.

Sandy Collins  
Notary Public

Residing At: Ogden, Utah  
My Commission Expires: 11-18-89



THIS DECLARATION OF AMENDMENT AND ELECTION of the Architectural Control Committee is hereby agreed to and signed by me this 2<sup>nd</sup> day of ~~November~~ <sup>December</sup> 1987.

*Steven William Martin*  
STEVEN WILLIAM MARTIN  
Owner of Lot #43  
(Total 1 Lot)

STATE OF COLORADO     )  
                                  : ss.  
COUNTY OF EL PASO     )

On the 2<sup>nd</sup> day of DECEMBER, 1987, personally appeared before me, Steven William Martin, the signer of the above foregoing instrument, who duly acknowledged to me that he executed the same.



*Ray G. Morgan*  
NOTARY PUBLIC

Residing at: 30 Del Verde Dr, CSC 80918  
My Commission Expires: 20 September 1989

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architectural Control Committee is hereby agreed to and signed by me  
this 23 day of FEB, 1988.

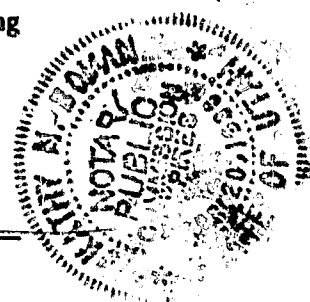
Meridian Enterprises, Inc. Business Trust  
By Douglas Chan  
Owner of Lot #37,  
Key Bank Trustee by: Karyn Peterson  
V.P. + Trust Officer

STATE OF ut)

COUNTY OF Weber)

On the 23 day of Feb, 1988, personally appeared  
before me, \_\_\_\_\_, the signer of the above foregoing  
instrument, who duly acknowledged to me that he executed the same.

Kathryn Boman  
Notary Public



Residing At: Weber City

My Commission Expires: 4/20/88

STATE OF UTAH )  
 ) ss.  
COUNTY OF WEBER:

On the 23rd day of February, 1988, personally appeared before me, Gary M. Peterson, who being by me duly sworn did say, that he is the Vice President and Trust Officer of Key Bank of Utah, and that the within instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors.

Letty L. Daniels  
Notary Public

Residing in Ogden, Utah

My Commission Expires:

April 10, 1990

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architectural Control Committee is hereby agreed to and signed by me  
this 30 day of January, 1988.

Walter William Ryan  
Walter William Ryan  
Owner of Lot #44

STATE OF California  
COUNTY OF Santa Clara : ss.

On the 30 day of January, 1988 personally appeared  
before me, WALTER WILLIAM RYAN, the signer of the above foregoing  
instrument, who duly acknowledged to me that they executed the same.

Mary Ethel Thomas  
Notary Public

Residing At: 2073 Hillview Ave, San Jose, Ca  
My Commission Expires: 2/28/91





THIS DECLARATION OF AMENDMENT AND ELECTION of the  
 Architecural Control Committee is hereby agreed to and signed by me  
 this 23 day of Feb, 19 88.

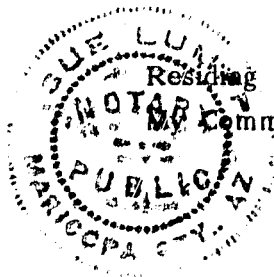
La Ree Nielsen

LaRee Nielsen  
 Owner of Lot #38, Snow Creek Subdivision  
 Layton, Utah

STATE OF AZ)  
 COUNTY OF Maricopa) :ss.

On the 23 day of FEBRUARY, 19 88, personally  
 appeared before me, La Ree Nielsen, the signer of the above  
 foregoing instrument, who duly acknowledged to me that he executed the same.

[Signature]  
 Notary Public



Residing At: PHOENIX, AZ  
 Commission Expires: \_\_\_\_\_

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
 Architecural Control Committee is hereby agreed to and signed by me  
 this 23 day of FEB, 1988.

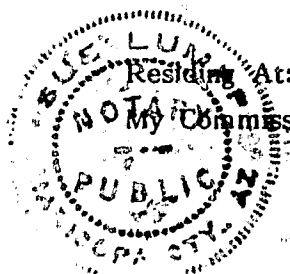
Michael W. Nielsen

Micheal W. Nielsen  
 Owner of Lot #42, Snow Creek Subdivision  
 Layton, Utah

STATE OF AZ)  
 )SS.  
 COUNTY OF Maricopa)

On the 23rd day of February, 1988, personally  
 appeared before me, Michael W. Nielsen the signer of the above  
 foregoing instrument, who duly acknowledged to me that he executed the same.

[Signature]  
 Notary Public



Residing At: PHOENIX, AZ  
 My Commission Expires: \_\_\_\_\_

THIS DECLARATION OF AMENDMENT AND ELECTION of the  
Architecural Control Committee is hereby agreed to and signed by me  
this 23 day of Feb., 1988.

LaRee Nielsen

LaRee Nielsen  
Owner of Lot #28, Snow Creek Subdivision  
Layton, Utah

STATE OF Arizona )  
COUNTY OF Maricopa ) :ss.

On the 23rd day of February, 1988, personally  
appeared before me, LaRee Nielsen, the signer of the above  
foregoing instrument, who duly acknowledged to me that he executed the same.

[Signature]  
Notary Public



Residing At: PHOENIX, AZ  
My Commission Expires: \_\_\_\_\_