

MODIFICATION AND AMENDMENT OF BUILDING AND USE RESTRICTION

E# 859591 BK 1295 PG 477
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1989 MAY 30 28:2 PM FEE 62.00 DEP REC
REC'D FOR WILCOX CONSTRUCTION

WHEREAS on September 25, 1987, there were certain Building and Use Restrictions established for the use and control of lots included within the following described property situated in the County of Davis, State of Utah, to-wit:

All of SUMMER HAZE Units 1 & 2, lots 1-41, inclusive, Layton City, Davis County, Utah, according to the official plat thereof.

AND WHEREAS the said Restrictions were recorded September 25, 1987, as Entry No. 0803542, in Book 1196, Page 1215 of Official Records of Davis County, State of Utah.

WHEREAS it is now the desire and intent of the owners of the majority of said lots, being the owners of Two-Thirds (2/3) or more of the lots, pursuant to the said paragraph No. 3, of the original protective covenants, that the said Restrictions and Covenants be altered and amended in Paragraph No. 7 to state: Roofing Materials shall be wood shakes, (specifically Cedar or Woodruff) or tile.

Except as herein specified and specifically amended, the said Covenants and Restrictions shall be and remain as recorded, unaltered, unchanged, and in full force and effect.

Lot #1

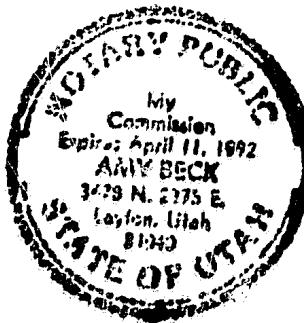
Frank L. Hart 5-25-89
Frank L. Hart Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 25 day of May, A.D. 1989, personally appeared before me Frank L. Hart the signer of the above instrument, who duly acknowledged to me that he executed the same.



Amy Beck
NOTARY PUBLIC
Residing at: Layton, Ut.

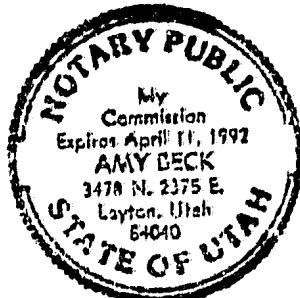
My Com. Expires: April 11, 1992

Lot #2 *Danny C. Bridenstine* *Inc.*
Dan Bridenstine - U.S. West Development, Inc. Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

E 859591 BK 1295 PG 478

On the 8 day of May, A.D. 1989, personally
appeared before me Dan Bridenstine, who being known by me as
the President of U.S. West Development, that he signed the
within instrument for and on behalf of said corporation by
authority of a resolution of its Board of Directors, and
said Dan Bridenstine duly acknowledged to me that said
corporation executed the same.



Amy Beck

NOTARY PUBLIC

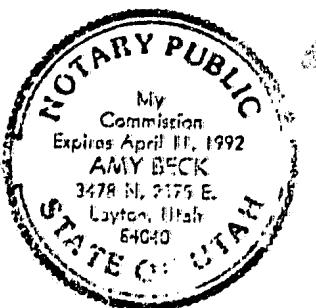
Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #3 *Danny C. Bridenstine*
Dan Bridenstine - U.S. West Development, Inc. Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the 8 day of May, A.D. 1989, personally
appeared before me Dan Bridenstine, who being known by me as
the President of U.S. West Development, that he signed the
within instrument for and on behalf of said corporation by
authority of a resolution of its Board of Directors, and
said Dan Bridenstine duly acknowledged to me that said
corporation executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #4

Dan C. Bridenstine
Dan Bridenstine - U.S. West Development, Inc. --- Date ---

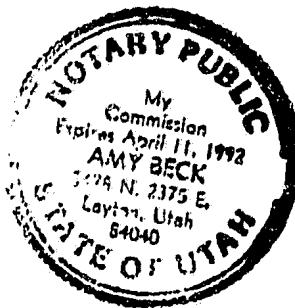
STATE OF UTAH

SS.

COUNTY OF DAVIS

E 859591 BK 1295 PG 479

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck

NOTARY PUBLIC-----

Residing at: Dayton, Ut.

My Com. Expires: April 11, 1992.

Lot #5

Lee Stauffer, Trustee of the Lee Stauffer Family Trust

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 28 day of July, A.D. 1989, Lee Stauffer, Trustee of the Lee Stauffer Family Trust dated the 28th day of July, 1982, personally appeared before me and executed the same.

NOTARY PUBLIC-----

Residing at: -----

My Com. Expires: -----

Lot #6

Danny L. Bridenstine
Dan Bridenstine - U.S. West Development, Inc. --- Date

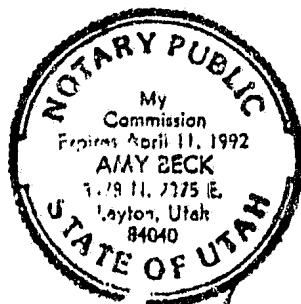
E 859591 BK 1295 PG 480

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #7

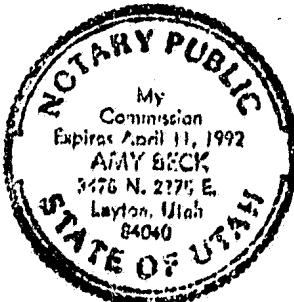
Danny L. Bridenstine
Dan Bridenstine - U.S. West Development, Inc. --- Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #8 Charles D. Bishop ----- Date

E 859591 BK 1295 PG 481

Margaret R. Bishop ----- Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally
appeared before me Charles D. Bishop and Margaret R. Bishop
the signers of the above instrument, who duly acknowledged
to me that they executed the same.

----- NOTARY PUBLIC -----

Residing at: _____

My Com. Expires: _____

Lot #9 Gary T. Hammons ----- Date

Betty M. Hammons ----- Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally
appeared before me Gary T. Hammons and Betty M. Hammons the
signers of the above instrument, who duly acknowledged to me
that they executed the same.

----- NOTARY PUBLIC -----

Residing at: _____

My Com. Expires:
Page 5 of 21

Lot #10

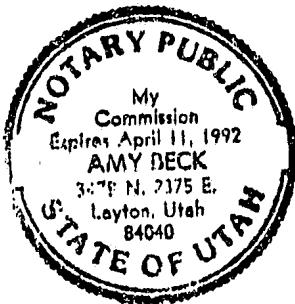
Dan Bridenstine - U.S. West Development, Inc. --- Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #11

Lynn R. Cardey-Yates --- Date

Mark A. Yates --- Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally appeared before me Lynn R. Cardey-Yates and Mark A. Yates the signers of the above instrument, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

Residing at: _____

My Com. Expires: _____

Lot #12

Craig K. Julien

Date

Linda C. Julien

Date

STATE OF UTAH

SS

COUNTY OF DAVIS

E# 859591 BK 1295 PG 483

On the _____ day of _____, A.D. 1989, personally
appeared before me Craig K. Julien & Linda C. Julien the
signers of the above instrument, who duly acknowledged to me
that they executed the same.

-----'NOTARY PUBLIC'-----

Residing at: _____

My Com. Expires: _____

Lot #13

Shawna R. Durbano

May 10 89

Date

STATE OF UTAH

SS

COUNTY OF DAVIS

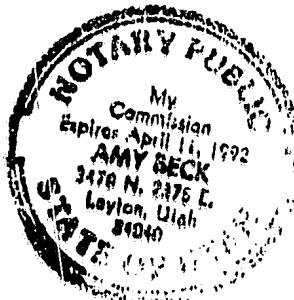
On the 10 day of May, A.D. 1989, personally
appeared before me Shawna R. Durbano, the signer of the
above instrument who acknowledged to me that she executed
the same.

Amy Beck

-----'NOTARY PUBLIC'-----

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

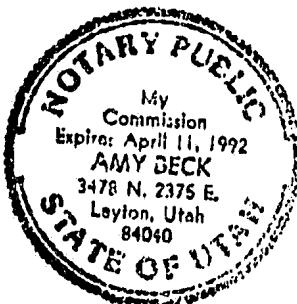


Lot #14 Shawna R. Durbano May 10, 89
Shawna R. Durbano Date

STATE OF UTAH
SS
COUNTY OF DAVIS

859591 BK 1295 PG 484

On the 10 day of May, A.D. 1989, personally
appeared before me Shawna R. Durbano the signer of the above
instrument, who acknowledged to me that she executed the
same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton

My Com. Expires: April 1, 1992

Lot #15 Stephen Wayne Smith Date
Stephen Wayne Smith

Beverly C. Smith Date

STATE OF UTAH
SS
COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally
appeared before me Stephen Wayne Smith & Beverly C. Smith
the signers of the above instrument, who duly acknowledged
to me that they executed the same.

NOTARY PUBLIC

Residing at: _____

My Com. Expires: _____

Lot #16

Danny C. Bridenstine, Jr.
Dan Bridenstine - U.S. West Development, Inc. Date

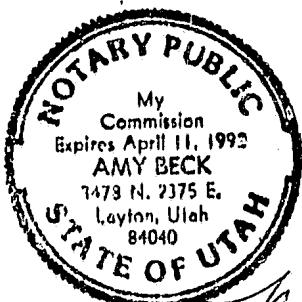
STATE OF UTAH

SS

COUNTY OF DAVIS

E 859591 6K 1295 PG 485

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #17

Michael R. Larkins 5/24/89

Michael R. Larkins

Date

Deborah Larkins 5/24/89

Deborah Larkins

Date

STATE OF UTAH

SS

COUNTY OF DAVIS

On the 24 day of May A.D. 1989, personally appeared before me Michael R. Larkins and Deborah Larkins the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #18

Barry A. Woods as Trustee in the Barry A. Woods & Sheila S. Woods, Family Trust

Sheila S. Woods as Trustee in the Barry A. Woods & Sheila S. Woods, Family Trust

STATE OF UTAH

SS

COUNTY OF DAVIS

859591 BK 1295 PG 486

On the _____ day of _____ A.D. 1989, Barry A. Woods & Sheila S. Woods as Trustee's in the Barry A. Woods and Sheila S. Woods, Family Trust, personally appeared before me, on behalf of said trust and duly executed the same.

-----NOTARY PUBLIC-----

Residing at: _____

My Com. Expires: _____

Lot #19

Stanley D. Brown _____ Date

Joyce F. Brown _____ Date

STATE OF UTAH

SS

COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally appeared before me, Stanley D. Brown and Joyce F. Brown, the signers of the above instrument, who duly acknowledged to me that they executed the same.

-----NOTARY PUBLIC-----

Residing at: _____

My Com. Expires: _____

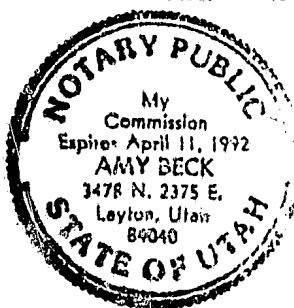
Lot #20 Gregg B. Taggart 5/10/89 Date
Gregg B. Taggart

Elaine Taggart 5/10/89 Date
Elaine Taggart

STATE OF UTAH
SS
COUNTY OF DAVIS

E# 859591 BK 1295 PG 487

On the 10 day of May, A.D. 1989, personally
appeared before me Gregg B. Taggart and Elaine Taggart the
signers of the above instrument, who duly acknowledged to me
that they executed the same.

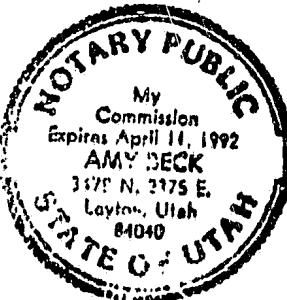


Amy Beck
NOTARY PUBLIC
Residing at: Dayton, Ut
My Com. Expires: April 11, 1992

Lot # 21 Dan Bridenstine - "U.S. West Development, Inc." Date
Dan Bridenstine - "U.S. West Development, Inc." Date

STATE OF UTAH
SS
COUNTY OF DAVIS

On the 8 day of May, A.D. 1989, personally
appeared before me Dan Bridenstine, who being known by me as
the President of U.S. West Development, that he signed the
within instrument for and on behalf of said corporation by
authority of resolution of its Board of Directors, and said
Dan Bridenstine duly acknowledged to me that said
corporation executed the same.



Amy Beck
NOTARY PUBLIC
Residing at: Dayton, Ut
My Com. Expires: April 11, 1992

Lot #22

Gary Michael Noble
Gary Michael Noble

11 May 89
Date

Shirlee Joanne Noble
Shirlee Joanne Noble

5-11-89
Date

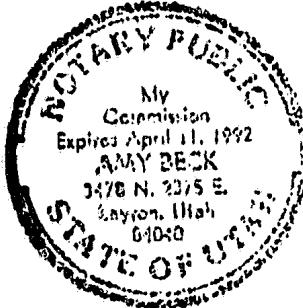
STATE OF UTAH

SS.

COUNTY OF DAVIS

859591 BK 1295 PG 488

On the 11 day of May, A.D. 1989, personally
appeared before me Gary Michael Noble and Shirlee Joanne
Noble the signers of the above instrument, who duly
acknowledged to me that they executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #23

Frank L. Hart 5-25-89
Frank L. Hart

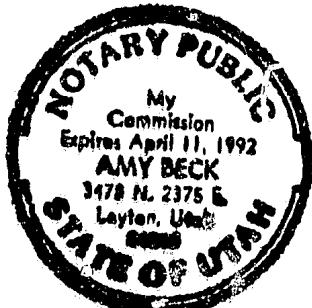
Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 25 day of May, A.D. 1989, personally
appeared before me Frank L. Hart the signer of the above
instrument, who duly acknowledged to me that he executed the
same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

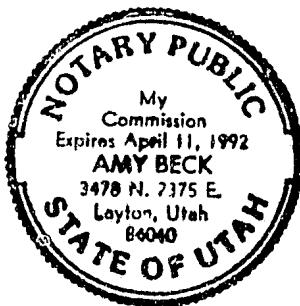
Lot #24

Frank L. Hart 5-8-89
Frank L. Hart Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

E 859591 BK 1295 PG 489

On the 25 day of May, A.D. 1989, personally
appeared before me Frank L. Hart the signer of the above
instrument, who duly acknowledged to me that he executed the
same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

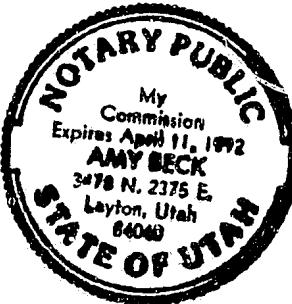
My Com. Expires: April 11, 1992

Lot #25

Frank L. Hart Date
Frank L. Hart

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the 25 day of May, A.D. 1989, personally
appeared before me Frank L. Hart the signer of the above
instrument, who duly acknowledged to me that he executed the
same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

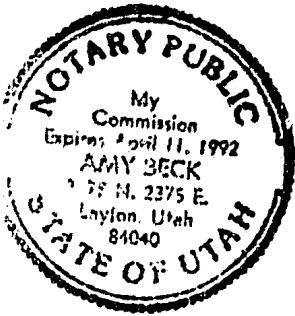
Lot #26

Chris Martineau
Chris L. Martineau dba C.L. Martineau Construction
Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

EV 859591 BK 1295 PG 490

On the 10 day of May, A.D. 1989, personally
appeared before me Chris L. Martineau dba C.L. Martineau
Construction the signer of the above instrument, who duly
acknowledged to me that he executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton

My Com. Expires: April 11, 1992

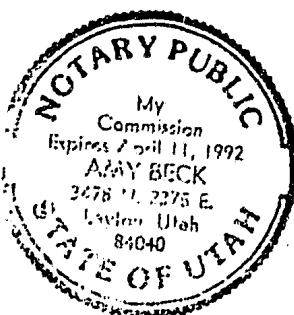
Lot #27

Chris Martineau
Chris L. Martineau dba C.L. Martineau Construction

Date

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the 10 day of May, A.D. 1989, personally
appeared before me Chris L. Martineau dba C.L. Martineau
Construction the signer of the above instrument, who duly
acknowledged to me that he executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton

My Com. Expires: April 11, 1992

Lot #28

Dan C. Bridenstine

Dan Bridenstine - U.S. West Development, Inc. Date

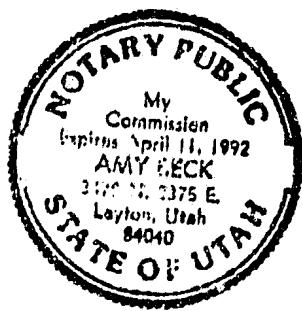
STATE OF UTAH

SS.

COUNTY OF DAVIS

E 859591 BK 1295 PG 491

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #29

William Michael Beardslee

Date

Catherine R. Beardslee

Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally appeared before me William Michael Beardslee and Catherine R. Beardslee the signers of the above instrument, who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

Residing at: _____

My Com. Expires: _____

Lot #30

John B. Wilcox

5-11-89

Date

John B. Wilcox

Diane B. Wilcox

5-11-89

Date

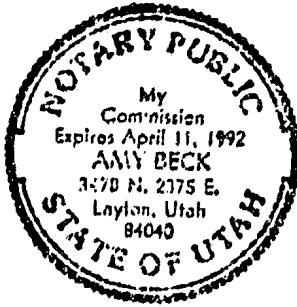
Diane B. Wilcox

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 11 day of May, A.D. 1989, personally appeared before me John B. Wilcox and Diane B. Wilcox the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #31

Gary L. Pepper

Date

Gary L. Pepper

Patricia K. Pepper

May 11-89

Date

Patricia K. Pepper

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 11 day of May, A.D. 1989, personally appeared before me Gary L. Pepper and Patricia K. Pepper the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton

My Com. Expires: April 11, 1992

Lot #32

Dan Bridenstine
Dan Bridenstine - U.S. West Development, Inc. Date

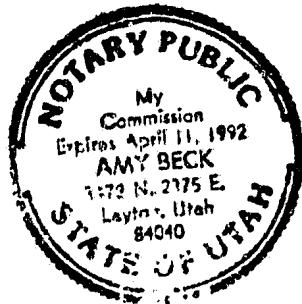
STATE OF UTAH

SS.

COUNTY OF DAVIS

E 859591 BK 1295 PG 493

On the 8 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #33

Dennis J. Brown
Dennis J. Brown

May 11, 1989
Date

Barbara Brown
Barbara Brown

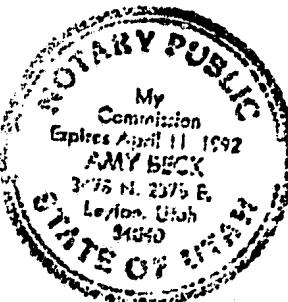
Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 11 day of May, A.D. 1989, personally appeared before me Dennis J. Brown and Barbara Brown the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut. 84040

My Com. Expires: April 11, 1992

Lot #34

Dan Bridenstine
Dan Bridenstine - U.S. West Development, Inc. Date

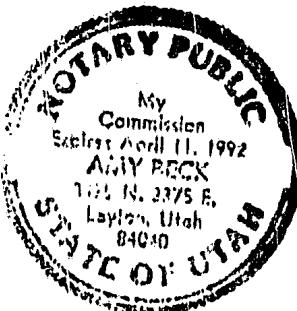
STATE OF UTAH

SS.

COUNTY OF DAVIS

E: 859591 BK 1295 PG 494

On the 10 day of May, A.D. 1989, personally appeared before me Dan Bridenstine, who being known by me as the President of U.S. West Development, that he signed the within instrument for and on behalf of said corporation by authority of a resolution of its Board of Directors, and said Dan Bridenstine duly acknowledged to me that said corporation executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #35

Steven G. Coombs
Steven G. Coombs

5/11/89
Date

Annette T. Coombs
Annette T. Coombs

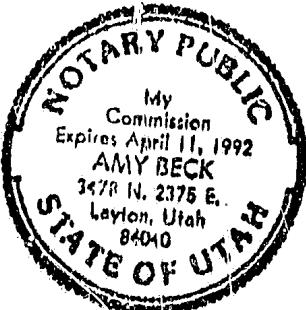
5/11/89
Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 11 day of May, A.D. 1989, personally appeared before me Steven G. Coombs and Annette T. Coombs, the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck
NOTARY PUBLIC

Residing at: Layton, Ut.

My Com. Expires: April 11, 1992

Lot #36

Don L. Peterson
Don L. Peterson

5-11-87

Date

Doris M. Peterson
Doris M. Peterson

Date

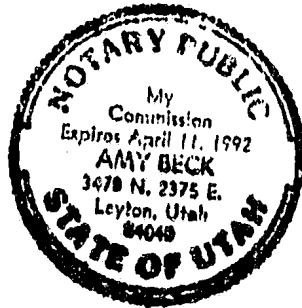
STATE OF UTAH

SS.

COUNTY OF DAVIS

E 859591 BK 1295 PG 495

On the 11 day of May, A.D. 1989, personally appeared before me Don L. Peterson and Doris M. Peterson, the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #37

Don L. Peterson
Don L. Peterson

5-11-89

Date

Doris M. Peterson
Doris M. Peterson

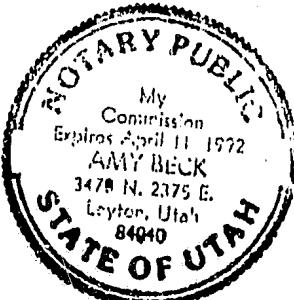
Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the 11 day of May, A.D. 1989, Personally appeared before me Don L. Peterson and Doris M. Peterson, the signers of the above instrument, who duly acknowledged to me that they executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot # 38

Tanya Garn

Date

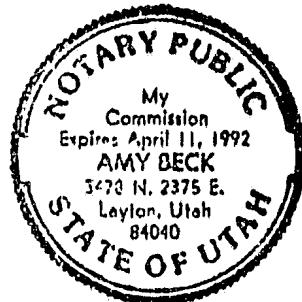
STATE OF UTAH

SS.

COUNTY OF DAVIS

E 859591 BK 1295 PG 496

On the 11 day of May, A.D. 1989, personally appeared before me Tanya Garn, the signer of the above instrument, who duly acknowledged to me that she executed the same.



Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992

Lot #39

Tanya Garn

Date

STATE OF UTAH

SS.

COUNTY OF DAVIS

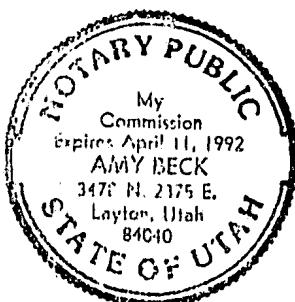
On the 11 day of May, A.D. 1989, personally appeared before me Tanya Garn, the signer of the above instrument, who duly acknowledged to me that she executed the same.

Amy Beck

NOTARY PUBLIC

Residing at: Layton, Ut

My Com. Expires: April 11, 1992



Lot #40

Steven M. Stacy

Date

Renee L. Stacy

Date

E 859591 BK 1275 PG 497

STATE OF UTAH
SS.
COUNTY OF DAVIS

On the _____ day of _____, A.D. 1989, personally
appeared before me Steven M. Stacy and Renee L. Stacy, the
signers of the above instrument, who duly acknowledged to me
that they executed the same.

----- NOTARY PUBLIC -----

Residing at: _____

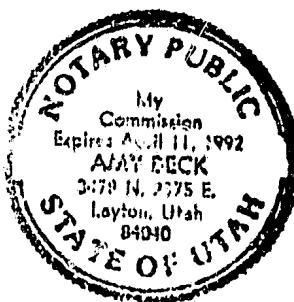
My Com. Expires: _____

Lot # 41

Chris L. Martineau dba C.L. Martineau Construction

STATE OF UTAH
SS
COUNTY OF DAVIS

ON THE 10 DAY OF May A.D. 1989, personally
appeared before me Chris L. Martineau dba C.L. Martineau
Construction the signer of the above instrument, who duly
acknowledged to me that he executed the same.



Amy Beck

----- NOTARY PUBLIC -----

Residing at: Layton, Ut

My Com. Expires: April 11, 1992