

MODIFICATION AND AMENDMENT OF BUILDING AND USE RESTRICTION

E# 859591 BK 1295 PG 477  
CAROL DEAN PAGE, DAVIS CNTY RECORDER  
1989 MAY 30 2:22 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

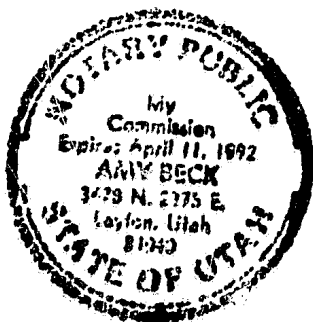
Date

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

Dan C. Bridenstine

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

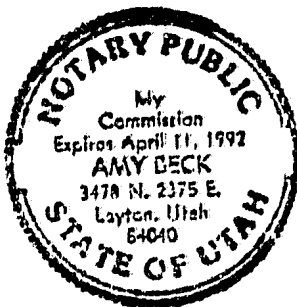
STATE OF UTAH

SS.

COUNTY OF DAVIS

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

Dan 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

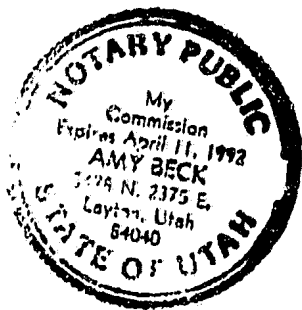
STATE OF UTAH

E: 859591 BK 1295 PG 479

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 #5

Lee Stauffer, Trustee of the Lee Stauffer Family Trust

STATE OF UTAH

SS.

COUNTY OF DAVIS

On the \_\_\_\_\_ day of \_\_\_\_\_, 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

Dan C. Bridenstine

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

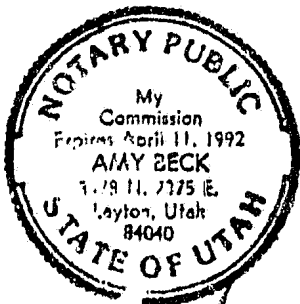
# 859591 BK 1295 PG 480

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

Dan C. Bridenstine

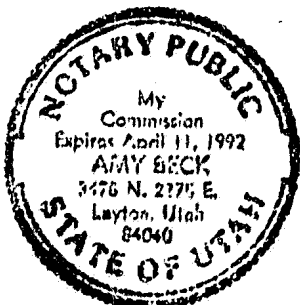
Dan Bridenstine - U.S. West Development, Inc. Date

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 #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: \_\_\_\_\_

Lot #10

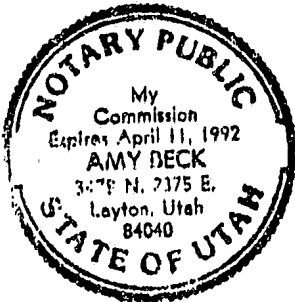
Dan Bridenstine - U.S. West Development, Inc. Date

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, UtMy Com. Expires: April 11, 1992

Lot #11

Lynn R. Cardey-Yates DateMark 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

E: 859591 BK 1295 PG 483

STATE OF UTAH

SS

COUNTY OF DAVIS

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 17, 89  
Date

STATE OF UTAH

SS

COUNTY OF DAVIS

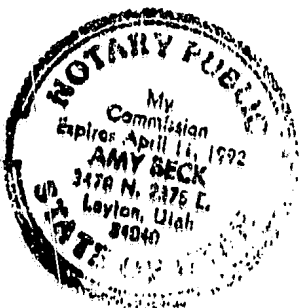
On the 10 day of May, A.D. 1989, personally appeared before me Shawna R. Durbano, the signer of the above instrument who acknowledged to me that she executed the same.

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

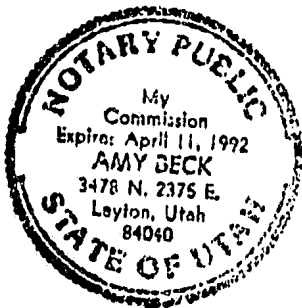
STATE OF UTAH

SS

E# 859591 BK 1295 PG 484

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

My Com. Expires: April 11, 1992

Lot #15 Stephen Wayne Smith Date

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

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

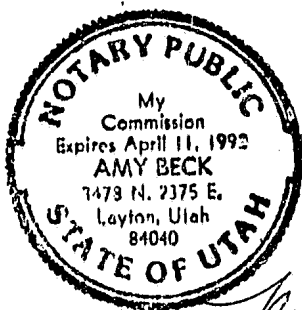
STATE OF UTAH

SS

COUNTY OF DAVIS

E# 859591 BK 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  
Michael R. Larkins

5/24/89  
Date

Deborah Larkins  
Deborah Larkins

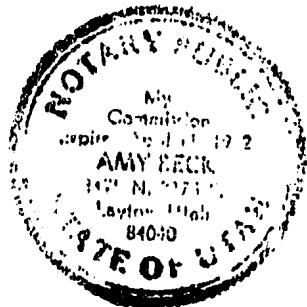
5/24/89  
Date

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

E: 859591 BK 1295 PG 486

On the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1989, Barry A. Woods & Sheila S. Woods as Trustees in the Barry A. Woods and Sheila S. Woods, Family Trust, personally appeared before me, on behave 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

Elaine Taggart

5/10/89

Date

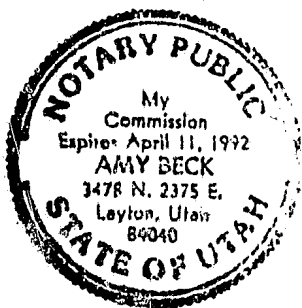
STATE OF UTAH

SS

859591 BK 1295 PG 487

COUNTY OF DAVIS

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:

Layton, Ut

My Com. Expires:

April 11, 1992

Lot # 21

Dan C. Bridenstine

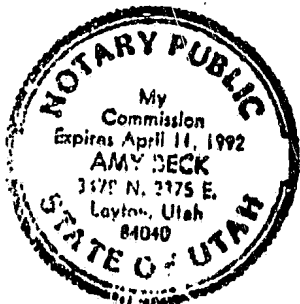
Dan Bridenstine - U.S. West Development, Inc. Date

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 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 #22

Gary Michael Noble  
Gary Michael Noble

11 May 89  
Date

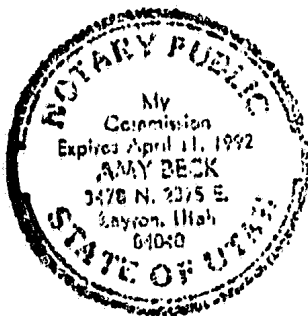
Shirlee Joanne Noble  
Shirlee Joanne Noble

5-11-89  
Date

STATE OF UTAH  
SS.  
COUNTY OF DAVIS

E: 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

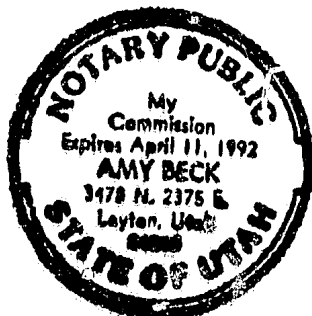
Lot #23

Frank L. Hart  
Frank L. Hart

5.25.89  
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  
Date

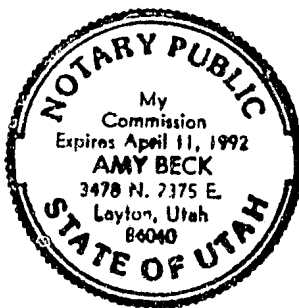
STATE OF UTAH

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

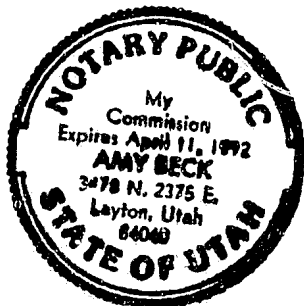
Date

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 L. Martineau dba C.L. Martineau Construction

Date

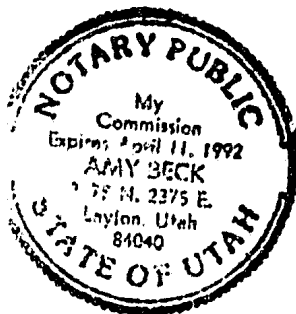
STATE OF UTAH

SS.

COUNTY OF DAVIS

E# 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 L. Martineau dba C.L. Martineau Construction

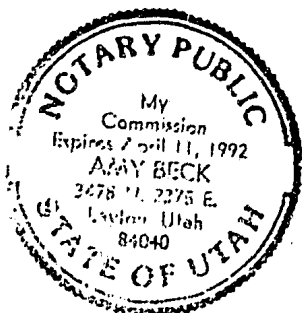
Date

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

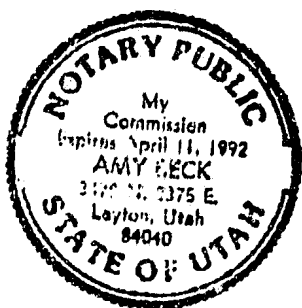
STATE OF UTAH

SS.

E 859591 BK 1295 PG 491

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 #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

Diane B. Wilcox

Diane B. Wilcox

5-11-89

Date

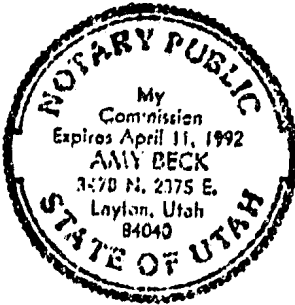
STATE OF UTAH

859591 BK 1295 PG 492

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

Patricia K. Pepper

Patricia K. Pepper

May 11 - 89

Date

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

Amy Beck for  
Dan Bridenstine - U.S. West Development, Inc. Date

STATE OF UTAH

SS.

E: 859591 BK 1295 PG 493

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 #33

Dennis J. Brown May 11, 1989  
Dennis J. Brown Date

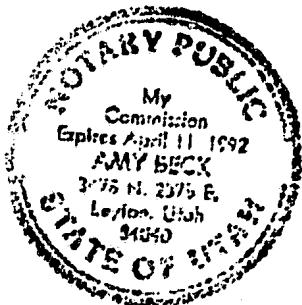
Barbara Brown  
Barbara Brown Date

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 - U.S. West Development, Inc. Date

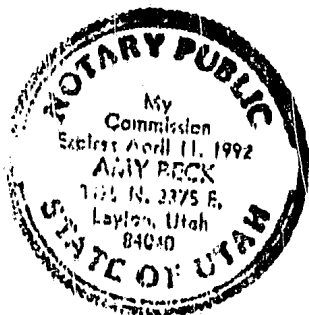
STATE OF UTAH

SS.

E: 859591 BK 1295 PG 494

COUNTY OF DAVIS

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

5/11/89  
Date

Annette T. Coombs  
Annette T. Coombs

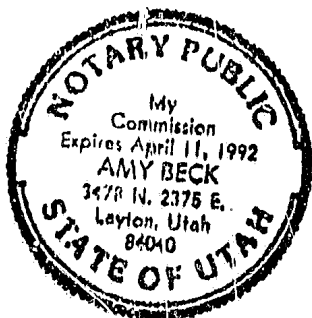
5/11/89  
Date

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

5-11-89

Date

Doris M. Peterson  
Doris M. Peterson

Date

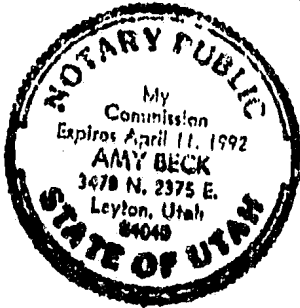
STATE OF UTAH

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

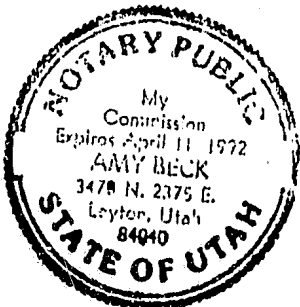
Date

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 Tanya Garn

Date

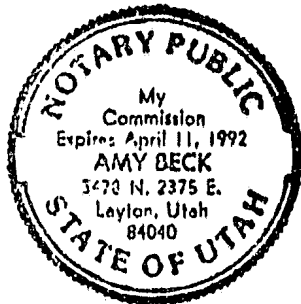
STATE OF UTAH

E: 859591 BK 1295 PG 496

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 #39

Tanya Garn Tanya Garn

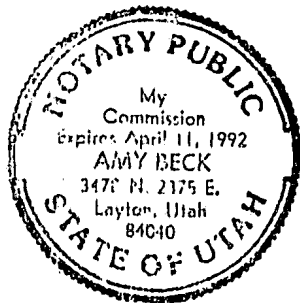
Date

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

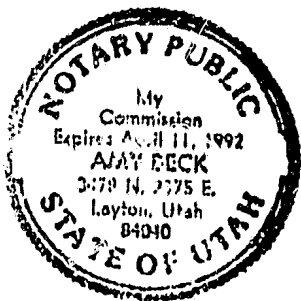
*Chris L. Martineau*  
Chris L. Martineau dba C.L. Martineau Construction

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